

AN ORDINANCE

AMENDING SECTION 6-3-6(A) OF THE MUNICIPAL CODE OF THE CITY OF PAYETTE, IDAHO TO PROVIDE THAT DOGS MAY REMAIN AT LARGE UNDER THE CONTROL OF ANOTHER PERSON SO LONG AS THE DOG DOES NOT ENTER UPON PRIVATE PROPERTY OR DAMAGE PUBLIC PROPERTY; AMENDING SECTION 6-3-6(B) TO PROVIDE FOR THE LEVY OF AN INCREASED FINE FOR EACH ADDITIONAL VIOLATION OF SECTION 6-3-6; AMENDING SECTION 6-3-12 TO PROVIDE THAT AN AFFIDAVIT OF OWNERSHIP MUST BE SIGNED BEFORE AN IMPOUNDED DOG CAN BE RECLAIMED; AMENDING CHAPTER 3 OF TITLE 6 OF THE CITY CODE BY ADDING SECTION 6-3-14 WHICH MAKES IT UNLAWFUL FOR UNAUTHORIZED PERSONS TO RELEASE DOGS FROM THE POUND.

Be It Ordained by the Mayor and Council of the City of Payette, State of Idaho:

That Subsections (A) and (B) of Section 6-3-6 be amended; that Section 6-3-12 be amended and that Section 6-3-14 be added to the Municipal Code of the City of Payette, Idaho as follows:

6-3-6 (A) RUNNING AT LARGE PROHIBITED: It shall be unlawful for any owner, possessor, or person who keeps any dog, to permit the same to be, remain, or run at large off or away from the premises of the owner, possessor, or keeper thereof, unless,

1. Upon the private premises of another with the consent of the person in possession of such premises; or
2. Such dog be in charge of a person and ~~controlled by a leash net exceeding fifteen feet (15')~~ demonstrating positive voice control of said dog and maintaining a physical separation of no more than 150 feet; or such dog be controlled by a leash; provided, that said dog is not allowed in any case to enter without permission upon the private property of another and provided, said dog is not permitted to cause damage to any public property;
3. Such dog be confined in a motor vehicle.

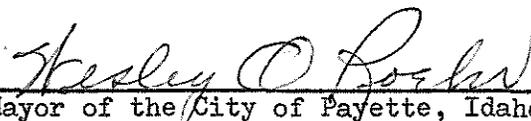
(B) PENALTY: Any owner, possessor, or person who keeps any dog, violating the provisions of this section shall, upon conviction thereof, be punished by a fine of not more than ~~ten dollars (\$10.00)~~ three dollars (\$3.00) for the first occurrence, ten dollars (\$10.00) for the second occurrence and twenty-five dollars (\$25.00) for each occurrence thereafter.

6-3-12 NOTICE OF IMPOUNDMENT: Not later than twenty four (24) hours after the impounding of any dog, the owner thereof shall be notified of such impounding. Before any action is taken for the sale or destruction of such dog as hereinafter provided, such notice shall be given in writing served personally on the owner, or, if personal services cannot be made, then such notice shall be sent to such owner by registered or certified, return receipt requested, mail to the then known address of such owner, or, if unknown, to the address given by such owner on the license application form for the year immediately preceding such impounding. Such owner shall be deemed to have received actual notice ~~two (2)~~ four (4) days following the day upon which said notice shall have been deposited in the mail, as herein provided. If the owner of the dog is unknown and if he has not made a license application form in the clerk's office covering the year in which the dog is impounded or the year immediately preceding such impounding, the written notice shall be posted ~~two (2)~~ four (4) full days at the place where the dogs are impounded, describing the dog and the time and place of taking. The owner of any dog so impounded may reclaim such dog upon the procurement of a license, if lacking, and the payment of all costs and charges incurred by the City of impounding and maintaining said dog, ~~the impounding charges being two dollars (\$2.00), plus one dollar (\$1.00) per day for keeping the dog and for giving notice to the owner thereof.~~ and by signing an affidavit of ownership of said dog. Such affidavit to contain a full description of the dog to include breed, sex, color, height and

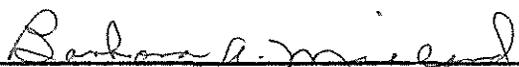
weight plus other information as shall be required by the Chief of Police.  
The impounding charges of the City shall be two dollars (\$2.00), plus one  
dollar (\$1.00) per day for keeping the dog and for giving notice to the owner  
thereof.

6-3-14 UNLAWFUL TO RELEASE: It shall be unlawful for any person except  
those responsible for the enforcement of this Chapter to release any  
dog without the consent of the owner, or to release his own or any other dog  
from the pound or from any place where a dog may be held for observation as  
set forth in this Chapter.

Passed and Approved by the Mayor and Council of the City of Payette,  
this 29th day of June, 1970.

  
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Mayor of the City of Payette, Idaho

WITNESS:

  
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Clerk of the City of Payette, Idaho