

Title 6

ANIMALS

Chapters:

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Chapter 6.04

GENERAL PROVISIONS

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- 6.04.020 Establishment of animal pound.
- 6.04.030 Impoundment-Enforcement-Redemption fee.
- 6.04.040 Sale of unredeemed animals.
- 6.04.050 Breaking open pound prohibited.
- 6.04.060 Cruelty to animals.
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- 6.04.080 Ownership, Keeping or Feeding Prohibited.
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6.04.010 Running at large prohibited. No cattle, horses, hogs, sheep or goats, or chickens, ducks, geese, turkeys, guinea fowls or any other fowl or animal, except dogs as provided in this chapter, and cats shall at any time be permitted to run at large within the town. (Ord. 81 § 5-1, 1979).

6.04.020 Establishment of animal pound. An animal pound will be made available by the town. The pound shall be in the charge of the pound master or town marshal. The town marshal or any other person so designated is empowered to act as pound master. He shall receive no pay other than his regular pay as town marshal. (Ord. 81 § 5-1.1, 1979)

6.04.030 Impoundment-Enforcement-Redemption fee.

- A. If any animal or fowl referred to in Section 6.04.010 is found running at large, it shall be the duty of the pound master or town marshal to impound such animal in a secure pen, pound or other place provided for that purpose.

- B. No animal so impounded shall be released until the owner shall have paid a fee determined by the governing body to be fair and just for the impoundment and care of the type of animal so impounded.
- C. Immediately upon impounding any animal, the pound master or town marshal, or other agents appointed by the town, shall record in a book provided by the town a description of the animal. The record shall state the sex, color, breed, estimated age, distinguishing marks, the date and hour of impounding, and the final disposition of the animal. (Ord. 81 § 5-2, 1979)

6.04.040 Sale of unredeemed animals.

- A. It shall be the duty of the town marshal to sell any animal or fowl so impounded, upon giving at least five days' previous notice to the owner or person in charge of the impounded animal of the time and place of such sale. The notice shall describe the animal with reasonable accuracy; provided, that any such animal may be redeemed at any time before the sale by payment of the fees and charges provided for in Section 6.04.030.
- B. In case any animal or fowl, sold pursuant to the provisions of this section, shall be sold for more than an amount sufficient to pay the fees and Charges required pursuant to Section 6.04.030, the excess shall be deposited with the town treasurer. Such excess shall be paid to the owner of such animal or to the person entitled to the possession of such animal, upon the claim and proper proof presented by such person. (Ord. 81 § 5-3, 1979)

6.04.050 Breaking open pound prohibited. No person shall, directly or indirectly, break open or assist in breaking open any pen or enclosure, with the intention of releasing any animal confined therein pursuant to the provisions of this chapter. (Ord. 81 § 5-4, 1979)

6.04.060 Cruelty to animals. No person shall overdrive, overload, drive when overloaded, overwork or willfully and maliciously torture, torment, deprive of necessary sustenance, unnecessarily or cruelly beat, or willfully and maliciously and needlessly Mutilate or kill, or carry in or upon any vehicle, or otherwise mistreat in a cruel or inhumane manner any animal, or cause or procure it to be done, or having the charge and custody of any animal, unnecessarily fail to provide it with the proper food, drink or protection from the weather, or cruelly abandon it. (Ord. 81 § 5-5, 1979)

6.04.070 Removal and disposal of dead animals. It shall be the duty of the owner of any animal found dead within the town to remove such animal beyond the corporate limits of the town and to bury such animal; provided, that if the town has designated a particular area for the burial of dead animals, the owner of any dead animal shall remove the dead animal to such designated area and bury the dead animal therein at the place designated by the administrative official in charge of such designated burial area. (Ord. 81 § 5-6, 1979)

6.04.080 Ownership, Keeping or Feeding Prohibited. No person shall own, keep, or feed any wild or exotic animal, including without limitation:

- (1) Bears;
- (2) Any species of feline other than ordinary domesticated house cats;
- (3) Skunks;
- (4) Poisonous reptiles;
- (5) Raccoons;
- (6) Deer, moose, antelope or elk;
- (7) Any species of non-human primate, but excluding animals imported under authority of state or federal law. (Ord. 266 § 1, 1998)

6.04.082. License Required for Those Wild and Exotic animals Not Specifically Prohibited by Section 6.04.080. No person shall own, keep, or feed any other wild or domestic animal, which has not been specifically prohibited in Section 6.04.080, within the Town Of Hanna for which a state license is required, unless such person possesses the appropriate license from the Wyoming Game & Fish. (Ord. 266 § 2, 1998)

6.04.084. "Feed" Defined. For the purposes of this section, to feed shall mean all provisions of edible or drinkable material, including without limitation:

- (1) Bones;
- (2) Salt licks;
- (3) Water;
- (4) Hay, Grain or Grain Mixtures; and
- (5) Feed Blocks. (Ord. 266 § 3, 1998)

6.04.086. Defense. It is a specific defense to a charge of violating Section 6.04.080 that a person is feeding only squirrels and birds. (Ord. 266 §4, 1998)

Chapter 6.08

DOGS

Sections:

- 6.08.010 Definitions.
- 6.08.020 Registration and licensing--Duties of town clerk.
- 6.08.030 Registration and licensing—Required—Fees--Expiration.
- 6.08.040 Vaccination certificate prerequisite to license issuance.
- 6.08.050 Registration receipt and book--Issuance and wearing of tag.
- 6.08.060 Impoundment--Required when—Fees.
- 6.08.070 Impoundment--Redemption by owner.
- 6.08.080 Impoundment—Redemption by person other than owner--
Disposition of unclaimed dogs,
- 6.08.090 Vicious dogs.
- 6.08.100 Dogs running at large.
- 6.08.110 Barking dogs.
- 6.08.120 Loosing of strays.
- 6.08.130 Kennels.
- 6.08.140 Duties of animal control officer when animal bites.
- 6,08.150 Duties of police and animal control agency when biting animal
cannot be captured.

6.08.010 Definitions. For the purposes of this chapter, the words set out in this section shall have the following meanings:

- A. "Kennel" means any premises or property of any kind or description where more than one female dog is kept for breeding purposes or where more than one litter of puppies or dogs is kept for purposes of sale.
- B. "Owner" means any person keeping or harboring a dog.
- C. "Pound" means any place provided for the impounding of animals. (Ord. 81 §5-7, 1979)

6.08.020. Registration and licensing--Duties of town clerk. It is the duty of the town clerk to annually make a complete enumeration and registration of all dogs within the town by publication at least once in a newspaper of general circulation in the town and to serve notice on the owners or keepers of dogs to register them. He shall collect the fees and issue receipt for all registrations provided in this chapter, and it shall be his duty to make remittance of all amounts so collected to the town treasurer. (Ord. 81 §5-8, 1979)

6.08.030 Registration and licensing--Required--Fees--Expiration.

- A. It shall be unlawful for any person to keep or harbor any dog over six months of age in the town of Hanna unless he shall cause the same to be registered and licensed by the town clerk and shall pay to the town clerk a registration fee as provided below:
1. Five dollars for each neutered male or spayed female dog;
 2. Ten dollars for each un-neutered male or un-spayed female dog.
(Ord. 81, 1979, & Ord. 1005-001, 1-10-2006)
- B. All registration for dogs as provided in this chapter shall expire December 31st and be due on January 1st of each year. Registration must be completed within thirty days thereafter. All dogs brought into the town of Hanna on or after July 1st of any year shall be licensed at one-half the regular fee.
- C. All dogs newly brought into town shall be registered within thirty days.
- D. All young dogs shall be registered within thirty days after becoming six months old.
(Ord. 141 §1, 1982: Ord. 81 §5-9, 1979)

6.08.040 Vaccination certificate prerequisite to license issuance. No license shall be issued under this chapter unless the applicant has obtained and exhibited to the town clerk a certificate or tag issued by a licensed veterinarian showing that the dog sought to be licensed has, within one year last past and immediately preceding the date of such application for a license, been vaccinated for rabies, (Ord. 81 §5-10, 1979)

6.08.050 Registration receipt and book--Issuance and wearing of tag upon collection of each registration fee, the town clerk shall issue a receipt therefore and register the animal for which such fee is paid in a book kept for that purpose, which book shall describe each animal by tag number, sex, name, color, age, kind of dog and name and address of the owner or keeper, and if a female, whether spayed or not. He shall give to the owner or keeper a license tag bearing the number under which such dog is registered and the year of registration. Such registration tag shall be secured by the owner around the neck of the animal registered, and it shall be unlawful for any person to put upon any dog any tag or check of the kind required by this chapter, except the one delivered by the town clerk for that particular animal. If the dog tags are lost or destroyed, a duplicate tag shall be issued by the town clerk upon presentation of the receipt showing payment for the license for the current year and payment of one dollar for the duplicate tag. (Ord. 81 §5-11, 1979)

6.08.060 Impoundment—Required when--Fees.

- A. Any dog found running at large within the town is declared to be a public nuisance, and it is the duty of the town police or pound master to pick-up and confine any such dog.

- B. In the event the town marshal or pound master knows or is able to locate the owner of any dog found running at large within the town without a current and valid license or tag as required by this chapter, he may return the dog to the owner with a citation for violation of this chapter.
- C. The fine for having a dog running at large within the town is as follows:
 - 1. For the first offense, fifty dollars;
 - 2. For the second offense, seventy-five dollars;
 - 3. For the third offense, one hundred dollars;
 - 4. The fourth offense is a misdemeanor with mandatory court appearance and fine at the discretion of the municipal judge. (Ord. 1005-001 01/10/06)

6.08.070 Impoundment--Redemption by owner. The owner or agent of any impounded dog shall have the privilege of claiming such dog within five days after it is impounded, upon payment of an impoundment or boarding fee of twenty dollars a day as established by resolution of the town council for each day that the dog is impounded or boarded. No care fee will be imposed for the day it is impounded. The impoundment or boarding fee is in addition to securing a registration for such dog for the current year, in accordance with the provision of this chapter. (Ord. 223 § 1, 1989; Ord. 102 §1(part), 1980; Ord. 81 §5-13, 1979)(Ord. 319, 2008)(Res. 2008-320, Oct. 14, 2008).

6.08.080 Impoundment—Redemption by person other than owner--disposition of unclaimed dogs.

- A. Any impounded dog, not claimed by the owner within five **(5)** days, may be redeemed by any person who secures a license for such dog as provided in this chapter.
- B. Dogs not redeemed by anyone shall be disposed of by the town marshal or pound master in the most humane manner available at the time of such disposal. No dog wearing a registration tag shall be destroyed unless three **(3)** day's previous notice, by certified mail, is given to the owner or person in charge of the dog. The pound master or town marshal may in preference to putting the dog to death, turn the dog over to some person who has agreed to and does permanently remove it from the town. Payment of the license and impounding fees are not required when the dog is permanently removed from the town. (Ord. 102 §1(part), 1980; Ord. 81 § 5-14, 1979) The town marshal may charge a fee as established by resolution of the town council for the Euthanization of an unclaimed or the nonredemption of a dog the animal pound by an owner of the dog. The charge for the Euthanization is one hundred fifty dollars. (Ord. 319, 2008)(Resolution 2008-320, Oct. 14, 2008.)

6.08.090 Vicious dogs.

No person shall own, keep or harbor or allow to be upon any premises occupied by him or in or under his charge or control any notoriously vicious dog that may manifest a disposition to any person or domestic animal, without having the dog properly secured and or muzzled. Upon conviction of a violation of this section, if it appears to the court that the dog is still living, the Court may, in addition to punishing the person convicted, order the Animal Control Officer to forthwith cause such dog to be humanely destroyed, and for that purpose any such officer charged with such duty shall have the right to enter upon any premises within the town. (Ord. 81 §5-15, 1979)

6.08.100 Dogs running at large. It is unlawful for any owner or keeper of any dog to permit or suffer such dog to run at large within the town. Every such dog found running at large within the town shall be deemed a nuisance and the owner shall, on conviction, be deemed guilty of maintaining a nuisance. Whenever any dog nuisance comes to the notice of the pound master or town marshal, it shall be his duty to immediately abate the nuisance by securing and confining the dog, or causing the owner to do so. If the owner is not known or cannot be found and it is impracticable for the pound master or town marshal to properly secure and confine the dog, the dog may be killed. If necessary, the pound master or town marshal may follow the dog outside the town limits. (Ord. 81 §5-16, 1979)

6.08.110 Barking dogs.

- A. No person shall keep, harbor or allow to stay about any premises occupied or controlled by him any dog; to cause annoyance, alarm, or noise disturbance at any time of the day or night, by repeated barking, whining, screeching, howling, braying or other like sounds which can be heard either an animal control officer or an individual residing within three hundred feet (exclusive of public right-of-way) of the place where the dog is harbored or to refuse or intentionally fail to cease the unreasonable noise when ordered to do so by the Town's Code Enforcement Officer or Law Enforcement Officer. Such a dog shall be deemed a public nuisance.
- B. Prima facie evidence of a violation of this section shall include but not be limited to:
 - 1. Vocalizing (howling, yelping, barking, squawking etc.) by the dog for five (5) minutes without interruption, defined as an average of four or more vocalizations per minute in that period; or,
 - 2. Vocalizing by the dog for twenty (20) minutes intermittently, defined as an average of two vocalizations or more per minute in that period.

- C. It is an affirmative defense under this Section that the dog or other animal was intentionally provoked to bark or make any other noise.
- D. Before any prosecution is brought, it shall be necessary for the complaining party or a law enforcement officer of the town of Hanna to notify the owner or other persons keeping such dog that the dog is creating a disturbance, and that unless such nuisance is abated after receipt of such notice, a complaint may be filed. Such notification, if by the complaining party, shall be by registered or certified mail, return receipt requested and shall be deemed complete upon deposit of such notice in the United States mail, postage prepaid, properly addressed. If notice is by a law enforcement officer, it shall be complete upon personal notification by the officer. At the same time of notice, a copy of the notice shall be provided to the Animal Control Officer or chief of police.
- E. Any such animal shall be deemed a nuisance and may be seized and impounded by the Town law enforcement officer if the disturbance reoccurs after the owner of such animal has received three documented offenses from the Town. If any person refuses to let such officer or employee enter the place where the animal is located, or refuses to let such officer or employee take possession of the animal, such Town officer or employee shall obtain a court order permitting entering the premises and taking such animal.(Ord. 128 § 1, 1981: Ord. 81 §5-17, 1979)(Ord. 340 2010).

6.08.120 Loosing of strays. No person shall dump or in any manner turn loose any dog to stray upon the streets of the town, (Ord. 81 §5-18, 1979)

6.08.130 Kennels. Any residence or other property on which is maintained more than four dogs shall be considered a kennel, provided that not more than three dogs of the same litter may be maintained on the premises until they attain the age of six months. Kennels will be allowed in the town only in areas properly zoned for this type of business. Anyone as of the effective date of the ordinance codified in this chapter and Chapter 6.04, owning in excess of four dogs may keep, but not replace them above the allotted number, provided they are properly licensed. (Ord. 133 §1,1982: Ord. 81 §5-19, 1979)

6.08.140 Duties of animal control officer when animal bites. It shall be the duty of the animal control officer when a complaint is received that a dog has bitten a person, to take the dog into custody and notify the owner, if known, and the town-county health department that the dog will be impounded for a period of ten calendar days; provided, however, that at the owner's written request the animal control officer shall release the dog into the custody of a licensed veterinarian who shall impound and keep the dog for a period often calendar days at the owner's expense. If, after

the end of the ten-day period, such dog shall exhibit no symptoms of rabies, the dog shall be returned to the owner by the veterinarian, or if impounded in the town animal center, it shall be returned to the owner by the animal control officer upon payment of all accrued charges. If the owner has not been found, the dog shall be disposed of after the ten-day period. In either case, the town-county health department will be notified after the elapse of the ten-day impoundment period. (Ord. 132 §1(part), 1981: Ord. 81 §5-20, 1979)

6.08.150 Duties of police and animal control agency when biting animal cannot be captured.

No police officer or other person shall kill, or cause to be killed, any animal suspected of being rabid, except after the animal has been placed in quarantine, and notification has been made to the town-county health department, and the diagnosis of rabies made by a licensed veterinarian. If a veterinarian diagnoses rabies in an animal in quarantine, then the animal shall be humanely killed and the head of such animal sent to a laboratory for pathological examination and confirmation of the diagnosis. The only exception to this shall be if the animal in question is so vicious and/or wild that it cannot be restrained and the police officer or animal control officer feels that further pursuit would result in losing the animal, then the animal can be killed with gunshot not aimed at the head of the animal. After the animal is dead, the head is to be severed from the body, and the head sent to the State Laboratory for examination, (Ord, 132 §1(part), 1981: Ord. 81 §5-21, 1979)

6.08.151 Female Dogs in Heat to be Confined. Every female dog in heat shall be confined in a building or secure enclosure in such a manner that such female dog cannot contact another animal except for planned breeding.

6.08.152 Nuisances and Destructive Dogs. No person shall fail to exercise proper care and control to prevent any dog owned by him or in or under his charge from excessive, continuous or untimely barking, molesting passerby, chasing vehicles or bicycles, attacking other domestic animals, trespassing upon school grounds, or trespassing upon or damaging private property. Upon conviction of a violation of this section involving damage or injury to persons, property, or other domestic animals, if it appears to the court that the dog is still living, the Court may, in addition to punishing the person convicted, order the Animal Control Officer to forthwith cause such dog to be humanely destroyed, and for that purpose any such officer charged with such duty shall have the right to enter upon any premises within the town.

6.08.153 Dog Feces and Public Health. It shall be the responsibility of the owner to keep his property free and clear of dog feces so as not to present potential danger to the public health as determined by the county health officer. In addition, the

owner or person in control of any dog shall be responsible for picking up any feces on public or private property when walking the animal.

6.08.154 Maiming or Poisoning Dogs Prohibited. No person shall willfully kill, maim or disfigure any dog, or administer poison or cause to be ingested any foreign object to any dog or expose any poisonous substance with the intent that it shall be taken by any dog except pests of public health importance. The provision of this section do not in any way limit the right of a police officer to kill any dog if said officer determines that there is a reasonable danger to the public safety or person to defend themselves or their property.

6.08.155 Penalties. Any person violating any provision of this chapter shall be punished in accordance with Chapter 1.16. (Ord. 1005-001, January, 2006)

Chapter 6.10

Sections:

6.10.010 Definitions

(A) As used in this chapter, unless the context otherwise indicates, the following shall have the meanings specified in this section:

(i) “Fowl” means live chickens, laying hens, turkeys, ducks, geese or carrier pigeons.

6.10.020 Keeping certain animals within city limits.

Except as specifically provided by zoning classification pursuant to Title 17 of the Hanna Municipal Code, no person shall keep or cause to be kept any fowl unless same are permitted pursuant to the provisions of Section 6.10.040 of this chapter.

6.10.030 Conditional use permits— Fowl (chickens, laying hens, etc.)

A. Those persons wishing to keep fowl on their property within the Town must apply for a permit.

B. The granting of the permit hereinabove set forth shall be in addition to all other state and federal permits, statutes and regulations regarding the care and keeping of fowl for which a permit is sought.

- C. An application for a permit to board or keep fowl within the Town shall be made to the Town clerk and shall contain the following:
1. Name and address of applicant;
 2. Location and legal description;
 3. Plans and specifications addressing the restrictions noted herein.
- D. When, upon review of the application, and the Town clerk is satisfied that the proposed plan meets the requirements and regulations of this division, and the code of the Town, and provided, approval has been received from the Town planning commission and/or Town Council, a permit shall be issued.
- E. Upon the issuance of a permit for fowl (chickens, laying hens, etc.), the Town Clerk may place such conditions and restrictions upon the permit as it deems reasonable and necessary, including, but not limited to:
1. No permittee /family unit shall have more than six (6) Fowl (chickens, laying hens, etc.).
 2. Male Fowl (chickens, laying hens, etc.) are prohibited;
 3. Fowl (chickens, laying hens, etc.) must be kept in a coop in a rear yard and must remain in the coop or an adjoining fenced enclosure at all times.
 4. Enclosures, which are subject to zoning standards for fence height and accessory buildings, must be at least 7.5 feet from any property line and 40 feet from any neighboring houses.
 5. The maximum size of a coop or enclosure may not exceed 10 square feet per chicken and both together may not exceed 15 square feet per chicken.
 6. Fencing, landscape buffering or screening of a minimum of 6 feet in height and enclosing the entire perimeter of the coop and chicken exercise area (yard) must be installed and maintained at all times;
 7. There shall be no slaughtering of Fowl (chickens, laying hens, etc.) on the premises. Harvesting of the chicken for meat or any purpose other than eggs shall be conducted at a USDA approved facility.

9. Provisions for the removal of excrement from the property on a regular basis; and
 10. Any other matter which the city council deems reasonably pertinent or relevant to the issuance of the permit
- F. Any person whose application for a license under this chapter has been denied may request and shall be granted a hearing on the matter before the Town Council.
- G. Whenever, upon inspection, it is found that conditions or practices exist which are in violation of any provisions of this division or regulations issued under this division, the Town shall give notice in writing to the person to whom the permit was issued that unless such conditions or practices are corrected within a reasonable period of time specified in the notice by the Town, the permit will be suspended. At the end of such period, the Town shall re inspect such conditions or practices have not been corrected, the Town clerk shall suspend the permit and give notice in writing of such suspension to the person to whom the license is issued. Upon receipt of notice of suspension, such person shall cease keeping fowl.
- H. Any person whose license has been suspended or who has received notice from the Town that his permit will be suspended unless certain conditions are corrected, may request and shall be granted a hearing on the matter before the Town Council; provided, that when no petition for such hearing has been filed within ten days following the day on which notice of suspension was served, such license shall be deemed to have been automatically revoked at the expiration of such ten-day period.

Chapter 6.12

LIVESTOCK

Sections:

6.12.010 Keeping within corporate limits prohibited--Exception.

6.12.020 Violation--Penalty,

6.12.010 Keeping within corporate limits prohibited--Exception. It shall be unlawful for any person or persons, partnership, corporation or association to keep and maintain within the corporate limits of the town of Hanna any horses, cows, mules, burros, donkeys, sheep, goats, pigs, hogs or swine; provided, however, that the mayor may give permission to keep saddle horses in the town of Hanna for not more than twenty-four hours, in case of emergency. (Ord. 21.1971)

6.12.020 Violations--Penalty. Any person or persons, partnership, corporation or association violating any of the provisions of this chapter shall, upon conviction, be fined in the sum of not less than ten dollars nor more than one hundred dollars for each violation. (Ord. 21.1971)

Title 7

(RESERVED)