

## **Animals**

(B) Humane societies shall maintain records on each animal accepted or housed, noting the following:

- (1) Name and address of previous owner or person turning the animal in;
  - (2) Date received;
  - (3) Condition of the animal and any medical treatment;
  - (4) Date of adoption, redemption or euthanization;
  - (5) Name and address of new owner.
  - (6) Verification of neutering.
- (Ord. 1995-13, passed 10-9-95; Am. Ord. 2003-09, passed 8-11-03) Penalty, see § 90.99

### ***PIT BULL TERRIERS***

#### **§ 90.20 DEFINITIONS.**

As used herein the following words have the meaning indicated:

**PERSON:** Means any natural person, corporation partnership, joint venture, unincorporated association, or any combination thereof.

***PIT BULL TERRIER.*** Means any dog which either:

- (1) Is registered with the American Kennel Club as either an American Staffordshire Terrier or a Staffordshire Bull Terrier; or
- (2) Is registered with the United Kennel Club as an American Pit Bull Terrier; or
- (3) Conforms to either of the attached standards of the American Kennel Club for the American Staffordshire Terrier or the Staffordshire Bull Terrier which were published, with an example photograph, in the 18th Edition of The Complete Dog Book in 1992; or
- (4) Has predominant physical characteristics which are those of either the American Staffordshire Terrier or the Staffordshire Bull Terrier indicated in the attached standards of the American Kennel Club which were published, with an example photograph, in the 18th edition of The Complete Dog Book in 1992.

#### **§ 90.21 PIT BULL TERRIERS PROHIBITED.**

(A) It is hereby determined that Pit Bull Terriers have inherently vicious and dangerous propensities; and are potentially hazardous and unreasonably dangerous to the health, safety and welfare of the citizens, residents and inhabitants of the City of Walton.

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(B) The ownership, location, maintenance, keeping, harboring or use of Pit Bull Terriers in the City of Walton is hereby declared to be a public nuisance.

(C) No person shall cause, permit, promote, aid, assist, encourage or engage in the ownership, location, maintenance, keeping, harboring or use of Pit Bull Terriers in the City of Walton, unless such person is a veterinarian licensed by the Commonwealth of Kentucky, and engaged in the business thereof, at the address indicated in the occupational license issued therefore, by the City of Walton. A violation of this section shall constitute a misdemeanor.

(Ord. 2000-03, passed 2-14-00)

**§ 90.99 PENALTY.**

Any person violating any section of this chapter shall be deemed guilty of a Class A misdemeanor as defined by Kentucky Revised Statutes in accordance with the specific penalties set below. Each day that a violation occurs shall constitute a separate violation, unless the context clearly indicates otherwise.

(A) Any person failing to comply with the mandatory spay or neuter requirements of § 90.16 (C) shall:

(1) For the first offense either show the Court proof from a licensed veterinarian that the surgical procedure has been performed or be ordered by the Court to surrender the animal to Boone County Animal Control without a refund of adoption fees, and be fined a sum not less than fifteen dollars (\$15.00) nor more than one hundred dollars (\$100.00).

(2) For the second offense immediately surrender the animal to Boone County Animal Control without a refund of adoption fees, and be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00).

(B) Any person failing to comply with the licensing requirements of § 90.06, 90.17, or 90.31 or the vaccination requirements of § 90.07 shall on a first offense be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00); on a second offense shall be fined not less than fifty dollars (\$50.00) nor more than one hundred fifty dollars (\$150.00); on a third offense shall be fined not less than one hundred dollars (\$100.00) nor more than two hundred fifty dollars (\$250.00); and on the fourth or subsequent offense shall be guilty of a misdemeanor and shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00).

(C) Any person violating any provision of § 90.02 relating to the humane treatment of animals

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shall be fined a sum not to exceed five hundred dollars (\$500.00), or sentence up to twelve (12) months in the county jail, or both.

(D) (1) Any person violating § 90.03(A), (C) and (D) shall on the first offense be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00); on the second or subsequent offense shall be fined not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00).

(2) If as a result of a violation of § 90.03(A), any human being is attacked or bitten to the extent of puncturing the skin, for a first offense shall be guilty of a misdemeanor and the penalty shall be not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) or up to ninety (90) days in the county jail or both fine and imprisonment. Upon conviction of a second or subsequent violation of § 90.03(A) involving an attack or bite puncturing the skin the penalty shall be a fine of not less than two hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) or up to one (1) year in the county jail or both fine and imprisonment. In addition the Boone District Court may consider deeming the animal to be a vicious animal.

(E) Any livestock owner who violates § 90.03(A) shall on the first offense be fined not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00) and be required to reimburse the County for all reasonable expenses incurred in capturing, impounding or boarding the livestock. On a second offense, the owner shall be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00); on a third offense, the owner shall be guilty of a misdemeanor and shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). In any instance, the owner shall reimburse the County for all reasonable expenses incurred in capturing, impounding, boarding, and providing necessary medical services to the livestock.

(F) Any person violating § 90.03(B),(C), or (D) shall on the first offense be fined not less than fifteen dollars (\$15.00) nor more than one hundred dollars (\$100.00); on the second offense shall be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) and on the third or subsequent offense shall be guilty of a misdemeanor and shall be fined not less than one hundred fifty dollars (\$150.00) nor more than five hundred dollars (\$500.00). In addition, if the violation involves an animal attack the Boone District Court may consider deeming the animal a vicious animal.

(G) Any person failing to comply with the provisions of § 90.04 relating to vicious animals shall for the first offense be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00) and if the Boone District Court determines that the animal is a danger to the community, the Court may order the animal immediately surrendered to Boone County Animal Control to be euthanized. On the second offense the animal shall be surrendered to Boone County Animal Control for immediate euthanasia and the person shall be guilty of a misdemeanor and shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00).

(H) Any person violating any of the provisions of § 90.05 shall on the first offense be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00); on the second offense shall be fined not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00); and on the third or subsequent offense shall be guilty of a misdemeanor and shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00).

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(I) Any humane society which fails to comply with the requirements of § 90.17 shall for the first offense be fined not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00); on the second offense shall be fined not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00) and on the third or subsequent offense shall be guilty of a misdemeanor and shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) and the fourth offense shall result in permanent license revocation.

(J) Any person who violates §§ 90.20 or 90.21 shall, upon conviction thereof in a court of competent jurisdiction, be sentenced to a fine in an amount which shall be no more than five hundred dollars (\$500.00), or imprisonment, according to law for a period of not more than sixty (60) days, or any combination of such fines and imprisonment; and each separate day of violation, or any part thereof, shall be a separate offense.

(Ord. 1995-13, passed 10-9-95; Am. Ord. 2000-03, passed 2-14-00; Am. Ord. 2003-09, passed 8-11-03)