

ORDINANCE NO. 235

AN ORDINANCE OF THE CITY OF CASTLEFORD, IDAHO TO PROVIDE LICENSE FEES FOR DOGS AND PROVIDING DATES TO PURCHASE LICENSES; PROVIDING A LIMIT OF DOGS ALLOWED WITHIN CITY LIMITS; PROVIDING A LEASH LAW, PROVIDING A PRORATED FEE; PROVIDING A REPEALER CLAUSE; AND PROVIDING THE EFFECTIVE DATE HEREOF, REPEALING ORDINANCE NO. 4, ORDINANCE NO. 91, ORDINANCE NO. 169 AND AMENDMENT TO ORDINANCE NO. 169; ORDINANCE NO. 205 AND ORDINANCE NO. 207.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CASTLEFORD, IDAHO:

SECTION 1 DEFINITIONS:

For the purpose of this chapter, unless it is plainly evident from the context that a different meaning is intended, certain terms used in this chapter are defined as follows:

AT LARGE: Any dog which is not confined within a fenced or completely enclosed area or controlled by a leash, cord, chain, or electronic device.

DOG: Any male, female or spayed female or neutered male dog of any age.

DOG OF LICENSING AGE: Any dog which has attained the age of thirteen (13) weeks of age or older.

IMMEDIATE CONTROL: Control by leash, cord, chain, or electronic device.

IMPOUNDED: Having been received into the custody of the municipal pound or into the custody of the code enforcement officer or police department or any authorized agent or representative thereof.

KENNEL: Premises where more than four (4) dogs are raised, kept, housed, or boarded.

OWNER: Any person or persons, firm, association, or corporation owning, keeping, or harboring a dog.

POUND: An animal shelter, lot, premises, or buildings maintained by the city for the confinement and care of dogs seized either under the provisions of this chapter or otherwise.

UNLICENSED DOG: A dog for which the license for the current year has not been paid, or to which the tag provided for in this chapter is not attached.

VICIOUS DOG: A dog that has bitten, clawed, or otherwise harmed, or constitutes a physical threat, or a dog whose temperament or habits endanger or menace any person or other animal without provocation by such person or animal. This term shall not include a dog that bites, attacks, or menaces a person or other animal that has tormented or injured the dog.

SECTION 2 LICENSE; REGISTRATION; REQUIRED:

A. All dogs over the age of thirteen (13) weeks kept, harbored, or maintained by any person in the city shall be licensed and registered.

- B. All dogs under the age of thirteen (13) weeks kept, harbored, or maintained by any person in the city and found to be at large and impounded will be required to be licensed and registered at the time the impound fees are paid in order to be released back to the owner.
- C. Dog licenses shall be issued by the city clerk and/or code enforcement officer upon payment of a license fee and presentation of proof of vaccination for Rabies and Parvo as provided in this chapter.
- D. All dog owners within the city shall renew their current dog licenses on or before January 31st of each year. The owner shall state, at the time application is made for such license, his name, address, phone number, and the sex, breed, name, and color of each dog owned or kept by him, a full-body photo of the dog, and a certificate of a veterinarian showing inoculation with anti-rabies and parvo vaccine as required in this chapter.
- E. The failure to present a certificate of rabies or parvo vaccination shall not excuse the requirements of licensing otherwise eligible dogs. A rabies vaccination will be considered valid for three years following the date of vaccination. Once the initial series of parvo are completed, parvo vaccinations will be considered valid for three years following the date of vaccination.
- F. The license fee shall cover the period of one year (12 months) commencing on January 1 and terminating on December 31 of the same year.
- G. The provisions of this Section 2 shall not apply to dogs accompanied by their owners who are nonresidents of the city of Castleford and who are temporarily within the city for thirty (30) days or less, nor to dogs brought into the city for the purpose of participating in any dog show or being boarded at a commercial dog kennel.
- H. Dogs used as guides or assistants for blind persons or other handicapped persons shall be licensed and registered as other dogs provided for in this chapter.
- I. Payment of the license fee shall be made to the city clerk.
- J. All dogs over the age of thirteen (13) weeks whose owners are nonresidents of the city of Castleford, are unaccompanied by their owners and are not being boarded by a commercial dog kennel shall be allowed a maximum of ten (10) days with the city without being required to be licensed. After said ten (10) day period, such dogs must be licensed.
- K. Any owner of a registered dog shall notify the City, in writing, or by communication to the clerk, by December 31st of the following year if their registered dog is deceased or they no longer own the registered dog.

SECTION 3: LICENSE; FEE:

- ~~A. Licensing schedules and fees are outlined by Resolution. Annual License Fee: Beginning with January 1st, and annually thereafter, the owner of the dog shall pay a license fee, established by the city per dog; the license fee is payable from January 1st to December 31st of each year. Dogs registered after June 30th shall pay a pro-rated registration fee of \$5.00.~~
- ~~B. Late Fee: Any person during the period mentioned in this section who keeps or harbors a dog within the city limits of Castleford and fails to register the dog after January 31st shall pay the cost of a license and a fine~~

of \$10.00. Said person shall also pay an additional fine of \$10.00 for each additional month for which the dog is not registered.

~~C. To Make Application Within Thirty Days: The owner of any newly acquired dog of licensing age or any dog which attains licensing age or is otherwise required to be licensed shall make application for a license and official metal registration tag for such dog within thirty (30) days after such acquisition or age attainment. A new resident of the city who owns a dog of licensing age shall make and apply for a license within thirty (30) days of moving into the city.~~

SECTION 4: LICENSE TAGS; ISSUANCE:

- A. Issuance of Certificate and Tag: Upon payment of the license fee and proof of rabies and parvo vaccination, the city clerk or code enforcement officer shall issue to the owner a certificate and a metallic tag for each dog so licensed.
- C. Owner Responsibility: Every owner shall be required to provide each dog with a collar or harness to which the license tag shall be affixed and shall see that the collar and the tag are constantly worn.
- D. Show Dog Exemption: Show dogs during showings are exempted from wearing the collar and tag.
- E. Replacement Tag Fee: Replacement dog tags shall be issued upon payment of a fee of \$5.00 to replace an original tag that was lost or destroyed.
- F. Dog Tags Not Transferable: Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee for any reason whatsoever.
- G. Original Certificate; Inspection: The original certificate shall be retained by the owner or harbinger of the licensed dog for inspection by the code enforcement officer or police department.

SECTION 5: PENALTY:

Any person who fails to register a dog as provided in Sections 2 through 4 of this chapter shall pay a fine of \$10.00 for each month in which their dog is not registered.

SECTION 6: HARBORING MORE THAN FOUR DOGS OR STRAY DOGS PROHIBITED:

- A. It is unlawful for any person to harbor or keep within the city more than four (4) dogs or any lost or stray dog. Any person violating this provision shall be deemed guilty of an infraction, upon conviction thereof, and shall pay a fine ~~of one hundred dollars (\$100.00) per offense~~ outlined by Resolution.
- B. Whenever any dog is found which appears to be lost or strayed, it shall be the duty of the finder to notify the code enforcement officer or the police department. The code enforcement officer or officers of the police department shall impound the dog and dispose of the same as provided in this chapter for the disposition of a dog impounded for running at large contrary to the terms of this chapter. If there is attached to the dog a license tag for the then current year, the code enforcement officer or police department shall notify the person to whom the license was issued, at the address given in the license.
- C. A license to maintain a dog kennel may be issued by the Planning and Zoning Coordinator or other appropriate zoning official upon compliance with the requirements of this section and must be applied for and renewed on an annual basis on or before January 31st of each year. A dog kennel license may only be granted or renewed if the applicant is the holder of a valid special use permit for a dog kennel as may be

allowed pursuant to Castleford City Code. An application for a kennel license and a Special Use Permit must be filled out and renewed on a yearly basis. The fee for the kennel license is payable from January 1st to January 31st of each year and the fees will be set by the Planning and Zoning Coordinator. All dog kennels shall be required to comply with the requirements of this Section and any other requirements of the Castleford, Idaho City Code.

SECTION 7: IMPOUNDMENT; GENERALLY

All unlicensed dogs, all dogs disturbing the peace and quiet of a person or neighborhood, all vicious or dangerous dogs, and all dogs found to be within the city limits in violation of any of the provisions of this chapter shall be taken and impounded by the City. Such dogs shall be so taken without necessity of filing a complaint and shall be impounded and disposed of in accordance with the provisions of this chapter.

SECTION 8: IMPOUNDMENT; REDEMPTION:

- A. Any dog impounded as a licensed or unlicensed dog may be redeemed and taken from such pound by the owner or any authorized person upon exhibiting to the city clerk a certificate of registry, showing that the license imposed in said section has been paid for the dog, and upon paying the city clerk an impounding fee established by the city and a sum for each and every subsequent business day the dog has been impounded.
- B. All impounded dogs not redeemed within forty-eight (48) hours may be offered for sale at the best price obtainable at either private or public sale and all money received therefrom shall be paid to the city clerk.
- C. All dogs that are not sold or redeemed shall be taken to the pound or destroyed in a humane manner.
- D. In the event the same dog is impounded a second time, then said impounding fee shall be as established by the city, and in the event the same dog is impounded a third time, and for each subsequent time impounded, the impounding fee shall be as established by the city.

SECTION 9: RABIES AND PARVO VACCINATIONS:

Every dog shall be vaccination with a parvo vaccine and by a licensed veterinarian with anti-rabies vaccine by the time that any dog reaches the age of six (6) months and every three (3) years thereafter on the anniversary date of the first vaccination, provided that the vaccination used is of the chick embryo type, and otherwise the dog must be inoculated annually. Upon vaccination, the veterinarian shall issue to the owner a certificate or tag showing the date of the vaccination and the rabies tag must be affixed to the collar of the dog and always worn.

SECTION 10: RUNNING AT LARGE PROHIBITED:

- A. It is unlawful for any dog to be found running at large. The owner, possessor or person who keeps any dog found to be at large, shall be in violation of this provision.
- B. A dog shall be deemed to be running at large when found on, or away from the premises of the owner, possessor, or keeper thereof, or not under the immediate control of the owner, possessor or keeper or his agent or servant or a member of his immediate family. Also, a dog shall be deemed to be running at large when found upon the private premises of others or upon the streets, alleys, sidewalks, highways, vacant lots, schoolyards, or other public places in the city.

D. Violation of the provisions of this section is declared to be a nuisance and menace to the public health and safety, and the dog or dogs shall be taken up and impounded as provided in this chapter. Any person violating the provisions of this section shall be deemed guilty of an infraction, upon conviction thereof, and shall pay a fine of one hundred dollars (\$100.00) per offense outlined by Resolution.

SECTION 11: RIGHT OF ENTRY FOR ENFORCEMENT:

In the enforcement of any provisions of this chapter, the code enforcement officer or any police officer is authorized to enter the premises of any person to take possession of licensed or unlicensed, at large, dangerous, or vicious dog when in fresh pursuit of such dog at the time the dog goes onto private property.

SECTION 12: LICENSE; EXHIBITING:

It is unlawful for any person keeping or harboring a dog for which a license is required by this chapter to fail or refuse to exhibit the registration certificate or license tag upon demand by the code enforcement officer or police officer. Any person violating the provisions of this section shall be deemed guilty of an infraction, upon conviction thereof, and shall pay a fine of one hundred dollars (\$100.00) per offense outlined by Resolution.

SECTION 13: EUTHANASIA; RESTRICTIONS:

It is unlawful for the code enforcement officer to destroy, cause or allow to be destroyed any dog impounded until the expiration of the impound time limit of forty eight (48) hours and notice given as provided in this chapter, except the code enforcement officer may destroy a dog prior to the expiration of the time limit if the dog is immediately threatening the safety of or endangering the life or limb of any person, or in the case where the code enforcement officer may impound or receive a dog severely injured or infected by a contagious disease other than rabies and, in the code enforcement officer's judgment, the dog is suffering or recovery is doubtful, in which case the code enforcement officer may destroy the dog. The code enforcement officer shall notify, within twenty-four (24) hours after impounding a dog, the owner, if known, and if unknown, notice shall be posted at the city pound or city hall in a public place, the date of impoundment and description of the dog.

SECTION 14: ENFORCEMENT; AUTHORITY; DUTIES:

The person designated by the city council to act as code enforcement officer and the police department shall have the following duties:

- A. To enforce all provisions of this chapter and any amendment thereof and all ordinances enacted relating to dogs;
- B. To enforce licensing and control of dogs in the city of Castleford;
- C. To file complaints against any person failing to license any dog as provided or who otherwise fails to comply with the provisions of this chapter;

D. To capture dogs found running at large;

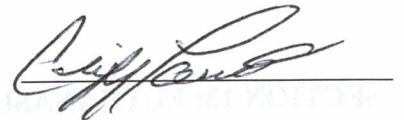
E. To collect the destruction fee and secure euthanasia records for all dogs to be destroyed at owner's request;

F. To be responsible for posting notices concerning impounded dogs. It shall be the duty of the person designated by the city council as code enforcement officer to hold all dogs delivered to him and provide suitable care for such dogs for the period of impoundment and to destroy all dogs remaining in the dog pound unclaimed or not redeemed at the expiration of the time limit of forty-eight (48) hours in a humane manner.

SECTION D. The effective date of this ordinance shall be upon its adoption and publication as required by law.


PASSED by the Council and APPROVED by the Mayor of the City of Castleford, Idaho, this 9th day of July, 2024.

APPROVED:



MAYOR

ATTESTED TO:



CITY CLERK