

8.04.110 - Running at large prohibited—Seizure of animals.

- A. Any dog found running at large may be seized by the proper authorities of the health and police departments of the metropolitan government or, within the area of their respective jurisdiction, by employees of satellite cities who have been duly appointed to do same by the city manager or governing body of the satellite city. **A dog is considered to be running at large when such dog is off the premises of the owner and not under the control of the owner, either by leash, cord, chain or otherwise; provided, that a dog shall not be considered running at large when the dog is off the premises of the owner if such dog shall be accompanied by the owner and the owner shall have full command of such dog or the dog is a hunting dog and is in chase or in training and accompanied by a responsible person.**
- B. It is unlawful for any person to allow a dog belonging to him or under his control, or who keeps or harbors a dog, or who has it in his care, or acts as its custodian, or that may be habitually found on premises occupied by him, to run at large, and any such person whose dog is found to be running at large shall be guilty of a misdemeanor and subject to the penalty and punishment set out in Title 1 of this code.
- C. When any person is charged with a violation of this section, the chief medical director, or his designated representative, is authorized to issue citations for such violations. When a citation is issued for a violation of this section, it shall be the duty of the metropolitan court in which such case is set for trial to try the same without the issuance or service of a warrant upon such defendant, provided the defendant has signed a waiver on such citation agreeing to come to court and waiving the issuance and service of a warrant upon him.
- D. The penalties for violation of this section shall be as follows:
1. First Violation. The penalty for the first violation of this section shall be not less than fifty dollars per dog in violation. This penalty may be waived by the court upon proof in the form of a certificate from a licensed veterinarian verified by the metropolitan health department that each dog in violation has been spayed or neutered.
 2. Second Violation. The penalty for the second violation of this section shall be not less than seventy-five dollars for each dog in violation.
 3. Third Violation. The penalty for the third violation of this section shall be not less than one hundred and fifty dollars for each dog in violation. Further the court shall order that any outside area of the owner's premises in which the dog or dogs may be kept shall be enclosed by a fence.
 4. Fourth Violation. The penalty for the fourth violation of this section shall be not less than two hundred dollars for each dog violation and the court shall order that any outside area of the owner's premises in which the dog or dogs might be kept or placed even if on a temporary basis shall be enclosed by fencing that is verified as secure by the metropolitan health department.
 5. Fifth Violation. The penalty for the fifth violation of this section shall be a penalty of five hundred dollars and the dog or dogs shall be seized and impounded by the metropolitan health department, and shall not be released to the owner, and shall otherwise be disposed of in the manner provided by Section 8.04.140 of the Metropolitan Code of Law.

(Ord. 99-1808 § 1, 1999; Ord. 89-995 § 3, 1989; prior code § 8-1-9)

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8.04.180 - Removal of excrement.

A dog owner shall clean up and remove any excrement left by his or her dog(s) on any public property or private property not owned or lawfully possessed by the dog owner. Violations of this section shall be punishable by a fifty-dollar fine.

(Amdt. 1 with Ord. BL2004-302 § 1, 2004)

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