

ORDINANCE NUMBER SIXTY-EIGHT

AN ORDINANCE PROVIDING FOR THE LICENSING OF DOGS HARBORED WITHIN THE TOWN OF MILLS; THE PROVIDING OF LICENSE TAGS THEREFOR AND ISSUANCE OF SUCH TAGS; PROHIBITING DOGS' RUNNING AT LARGE; PROHIBITING MOLESTATION OF CONFINED ANIMALS; DEFINING VICIOUS DOG AND PROHIBITING HARBORING OF THE SAME; PROVIDING PENALTY FOR VIOLATION HEREOF; PROVIDING FOR THE COLLECTION OF FEES FOR SUCH IMPOUNDING AND KEEPING AND FOR THE RELEASE OF ANY DOG FOR WHICH SUCH POUND FEES HAVE BEEN PAID AND A LICENSE PROVIDED; AUTHORIZING THE TOWN POUND MASTER TO DESTROY UNLICENSED AND UNCLAIMED DOGS; REPEALING ORDINANCE NUMBER FORTY.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MILLS, WYOMING:

SECTION I. -- LICENSE TAGS, DESCRIPTION - OBTAINING - ISSUANCE. That within a period of Forty-five (45) days following the date upon which this ordinance shall become effective, and at some time preceding the beginning of each calendar year thereafter, dog license tags shall be provided by the town of Mills, through the agency of its official as hereinafter designated; such tags to be made of metal or other suitably durable material and to be attachable to the collars of licensed dogs. The words: "Mills, Wyo." shall be inscribed on each such tag and the year of issuance expressed in figures, together with the serial number of such tag. That the town Pound Master is hereby authorized and directed to purchase such tags at the times aforesaid in each and every year and to draw from the treasury of the town of Mills money sufficient to defray the expense of such purchase. And that it is hereby made the duty of the town Pound Master to issue such dog license tags to responsible persons making application for the same and paying the fee therefor as hereinafter provided; the said Pound Master being hereby fully authorized to receive such license fees and, in cases in which more than half of the calendar has lapsed at the time application is made for any dog license, to issue such license upon payment of him of one half of the herein established fee. And that it shall be the duty of the said Pound Master to keep and accurate and complete record of all licenses issued, the date of issuance, fees collected therefor and the names of persons to whom issued; and to keep such record, together with the town treasurer's receipts showing the dates upon which all such moneys have been conveyed to the town treasury (on or before the first day of the month) open for inspection at any reasonable hour by any member of the town council or by any elector of the town of Mills.

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SECTION 2. --- PERSONS HARBORING DOGS WITHIN THE TOWN OF MILLS TO OBTAIN LICENSE THEREFOR - ESTABLISHED FEES FOR SUCH LICENSES - LICENSE TAG TO BE ACCEPTED AS EVIDENCE OF PAYMENT OF FEE AND OF OWNERSHIP OF DOG - PENALTY FOR VIOLATION OF THIS SECTION.

That it shall be the duty of any person, or persons, who shall harbor or keep any dog above the age of six months within the town of Mills, for a period of time exceeding 30 days, feeding such dog and allowing it to find shelter within his, or their, home or upon premises occupied by him, her, or them, within a period of thirty days following the first day of January, 1947, and on or before the first day of January in each and every year thereafter, to apply to the Mills Pound Master for a license for such animal and to pay to the said Pound Master a fee for such license in the sum of one (\$1.00) dollar for each male, or spayed, or aged female dog, and three (\$3.00) dollars for each female dog not designated by the above limitation: and a license tag issued pursuant to this section, attached by means of a collar or otherwise to the dog for which it is issued and so carried, shall be sufficient evidence that the fee therefor has been paid, and in the absence of evidence to the contrary, shall be accepted as proof of ownership of the licensed animal be the person in whose name the license is issued, as shown by the Pound Master's record. And that all licenses issued hereunder shall be void from and after the first day of each calendar year following issuance of such licenses. And any person found guilty of violating the terms of this section shall be deemed guilty of a misdemeanor and shall be fined in a sum not exceeding five (\$5.00) dollars for each and every such offense.

SECTION 3. --- DOGS NOT TO BE ALLOWED TO BECOME NUISANCE - VICIOUS DOGS PROHIBITED - EVIDENCE OF VICIOUS CHARACTER - CONFINED ANIMALS NOT TO BE MOLESTED.

That any person, or persons, as designated by the preceding section of this ordinance, who shall harbor or keep any dog in the manner therein described, shall comply with provisions of Ordinance Number Fifty-nine, Sections Three and Four, with regard to restraining such animal from

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SECTION 3. --- DOGS NOT TO BE ALLOWED TO BECOME NUISANCE - VICIOUS DOGS PROHIBITED - EVIDENCE OF VICIOUS CHARACTER - CONFINED ANIMALS NOT TO BE MOLESTED (continued)

trespassing upon the property of others and from becoming a public nuisance by menacing or disturbing other persons either dwelling upon adjacent premises or traversing adjacent thoroughfares; and that any person, or persons as aforesaid, who shall harbor or keep any dog or any other animal known to be vicious or of a vicious nature, unless restrained by a leash and/or muzzle adequate to prevent such animal from inflicting damage upon any person or property, shall be deemed guilty of maintaining a public nuisance in violation of the terms of this ordinance. And that in the case of any attack made by any animal against any person outside the premises of the owner of such animal, or within such premises of the person attacked is authorized to enter there, as for the purpose of delivering merchandise ordered by the householder thereof to be so delivered, or of reading any meter placed upon such premises for the purpose of measuring merchandise already consumed by such householder, such attack shall be deemed as constituting sufficient evidence of the vicious character of the animal guilty of making such attack. Provided that any animal confined within the boundaries of the premises of the person responsible for the behavior of such animal shall be safe from annoyance and/or molestation; and that any person other than the proprietor of such premises who shall in any manner molest or disturb any animal so confined, or who shall open any gate or other aperture in the fence or other enclosure within which such animal is confined or in any way or manner disturb any such enclosure, shall be guilty of a violation of this ordinance and upon conviction thereof shall be fined as provided in a subsequent section hereof. Provided further that Ordinance Number Fifty-nine, shall apply specifically to offenses of the character herein prohibited.

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SECTION 4. -- TAKING UP AND IMPOUNDING OF UNLICENSED DOGS - POUND FEE ESTABLISHED - CRUELTY PROHIBITED - RELEASE PROVIDED FOR - POUND MASTER AUTHORIZED TO DESTROY.

That the Marshal of the town of Mills, being ex-officio Pound Master, shall have power and he is hereby authorized and directed, from and after the first day of February, 1947, to take into custody and impound any dog found running at large within the town of Mills and <sup>-not</sup> bearing, upon its collar or other means of attachment, a license tag issued hereunder during the then current year. And the said Pound Master shall place all such apprehended dogs in the town pound, which shall be provided with a division suitable for the purpose, and shall keep all such dogs within the said pound for a period of five days, or until the person entitled to possession of any dog so confined shall make application for its release and shall pay the license fee for such animal as hereinbefore provided, together with pound fees of one (\$1.00) dollar for impounding and fifty (\$.50) cents for each day or any part thereof that such animal has been held in custody; and it is hereby made the duty of the Pound Master, upon payment of the aforesaid charges and the purchase of a license for any dog held under the terms of this section, to release the said dog without delay. Provided that, whenever any dog has been held in the town pound for a period of days as foresaid, or for a longer period if in the opinion of the pound Master there is any purpose to be accomplished by so keeping it, without any person's having claimed such dog or having offered to pay the charges against it including the license fee, then and in that case the Pound Master is hereby authorized and directed to destroy such dog by such merciful means as he may find convenient. Provided further that no animal held in custody shall be kept without suitable food and clean drinking water furnished twice each day and no animal so held shall be subjected to any unnecessary suffering or discomfort, and it is hereby made the duty of the Pound Master to exercise reasonable care for the safety and welfare of animals held by him in custody and to employ unnecessarily cruel or inhumane means of controlling or destroying such animals.

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SECTION 5. -- PROVIDING A PENANTY FOR VIOLATIONS HEREUNDER. That any persons who shall violate any of the provisions of anu section fo this ordinance shall be deemed guilty of a misdeameanor and, upon convection thereof, except as otherwise therein provided, shall be fined in any sum not exceeding five (\$5.00) dollars and not less than One (\$/ .00) dollars for each and every such offense.

SECTION 6. --- REPEALING ORDINANCE NUMBER FORTY. --- That Ordinance Number Forty, which is an ordinance entitled: "An Ordinance Amending and Re-enacting as to certain Parts thereof Ordinance Number Eleven of the Town of Mills, Wyoming, Relating to the Licensing and Regulatng fo Dog, Chickens, Cattle and Other Domestic Animals" shall be and is hereby repealed.

SECTION 7. --- ORDINANCE NOT TO BE INVALIDATED BY ANY PART THEREOF FOUND UNCONSTITUTIONAL.

That, if any section, sentence, clause or phrase of this ordinance is for any reason declared to be unconstitutional or in violation of the statutes of the State of Wyoming, such decision shall not affect the remaining portion of this ordinance, which shall continue in force, the same as though no deletion had been made.

SECTION 8. -- THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER TEN DAYS FORM DATE.

Approved and Passed this 6th day of November, 1946.

(Sign) Fred Miller  
Mayor

(Attest) Agnes M. Sutphin  
Clerk

(SEAL)

AN ORDINANCE PROVIDING FOR THE LICENSING OF DOGS, ETC. -----

I, Agnes M. Sutphin, town clerk of the town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance number Sixty-eight intitled: "An Ordinance Providing for the Licening of Dogs Haobored within the Town of Mills; The Providing of License Tags therefor and Issuance of such Tags; Prohibiting Dogs' Running at Large; Prohibiting Molestation of Confined Animals; Defining Vicious Dog and Prohibiting Harboring of the Same; Providing Penalty for Violation Hereof; Providing for the Taking up and Impounding fo unlicensed Dogs; Ostablishing and Previding for the Collection fo Fees for such Impounding and Keeping and for the release of any Dog for which Pound Fees have been Paid and a License Previded; Authorizing the Town Pound to Destroy Unlicensed and Unclaimed Dogs; Repealing Ordinance Number Forty," approved and passed by the town council of the town of Mills, at its regular meeting held on the 26 day of November, 1946.

(Sign) Agnes M. Sutphin  
Town Clerk

I, regularly appointed, duly qualified and actint Town Clerk of the town of Mills, Wyoming, do hereby certify that signed, attested, sealed and certified copies of this ordinance (Number Sixty-Eight) approved and passed as certified above, were, following its Passage by the town council, posted up in three public places within the town of Mills for a period of ten days, as required by law; and that it took effect and became in force as a legal ordinance of the toen of Mills, Wyoming, the 2nd day if November, 1946.

(Sign) Agnes M. Sutphin