

ORDINANCE NO. 2, SERIES 2018

AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 6 (ANIMALS) OF THE UPTON MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF UPTON, WESTON COUNTY, WYOMING:

1. Section 6.04.100 of the Upton Municipal Code is hereby amended to read as follows:

6.04.100 Dogs or Cats Running at large prohibited. The owner of a dog or cat shall confine the dog or cat to his or her own premises and shall not permit the dog or cat to run at large within the town, nor shall the owner fail to keep his or her dog or cat under control at all times. This section shall not apply to dogs owned by law enforcement agencies while the dogs are performing law enforcement related activities.

2. Section 6.04.101 of the Upton Municipal Code is hereby amended to read as follows:

6.04.101 Dogs or Cats – Public nuisances. A. It is unlawful for any dog or cat owner to keep a dog or cat that is a public nuisance, or permit a dog or cat to be a public nuisance, and each day that such dog or cat is kept or permitted to be a public nuisance shall constitute a separate offense.

3. Section 6.04.102 of the Upton Municipal Code is hereby amended to read as follows:

6.04.102 Vicious dogs or cats. A. It is unlawful for any person to own, keep, harbor, or allow to remain on any premises occupied by him or her or under his or her control any vicious dog or cat.

B. Evidence that a dog or cat has bitten or attacked any person or other animal at any place where the person or other animal is entitled to be is prima facie proof that the dog or cat is vicious. Proof that a dog or cat is vicious may also be shown by other evidence.

C. Any dog or cat alleged to be a vicious dog or cat may be impounded until such time as a criminal charge filed under this section is completed by conviction, acquittal or dismissal. Upon acquittal or dismissal the impounded dog or cat shall be returned to the defendant.

D. The municipal judge may order any dog or cat adjudged to be a vicious dog or cat to be destroyed, provided that such destruction order shall not interfere with a rabies quarantine period. If the dog or cat owner, keeper, harbinger or other person with control of the vicious dog or cat fails to comply with the destruction order, the municipal judge may direct any town police officer or animal control officer to take such vicious dog or cat into custody and destroy it as soon as possible. In carrying out such written destruction order, the police officer or animal control officer may enter upon any property, public or private, within the town and take custody of the vicious dog or cat so that it may be destroyed.

4. Section 6.04.103 of the Upton Municipal Code is hereby amended to read as follows:

6.04.103 Hindering police. It is unlawful for any person to hinder any city police officers or dog or cat control officers in the discharge of their duties under this chapter.

5. Section 6.04.104 of the Upton Municipal Code is hereby amended to read as follows:

6.04.104 Releasing dogs or cats. It is unlawful for any person to willfully release or cause to be freed a dog or cat belonging to another without the consent of the owner of the dog or cat.

6. Section 6.04.110 of the Upton Municipal Code is hereby amended to read as follows:

6.04.110 Impounding-Authorized when. It shall be the duty of the poundkeeper or any police officer to apprehend any dog or cat without a tag, or any dog or cat running at large, and to impound such dog or cat in the city pound or other suitable place. The poundkeeper shall record the breed, color and sex of the animal and whether licensed. If licensed the poundkeeper shall record the name and address of the license tag.

7. This Ordinance shall be effective upon passage and publication as provided by law.

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2018.

TOWN OF UPTON

BY: TRAVIS BECK, MAYOR

ATTEST:
KELLEY MILLAR,
TOWN CLERK-TREASURER

First Reading: January 9, 2018
Second Reading: February 13, 2018
Third Reading: March 13, 2018