

ORDINANCE 1467

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO,
AMENDING SECTIONS 6.08.060 (A), OFFENSES AND NUISANCE CONDITIONS
AND SECTION 6.08.105 IMPOUNDMENT PROCEDURES IN CHAPTER 6.08
DOGS, OF TITLE 6 ANIMALS, TO ALLOW CONDITIONS WHEN DOGS ARE
ALLOWED TO BE AWAY FROM THE PREMISES OF THE OWNER AND TO REMOVE
REQUIREMENT OF FEES FOR EACH IMPOUND OCCURANCE; SETTING AN
EFFECTIVE DATE; ALLOWING PUBLICATION IN SUMMARY FORM;
ESTABLISHING SEVERABILITY; ESTABLISHING A REPEALER.

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

Section 1. Section 6.08.060 (A), OFFENSES AND NUISANCE
CONTIONS, under Chapter 6.08, DOGS, of Title 6, ANIMALS, of the
Payette Municipal Code is hereby amended as follows:

6.08.060: OFFENSES AND NUISANCE CONDITIONS:

A. Running At Large Prohibited: It shall be unlawful for any owner to
permit any dog to be 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;
2. such dog is under the direct and immediate care and control of a
person and controlled by a leash not exceeding eight feet (8') in
length;
3. such dog is safely confined in a motor vehicle;
4. dogs used for law enforcement.

Section 2. Section 6.08.105, IMPOUNDMENT PROCEDURES, under
Chapter 6.08, DOGS, of Title 6, ANIMALS, of the Payette
Municipal Code is hereby amended as follows:

6.08.105: IMPOUNDMENT PROCEDURES:

~~When a dog is impounded the owner shall pay a fee as set by resolution
for each twenty four (24) hour period, or portion thereof that the dog is
impounded.~~

A. Impounding: Any dog found running at large contrary to the
provisions of this chapter may be apprehended by any designated city
employee and shall be impounded; provided, however, that if any dog so

found at large cannot be safely taken up and impounded, such dog may be slain forthwith. Such dog shall be impounded and disposed of in accordance with provisions in this chapter. Any action taken by a police officer, ordinance officer, or other designated city employee, in the performance of his duties, that requires the death, injury, or destruction of a dangerous or vicious dog found running at large, shall not be considered to be cruel or inhumane treatment of the animal.

B. Period Of Confinement; Records: Any dog which bites any person and causes a break in the skin of that person, regardless if the bite is provoked or unprovoked, or is suspected of having rabies, shall be seized and impounded for a period of ten (10) days as required by Idaho state law. The chief of police and health department shall be so notified and the animal disposed of only under their direction. A complete registry shall be kept of every dog so impounded, entering the breed, color and sex of such dog, whether licensed, and time and place of taking. If licensed, the name and address of the owner and the number of the license tag shall be entered.

C. Impoundment Fees: For ~~the first occurrence of~~ impounding a dog running at large, the owner thereof shall pay to the City a fee as set by resolution for the taking up of such animal; ~~for the second occurrence of impounding a dog running at large, the owner thereof shall pay to the City a fee as set by resolution for the taking up of such animal. For the third or any subsequent occurrence of impounding a dog running at large, the owner thereof shall pay the City a fee as set by resolution for the taking up of such animal for each such occurrence.~~ Said impoundment fees shall be paid to the City Clerk's Office. Prior to the release of any dog impounded for running at large, the owner shall provide proof that he has possession of a current City of Payette license tag for said dog.

D. Care Of Impounded Animals: Any animal impounded under the provisions of this chapter shall be provided with proper care, food, and water while so confined.

Section 3. This Ordinance may be published in summary form allowed by Idaho Code.

Section 4. This Ordinance shall be in full force and effect immediately upon passage and publication as required by the laws of the State of Idaho.

Section 5. Any ordinances or resolutions which are in conflict with this Ordinance are hereby repealed, but only insofar as the conflict exists.

Section 6. If any portion of this Ordinance should be found to be unconstitutional or unenforceable for any reason, the remainder

of the Ordinance shall be applied to effectuate the purposes of this Ordinance.

PASSED and APPROVED by the Mayor and City Council of the City of Payette, Idaho this 19 day of November, 2019.

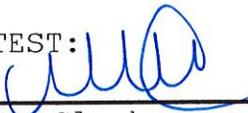
CITY OF PAYETTE, IDAHO

BY



Jeffrey T. Williams, Mayor

ATTEST:



City Clerk