PURPOSE STATEMENT
For the Town Council to consider and approve comprehensive amendments to Title 7 of the Jackson Municipal Code regarding animals.

BACKGROUND/ALTERNATIVES
After numerous lengthy meetings, it is the opinion of the Town Attorney, Police Chief, Sergeant Steve Saez (Sergeant – Community Service Officers) and Corie Rybak (Animal Shelter Manager) the Municipal Code Title 7 is outdated and needs comprehensive changes for better legislation generally, better organization and understanding by the public, better protection of the public and animals, to clearly define the authority of animal control officers and for more efficient enforcement.

The below outlines policy decisions and recommended changes for Council’s consideration. Attached are the comprehensive changes tracked/ reflected in blue and red type with a highlighted reference where a section was just moved from elsewhere in the current Code (as the change also shows up on red or blue type).

1. **Policy decisions that need to be answered are highlighted in yellow for Council’s consideration as follows:**

   A. **7.02.050** – Adoption Fee. The current fees set forth in the Code were removed such that fees may be amended by Resolution when needed. Staff recommends changing the adoption fee for a dog from $30.00 to $45.00, and for a cat from $20.00 to $25.00. A draft Resolution is attached hereto reflecting such recommendation if the Council agrees with Staff’s recommendation.

   B. **7.04.060.B** - The current language is outdated and requires an appeal to the Board of Adjustment of a decision by an animal control officer regarding an application for a permit to keep horses. The attached draft recommended language will instead require an appeal to the Town Council. The Council may want to instead consider the appeal to be taken to the Municipal Court of the Town of Jackson.

   C. **7.04.070** – The current language is also outdated and requires an appeal to the Board of Adjustment of a decision by an animal control officer regarding revocation, cancellation or suspension of a permit to keep horses. The attached draft recommended language will instead require an appeal from the decision of the Chief of Police to be taken to the Town Council. Again, the Town Council may want to instead require the appeal to be taken to someone else.
D. **7.05.020.J** – The current language prohibits dogs and cats in Town Parks. A question for the Town Council is whether it wants to expand this to also prohibit other domestic animals.

2. **Major recommended changes include the following:**

   A. **Added Chapter 7.02 - Definitions, Administration and Enforcement.** This section will clearly delineate up front what this title covers, better organizes Title 7 of the Code and defines very important terms for use throughout the Title including but not limited to: “aggressive manner,” “at large,” “control,” “vicious animal,” “noisy animal,” “owner” and “restraint.” It also sets forth up front at the beginning of Title 7 the purpose of Title 7, clarifies the authority of animal control officers, sets forth impounding regulations, adoption fees and penalty provisions.

   Section 7.02.040.A – Impounding. Additional language added will allow an animal control officer to deny or refuse return of an animal to its owner where there is concern for the health, safety and welfare of the animal or the public, and that an administrative appeal may be made to the Municipal Court of the Town of Jackson, Teton County of the animal control officer’s decision to deny or refuse return of an animal.

   7.02.060 – A general penalty provision was moved to this chapter such that the same penalty shall apply throughout the Title unless otherwise stated.

   B. **Revisions to Chapter 7.04 to apply to “predatory animals”, “livestock” and “fowl” instead of just “other animals.”**

   Section 7.04.025 was made into its own new section to provide general requirements for horse permits, but contains language from the previous section 7.04.030. Minimum corral space was also added (in addition to minimum acreage) to also set forth standards for those permits for keeping 3, 4 or more horses. The current section just sets forth minimum corral space when keeping 1-2 horses.

   Section 7.04.030 – Keeping Horses – Permit – Fee, the current language states that the annual fee for a license is $5.00 for the first horse, and $5.00 for each additional horse thereafter. The attached recommended language is worded to require a $50.00 annual license fee for the first horse, and $5.00 for each additional horse.

   Section 7.04.050 – Permits for Commercial Stables. The current language requires a fee of $3.00 per animal, or $25.00, whichever is less. The attached recommended language requires a fee of $100.00 for the first animal, and $20.00 for each additional animal, up to a maximum of $500.00, whichever is less.

   Section 7.04.100 regarding animals at large was moved to new chapter 7.05.020.A.

   C. **Added Chapter 7.05 - Animal Control Regulations generally.** Several sections from the current sections in Title 7 have been moved to this new chapter and new sections added.

   Section 7.05.010 – is a new section added in order to spell out that owners are responsible for control of their animals.

   Section 7.05.020 is a compilation of public nuisances with sections broken down from current chapter 7.12.010 or other sections as noted in yellow. Staff believes that this recommended change makes the Code easier to read, understand and enforce.
Current section 7.08.020 has been broken down into several subsections to fully address the issue of cruelty of animals, including current language from W.S. 6-3-203(e) – the state felony cruelty law. Also certain sections from language in the current section 7.12.130 were moved here.

Current section 7.08.040 has been broken down into two sections – Gate and fence maintenance, and Release of animals.

Deleted current section 7.08.060 - Inspection for disease - and changed to new section Vehicular collisions with animals.

E. Chapter 7.12 regarding dog and cat licenses and regulations has been greatly condensed and moved around to new recommended sections such that this section is more clear and specific to licensing and regulations of dogs and cats.

Current Section 7.12.030 has been broken down into two sections to separate out conditions of issuance of license versus revocation provisions (now 7.12.040).

Section 7.12.090 has been added to make clear that a rabies vaccination is specifically required for dogs and cats.

ALIGNMENT WITH COUNCIL’S STRATEGIC INTENT
Part of the “Maintain Unique Character of Jackson Hole” strategic objective is to maintain the resident’s quality of life through police protection – which includes animal control.

ATTACHMENTS
Title 7 of the Jackson Municipal Code with tracked proposed changes
“Clean” version of Title 7 of the Municipal Code reflecting proposed changes

FISCAL IMPACT
There will be a minimal increase in fee collections for the Town regarding Commercial Horse stables, and dog and cat licenses.

STAFF IMPACT
Minimal.

LEGAL REVIEW
Complete.

RECOMMENDATION
Town Attorney, Police Chief, Sergeant Steve Saez (Sargeant – Community Service Officers) and Corie Rybak (Animal Shelter Manager) recommend approval of the attached changes to Title 7 of the Jackson Municipal Code.

SUGGESTED MOTION
I move to direct staff to prepare an Ordinance reflecting changes to Title 7 of the Jackson Municipal Code with the additional revisions deemed necessary by the Town Council.
Title 7 Animals

Chapters:

7.02 DEFINITIONS, ADMINISTRATION AND ENFORCEMENT

7.04 KEEPING HORSES, LIVESTOCK AND FOWL

7.05 ANIMAL CARE AND CONTROL REGULATIONS
   GENERALLY

7.08 TREATMENT AND USE OF ANIMALS
7.12 DOG AND CAT LICENSES AND REGULATIONS
Chapter 7.02
DEFINITIONS, ADMINISTRATION AND ENFORCEMENT

Sections:

7.02.010 Definitions
7.02.020 Purpose - Authority - General Provisions
7.02.030 Capture of Animals
7.02.040 Impounding
7.02.045 Possession of Impounded Animals
7.02.050 Adoption - Fee
7.02.060 Violation - Penalty

**7.02.010 Definitions.**

The following definitions shall apply to this title, unless otherwise stated:

A. “Aggressive Manner” shall mean charging a person to within potential biting or striking distance while snapping or snarling or growling or displaying teeth in a threatening manner or exhibiting any behavior demonstrating a potential attack.

B. “Animal” means any living dumb creature, domestic or wild, as defined in this title as “dog”, “domestic animal”, “fowl”, “horse”, “livestock” or “predatory animal.”

C. “Animal Control Officer” or “Officer” means any person designated by the state, county commissioners, the Town or another municipal government, who is qualified to perform duties under the laws, regulations or ordinances of the state, county, the Town or other municipality pertaining to animals or animal control, and shall include animal control employees.

D. “Animal Shelter” means a facility recognized and designated by the governing body for the purpose of impounding or caring for animals held under the authority of this title or state law.

E. “At Large” means physically off the property of its owner and not under immediate restraint of a competent person; or not controlled by a leash, lead, rope, or reins; or not in the immediate company of a competent person and obedient to that person’s command; or not confined within a vehicle on a street or other enclosure.

F. “Control” means to exercise restraining or directing influence over, to dominate, regulate, to hold from action, to curb and to govern. (Ord. 802, § 1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2, 3, 4, 5, 6, 2004; Ord. 146 § 1, 1971). (Part of 7.12.010.A)

G. “Close proximity” shall mean next to its owner or another responsible person designated by the owner and not greater than twenty (20) feet distance in any direction from its owner or another responsible person designated by the owner.

H. “Dog” means any domesticated canine breed excluding wolf, coyote, fox, other wild canine, or any hybrid thereof.

I. “Domestic animal” means an animal habituated to live in or about the homes of human beings.

J. “Fowl” means chickens, ducks, geese, turkeys, pheasants, ostriches, grouse, peacocks, guinea fowl or any other birds used for producing eggs or meat.

*Deleted:* Trespassing on Animal Shelter or Animal Control Vehicle (moved from 7.12.140) No person shall obtain an animal from within the confines of the animal shelter, from an animal control vehicle, or from the custody and control of any animal control officer without the permission of the authority in charge. Any person who tampers with any lock, gate, door or fence on the animal control vehicle or located at the animal shelter or any person who climbs or attempts to climb any fence located at the animal shelter shall be considered a trespasser. Any person who violates the provisions... [1]
K. “Horse” means any pony, mule, donkey, ass, horse or any other solid-hoofed herbivorous ungulate mammal.

L. “Leash/lead” means a thong, cord, rope, chain or similar device which holds an animal in restraint and which is not more than six (6) feet in length.

M. “Livestock” means horses, cattle, swine, sheep, goats, hogs, poultry, llamas, alpacas, or other animal generally used for food or in the production of food or fiber.

N. “Noisy Animal” means any domestic animal that habitually, constantly or frequently disturbs the sleep, peace or quiet of any neighborhood or person, or a dog that excessively, continuously or untimely barks, whines or howls.

O. “Own” and “Owner” shall apply to any person or persons, firm, association, or corporation who shall own, possess, keep or harbor a domestic animal, fowl and/or livestock, including the person named on an animal registration record as owner, or who shall permit a domestic animal, livestock or fowl to be fed or remain habitually in or about the premises under their control. “Owner” includes, but is not limited to, an occupant of the premises or dwelling unit where the animal is usually kept, if the premises or dwelling unit are other than the premises of the owner shown on the registration record, or any person having control or purporting to have control over any animal which is running at large; or any person in possession of, harboring, or who allows any animal to remain about their premises for a period of three consecutive days or more. The parent or guardian of an owner shall be deemed the owner for purposes of this title when the owner is under the age of eighteen (18) years. For purposes of recovering stolen animals, a person named on the animal’s most recent registration record will be considered the animal’s owner.

P. “Pack” means a group of three (3) or more animals of the same species.

Q. “Predatory Animal” means black bear, grizzly bear, mountain lion, coyote, bridger, marmot, pica, squirrels, jackrabbit, porcupine, raccoon, red fox, skunk, stray cat or any other animal which preys on domestic animals, livestock, fowl or humans.

R. “Premises” means the real or personal property owned or occupied by the owner of the animal, and includes any vehicles in which the owner of the animal is residing.

S. “Restraint” means physical control by a responsible person by use of a leash, lead or other physical means to limit the domestic animal, livestock or fowl’s actions or when such animal is in close proximity to its owner agent or responsible person and subject to immediate recall by said person; tethering an animal to a stationary object not within range of a public street, sidewalk, alley or common path; or confining an animal within a fence or other enclosure which restricts it to a particular premise. An animal shall be deemed to be under restraint if on the premises of its owner or if accompanied by a responsible person and under that person’s control. (Ord.802, §1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2,3,4,5,6, 2004; Ord. 146 § 1, 1971).(Took from 7.12.010.E)

T. “Vicious animal” means any animal which constitutes a physical threat to human beings or other animals, or an animal which, when unprovoked, bites or attacks or manifests a disposition to bite or attack any person or domestic animal. Proof of the fact that the animal has bitten or attacked any person or domestic animal at any place where the person or domestic animal has a legal right to be may be used as evidence that the animal is vicious. A certified animal trained and properly used as a guard, sentry, or police dog shall not be considered a vicious animal.
7.02.020  Purpose - Authority - General Provisions

A. The purpose of this title is to establish regulations and procedures for the registration, control, impoundment, and general care of animals within the Town.

B. Authority is granted cities and towns by Wyo. Stat. Section 15-1-103(a)(xiv) to regulate any animals within the Town and to provide for the operation of animal control and animal shelter services.

C. Animal Control Officer Authority. No person shall interfere with, hinder, molest, delay, obstruct or abuse any officer in the exercise of his duties, nor willfully set any animal upon the officer, or break or assist to break open any enclosure where an animal is confined by the officer.

1. If an animal control officer observes a vehicle parked within the city in which domestic animals are confined with no visible means of ventilation or the health or safety of the animal is threatened, the officer shall immediately attempt to locate the vehicle owner or person responsible to provide for ventilation or to remove the animal from the vehicle. If unable to locate the vehicle owner or the person responsible within a reasonable time, the officer will be empowered to use whatever means reasonably necessary to enter the vehicle to provide ventilation or to remove the animal from the vehicle to preclude serious harm to the animal.

2. Animal control officers are authorized to enter upon any premises, excluding a dwelling unit, within the Town for the purpose of apprehending and impounding animals which the officer is authorized to impound or for any other purpose authorized in this title.

D. Trespassing on Animal Shelter or Animal Control Vehicle (moved from 7.12.140) No person shall obtain an animal from within the confines of the animal shelter, from an animal control vehicle, or from the custody and control of any animal control officer without the permission of the authority in charge. Any person who tampers with any lock, gate, door or fence on the animal control vehicle or located at the animal shelter or any person who climbs or attempts to climb any fence located at the animal shelter shall be considered a trespasser. (Ord. 793 § 14, 2005; Ord. 180 § 1, 1975; Ord. 146 § 14, 1971).

7.02.030  Capture of animals.

A. Animal control officers are authorized to:

1. Place or authorize the use of humane and safe traps in order to capture unrestrained animals on public or private property within the Town at the request of the property owner or occupant;

2. Utilize chemicals to capture public nuisance, aggressive or vicious animals;

3. Capture unrestrained animals whether at large singly or in packs.

B. Police officers may shoot a vicious animal when necessary to avoid immediate physical threat or injury to human beings or other animals.

C. No person shall trap animals, except rodents, within the Town without express consent of an animal control officer.

7.02.040  Impounding (A-D moved from to 7.12.070)
A. Unlicensed animals, unrestrained animals, animals running at large, animals that pose a threat to public safety or welfare, or any animal that has been treated in a cruel or inhumane manner may be taken up and impounded by an animal control officer.

The owner of any animal so impounded may reclaim such animal upon payment of the permit or license fee, if unpaid, and of all costs and charges incurred by the town for impoundment and maintenance of the animal. However, an animal control officer may deny or refuse return of an animal to its owner where there is concern for the health, safety and welfare of the animal or the public.

1. An administrative appeal may be made to the Municipal Court of the Town of Jackson, Teton County, of the animal control officer’s decision to deny or refuse return of an animal.

B. Redemption - Payment of costs:

The owner or agent of an owner of any animal impounded under these rules shall have the privilege of claiming such animal within seven (7) days after it is impounded, upon complying with the following requirements:

1. Show proof of licensure, and if no license, then obtain a license.
2. Show proof of vaccination against rabies, where applicable, and if none, then obtain the proper vaccination within two (2) weeks of release and furnish such proof to the Jackson/Teton County Animal Shelter.
3. Pay the following fees to the Jackson/Teton County Animal Shelter:
   a. First Impoundment - $25.00
   b. If the same animal is impounded for a second time within one year - $35.00
   c. If the same animal is impounded for a third time within one year - $50.00
   d. If the same animal is impounded for a fourth or subsequent time within a one year period of time - $100.00.

4. Pay the Jackson/Teton County Animal Shelter $15.00 per animal for board for each twenty-four (24) hours or portion thereof. The first twenty-four (24) hours of impoundment is included in the Impoundment Fee delineated above.

5. The owner reclaiming an impounded animal may also be cited for any violation of this chapter and/or any permits issued may be revoked.

C. Return to owner without impounding:

If an animal is found running at large and its owner can be identified and located, such animal need not be impounded but may, instead, be taken to the owner. In such a case, the animal control officer may cite the owner for any violations of this chapter.

D. Notification of owner:

Upon impounding any animal pursuant to this division, the animal shelter shall make reasonable efforts to ascertain the ownership and notify the owner of each animal so impounded.

E. Disposition of animals:
1. Impounded animals shall be kept for at least seven (7) days unless reclaimed by their owners. All animals left unclaimed after seven (7) days become the property of the Town.

2. Any person, who adopts an animal after the seven (7) day waiting period, shall have an animal spayed or neutered within thirty (30) days, and secure a license for any dog or cat so adopted. A license is not required if the dog or cat shall not be remaining in Teton County. A licensed veterinarian shall vaccinate any dog or cat adopted out, for rabies within fourteen (14) days if not current on its rabies vaccination.

(Ord 793 § 8, 2005; Ord 789 § 10 and 11, 2004; Ord. 710 § 1, 2002; Ord. 647 § 1, 2000; Ord. 371 § 3, 1987; Ord. 252 § 1, 1979; Ord. 194 § 6, 1976; Ord. 146 § 7 and 8, 1971).

7.02.045 Possession of Impounded Animals (moved from 7.12.145)

No person shall have in his or her possession, care, custody or control any impounded animal that has not been properly released by an animal control officer or other authorized agent or official. (Ord 793 § 15, 2005; Ord. 213 (part), 1977).

7.02.050 Adoption—Fee (moved from 7.12.085)

The animal shelter manager or other designated official is authorized to advertise and place for adoption all dogs, cats or other animals, which have been impounded for a period of not less than seven (7) days. Any person wishing to adopt an animal shall pay a fee set by Resolution of the Town Council. (The recommended change is to prepare a Resolution changing the fee for a dog to $45.00 (from $30.00) and a cat to $25.00 (from $20.00). (Ord. 793 § 9, 2005; Ord. 711 § 1, 2002; Ord. 648 § 1, 2000; Ord. 252 § 2, 1979).

7.02.060 Violation -- Penalty

Any person who violates any provisions of this title for which violation no specific penalty is provided is guilty of a misdemeanor and upon conviction thereof shall be punished according to Section 1.12.010 of this code. If any violation is continuing, each day's violation shall be deemed a separate violation.
**Chapter 7.04**

**KEEPING HORSES, PREDATORY ANIMALS, LIVESTOCK AND FOWL.**

Sections:

7.04.010 Keeping certain animals unlawful.
7.04.020 Keeping horses--Permit required.

7.04.025 General restrictions on all horse permits.
7.04.030 Keeping horses--Permit--Fee--Term--Restrictions.
7.04.040 Permit for commercial stables--Area permitted.
7.04.050 Permit for commercial stables--Fees.
7.04.060 Keeping horses--Application--Approval--Appeal.
7.04.070 Keeping horses--Permit--Revocation or cancellation.
7.04.080 Keeping horses--Cleanliness of premises.
7.04.090 Keeping horses--Premises--Spraying for flies.
7.04.110 Exceptions.
7.04.130 Publication of requirement.

7.04.010 Keeping certain animals unlawful.

The keeping, maintaining, harboring, or boarding of livestock, predatory animals, or fowl within the corporate limits of the Town, or within any cemetery or park, or upon any ground owned, leased or controlled by the Town, for any purpose whatsoever, is a nuisance and hereafter is unlawful, except for horses as set forth in this chapter. (Ord. 130 § 1, 1970).

7.04.020 Keeping horses--Permit required.

The keeping, maintaining, harboring or boarding of horses on any tract of land within the corporate limits of the Town, or within any cemetery or park, or upon any ground owned, leased or controlled by the Town for any purpose whatsoever, is a nuisance and hereafter unlawful, unless a permit is obtained therefore as hereinafter provided. (Ord. 130 § 2, 1970).

7.04.025 General Restrictions on horse permits.

The issuance of any permit in this chapter shall be subject to the following conditions:

A. The keeping of one to two (1-2) horses requires a minimum lot size of seven thousand five hundred (7,500) square feet, and a minimum corral space of eight hundred (800) square feet.

B. Three horses require a minimum lot of one-half (1/2) acre or twenty-one thousand seven hundred eighty (21,780) square feet, and a minimum corral space of one thousand (1,000) square feet.

C. Four horses require a minimum lot size of one (1) acre or forty-three thousand five hundred sixty (43,560) square feet, and a minimum corral space of twelve hundred (1,200) square feet.

D. The keeping of more than four (4) horses requires a minimum lot size of one (1) acre plus one-half (1/2) acre for each additional horse over four (4) to be kept, and a minimum corral space of twelve hundred (1,200) square feet plus two hundred (200) square feet per each additional horse over four (4) horses.
E. Animals in excess of the permit allowance may be kept on premises for which a permit is in effect for short periods not to exceed twenty-one (21) days in any calendar year; providing, that a temporary permit as provided in subsection G is obtained, and the restrictions of subsection G are met.

F. At the request, made in writing to an animal control officer, of any person owning property adjacent to premises for which a permit has been or is to be issued, all fences or structures for the confining of animals shall be a minimum distance of five (5) feet from the requesting owner’s property line.

G. A temporary permit shall be required for the keeping of a horse or horses for short periods not to exceed twenty-one (21) days in any calendar year. Such permit may be issued upon application to the Town therefore, shall not be issued for consecutive time periods and not more than three (3) temporary permits shall be issued for the same premises in any calendar year. All horses kept pursuant to a temporary permit shall be so restrained as to prohibit their moving closer than five (5) feet to any adjacent land owner’s property line. (Ord. 204 § 1, 1976; Ord. 188 § 1, 1976; Ord. 130 § 3, 1970).

7.04.030 Keeping horses--Permit--Fee--Term
Permits for the keeping, maintaining, harboring or boarding of horses may be issued by the Town upon the payment by the permittee of an annual license fee of fifty dollars ($50.00) for the first horse and five dollars ($5.00) for each additional horse so kept. Such permits shall be issued for a term of one (1) year, after the date of issuance, but shall be subject to revocation, suspension and cancellation as provided in Section 7.04.070.

7.04.040 Permit for commercial stables--Area permitted.
For the purposes of this section, a commercial stable shall mean a business that keeps and maintains horses for profit. In addition to permits which may be issued in accordance with Section 7.04.030, the Town Clerk may grant permits for the operation of a commercial stable. Permits may be granted for that area within the Town lying outside of the following described portion of the Town:

All of that portion of the SW1/4 of Section 27, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson;

All of that portion of the NW1/4 of Section 34, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson, except that portion being described as follows: Beginning at Corner No. 1, which is 30 feet south and 2457.8 feet east of the northwest corner of said Section 34; thence south 750 feet to Corner No. 2; thence east 195 feet to Corner No. 3; thence north 750 feet to Corner No. 4; thence west 195 feet to Corner No. 1, the place of beginning.

All of that portion of the NE1/4 of Section 33, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson;
All of that portion of the SE1/4 of Section 28, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson. (Ord. 139 § 1, 1971; Ord. 130 § 3.1, 1970)

7.04.050 Permit for commercial stables--Fees.

Permits issued in accordance with Section 7.04.040 may be issued upon application being made therefor to the Town Clerk upon such forms as may be prescribed therefor, and upon payment of an annual license fee of one-hundred dollars ($100.00) for the first animal for which the permit is sought and twenty dollars ($20.00) for each additional horse so kept, up to a maximum of five-hundred dollars ($500.00), whichever shall be less. Such permits shall be issued for a term of one (1) year, after date of issuance, but shall be subject to revocation, suspension or cancellation as provided in Section 7.04.070. (Ord. 139 § 2, 1971; Ord. 130 § 3.2, 1970)

7.04.060 Keeping horses--Permit--Application--Approval--Appeal.

A. Application for permits shall be made to the Town upon forms furnished by the Town. Upon receipt of a proper application and permit fee, the application shall be referred to an animal control officer. An animal control officer shall make an investigation which shall include verification of the information contained in the application and may include consultation with one (1) veterinarian and the county health officer. The animal control officer shall thereafter issue the permit or take such other action on the application as in his judgment will serve, promote and protect the public health and welfare of the Town.

B. Appeals from the decision of the animal control officer may be taken by an applicant or an adjacent property owner to the Town Council. (Ord. 256 § 5, 1979; Ord. 188 § 2, 1976; Ord. 130 § 4, 1970)

7.04.070 Keeping horses--Permit--Revocation or cancellation.

Any permit which is issued by an animal control officer may be revoked, cancelled or suspended by the Town Council at any time during the term thereof; provided that the Town shall have first received a complaint in writing. The complaint shall thereupon be investigated by the animal control officer, who shall submit a recommendation to the Chief of Police. Appeals from the decision of the Chief of Police may be taken by an applicant or an adjacent property owner to the Town Council. (Ord. 188 § 3, 1976; Ord. 130 § 5, 1970)

7.04.080 Keeping horses--Cleanliness of premises.

The holder of a permit issued pursuant to the provisions of this chapter must at all times keep any building, yard, shed, stable, corral, or enclosure wherein any horses are kept, in a clean and sanitary condition and may not permit accumulations of any manure or other filth or debris. (Ord. 130 § 6, 1970)

7.04.090 Keeping horses--Premises--Spraying for flies.

It is an expressed condition of any permit that the holder of such permit is required to spray for flies any building, yard, shed, stable, corral or enclosure where any horses are kept, fed or maintained, and each permittee shall be required to lime or otherwise treat such stables or

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such other areas, both spraying and liming to be done as frequently as may be deemed necessary by an animal control officer. (Ord. 188 § 4, 1976; Ord. 130 § 7, 1970).

7.04.110 Exceptions.

This chapter shall not apply to the Teton County Fair Grounds and the Town Council may, for special events and youth programs, waive the requirements of the permit. (Ord. 130 § 11, 1970).

7.04.130 Publication of requirement.

The Town shall publicize all permit applications or renewals by advertisement thereof in a local newspaper at least once a week for a period of two (2) weeks each year prior to issuance or renewal of a permit under this chapter. (Ord. 188 § 6, 1976).
Chapter 7.05
ANIMAL CARE AND CONTROL REGULATIONS GENERALLY

Sections:
7.05.010 Responsibility of Owner
7.05.020 Public Nuisances
7.05.030 Biting, Aggressive or Vicious Animals
7.05.040 Disposal of Dead Animals
7.05.050 Penalty for Violations

7.05.010 Responsibility of Owner
Owners are responsible for control of their animals.

7.05.020 Public Nuisances
The following are considered public nuisances and, as such, are prohibited.

A. Animals at Large
No person or persons, firm, association or corporation owning, keeping or harboring any livestock, predatory animals, fowl or domestic animals shall permit the same to run at large within the corporate limits of the Town, including trespassing on school grounds or private property.

B. Uncontrolled Animals
1. A dog shall be deemed to be under control if it is in close proximity to its owner or another responsible person designated by the owner, at all times while off the premises of the owner and providing that such dog is not engaged in any action which would classify it as a nuisance under this title. In order for a dog to be considered under control it must either be under physical restraint or subject to and responsive to the verbal commands of the owner or other person asserting control of the dog such that it does not interfere with the right of others' peaceable use of the streets, pathways, sidewalks or other public or private way.

2. In addition to subsection 1 herein, a dog is not under control if it is running at large or unrestrained in the streets, along the sidewalks, or on any school ground, playground, park or place of public amusement or recreation.

3. An animal is not under control if it molests passersby, chases vehicles, or attacks other domestic animals.

(Ord. 802, §1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2.3.4.5.6, 2004; Ord. 146 § 1, 1971)

C. Disturbing the Peace (from Care and Control 7.12.130 and 7.12.010.D)
1. A noisy animal as defined in this title is deemed a disturbance of the peace.

(Ord. 802, §1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2.3.4.5.6, 2004; Ord. 146 § 1, 1971)
D. Noxious or Offensive Odors.

No person shall allow a noxious or offensive odor to emanate from an animal’s living environment.

E. Diseased Animals.

An animal that becomes an untreated source of communicable disease shall be deemed a public nuisance.

F. Destruction of Property.

No domestic animal, livestock or fowl shall chew, tear, dig in or scratch, litter or soil, destroy, or in any other manner injure clothing, washing, garbage containers, gardens, flower beds, lawns, trees or shrubbery, fences or any other public or private property, real or personal.

G. Excessive Number of Dogs

The keeping or maintaining of more than two (2) dogs over the age of three (3) months on any lot, residence or premises within the Town is a public nuisance.


H. Defecation (scoop the poop):

Any person who has the charge and control of any dog on any public street, sidewalk, pathway, park, pedestrian way, or any public facility, or on any school ground, or on any private property not owned or possessed by the owner or person having the charge or control of such animal shall at all times:

1. Maintain in his/her possession sufficient suitable wrappers, bags or containers for the purpose of complying with this section;

2. Shall immediately and securely enclose all feces deposited by the animal in a bag, wrapper or other suitable container; and

3. Dispose of collected feces in a sanitary manner.

This section shall not apply to any service dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.

J. Animals on the Pathways:

No person shall allow any dog belonging to him or her or in his or her custody to enter upon any Pathway within the Town without the dog under leash control. This section shall not apply to any guide dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.
J. Dogs and Cats Prohibited in Town Parks (DOES COUNCIL WISH TO EXPAND THIS TO INCLUDE OTHER ANIMALS?)

No owner of any dog or cat shall allow the dog or cat to enter or be upon any Town park, including but not limited to the Town Square, North Park, Miller Park, Phil Baux Park, Snow King Ball Park, Powderhorn Park, Powderhorn Ball Park, Mike Yokel Park, Rangeview Park, Garaman Park and Mateosky Ball Park. (Ord 793 § 13, 2005; Ord. 293 § 1, 1982; Ord. 253 § 1, 1979; Ord. 213 § 3, 1977). (moved from 7.12.135)

7.05.030 Biting, Aggressive or Vicious Animals (moved from 7.12.090)

A. Aggressive or Vicious Animals

1. No person shall allow an aggressive or vicious animal to be upon the premises of anyone other than its owner, unless the animal is muzzled or secured in an appropriate container or vehicle.

2. No person shall keep, harbor or allow a vicious animal to be upon any premises occupied by him or her under his or her charge or control that may manifest a disposition to bite anyone without having the animal properly secured, contained or muzzled so as to prevent it from injuring any person, domestic animal or passersby.

B. Control of Biting Domestic Animals

1. Every owner shall take reasonable steps to prevent his or her domestic animal from biting a person or other domestic animal so as to break the skin or result in an open wound, or from engaging in an unprovoked attack on any person or other domestic animal. This subsection shall not apply if the biting domestic animal is on the owner's premises and either the premises are clearly posted with warnings concerning the biting domestic animal or the entry onto the premises was unlawful. This section shall not apply to a police dog in the performance of law enforcement duties or a veterinarian treating domestic animals.

2. If the Ninth Judicial Circuit Court of Teton County further finds the biting domestic animal to be vicious and has a propensity to bite any person or other domestic animal, or attack any person or other domestic animal in a vicious manner again, the Court may order that the biting domestic animal be disposed of in a humane manner in addition to any fines ordered. If the biting domestic animal is euthanized, the Court may order that the remains be examined for the presence of any disease communicable to humans or animals, and that all costs of destruction and analysis, expenses incurred by the victim, and impoundment fees as delineated shall be paid by the owner.

3. Any domestic animal that bites another domestic animal or person, other than its owner or immediate family member, which results in an open wound or attempts to attack or attacks any person or other domestic animal in a vicious manner shall be reported by the owner to an animal control officer. In the event the biting domestic animal may be a carrier of rabies or other communicable diseases, it may be apprehended and impounded.
i. If the owner of a dog or cat which bites can show evidence of a current valid rabies vaccination, the dog or cat shall be returned to the owner after payment of impoundment fees as delineated in this title.

ii. If the owner cannot produce evidence of a current and valid rabies vaccination, the domestic animal, if capable of transmitting rabies, shall be impounded and quarantined for a period of at least fifteen (15) days and not more than twenty (20) days after the attack to determine whether it has any disease which may be communicable to humans. At the discretion of the animal control officer, the quarantine may be on the premises of the owner. Prior to release of the domestic animal to the owner, the owner of the animal shall pay the impoundment fees as delineated in this title.

iii. If the owner cannot produce evidence of a current and valid rabies vaccination and the owner does not desire to proceed pursuant to Section 7.02.030(B)(3)(ii), the animal may be humanely destroyed and its remains analyzed for the presence of any disease communicable to humans, or may be forfeited to the Jackson/Teton County Animal Shelter for disposition. The owner shall pay all costs of destruction and analysis and any applicable impoundment and shelter fees, and shall be responsible for any Court ordered restitution to the victim.

C. Dog chasing, injuring or killing livestock or wildlife

A dog chasing, injuring or killing livestock or wildlife may be impounded and a determination shall be made by the Ninth Judicial Circuit Court for Teton County as to the propensity for the dog to continue to pose a threat to livestock or wildlife. If it is determined that the dog may pose a future threat to livestock or wildlife, the Court may order that the dog be humanely disposed of or restriction be placed on the movements of the dog. This section does not limit the ability of an owner of livestock or his agent or any peace officer from killing a dog in the act of chasing, injuring or killing livestock pursuant to Wyoming Statute. This section does not limit the ability of a peace officer to utilize the provisions of Wyoming Statute that allows for killing of the dog at the time of an attack on wildlife.

7.05.040 Disposal of Dead Animals (moved from 7.12.060)

When any animal has died or has been destroyed, the remains of such animal shall be cremated by a licensed crematorium or buried beneath the surface of the ground at the Teton County Landfill or any other appropriate location. The remains of animals shall not be placed in garbage cans for pickup and disposal by employees of the franchise holder for garbage disposal in the Town. Notwithstanding the foregoing, licensed veterinary clinics, animal control officers or the animal shelter may dispose of animals in garbage receptacles with proper notice given to the garbage disposal franchise holder.

(Ord 793 § 16, 2005; Ord. 649 § 1, 2000; Ord. 146 § 15, 1971)
Chapter 7.08  
TREATMENT AND USE OF ANIMALS

Sections:

7.08.010 Killing, maiming or disfiguring animals.
7.08.020 Cruelty to animals,
7.08.030 Leaving animals in a public place.
7.08.040 Release of animals.
7.08.045 Gate and fence maintenance.
7.08.050 Obedience to traffic regulations.
7.08.060 Vehicular collisions with animals.
7.08.070 Supplemental Feeding of certain animals.

7.08.010  Killing, maiming or disfiguring animals.

It shall be unlawful for any person to willfully kill, maim, inhumanely trap, or disfigure any domestic animal or administer any poison to any domestic animals or expose any poisonous substance with the intent that it be devoured by any domestic animal, unless otherwise permitted by law. (Ord. 14 §1, 1926.)

7.08.020  Cruelty to animals.

It shall be unlawful for:

A. Any person to knowingly and intentionally maltreat, torture or torment an animal with the intent to cause death, injury or undue suffering; to cruelly overwork, override, beat, injure, mutilate or otherwise abuse any animal; to carry an animal in a cruel or inhumane manner, or having the right and authority, to kill any animal in any way except in a humane manner.

B. Any person to frighten or scare any animal in an enclosure or on the street by airguns, firecrackers, noisemakers, gestures, motorized vehicles, or other loud noises with the intent to torment the animal.

C. Any owner to: fail to provide an animal with sufficient quantities of proper food, water, shelter and protection from the weather; neglect an animal; abandon an animal; or fail to provide appropriate veterinary care or sanitary living conditions.

D. Any person to cause or encourage a dogfight, cockfight, bullfight, or any other form of combat between animals or between animals and humans, nor own, keep, possess or train any bird, fowl, dog or other animal with the intent of engaging or using the animal in an exhibition of fighting, or to permit the same to occur on premises under his charge or control. Animals so kept, possessed, owned or trained may be subject to forfeiture. Nothing in this subsection shall be construed to prohibit rodeo events.

E. A person to knowingly be present at any place where an exhibition of animal fighting is occurring for amusement or gain.

F. Any person other than a licensed veterinarian to crop an animal’s ear or dock an animal’s tail.
G. A person to leave any animal in an unattended vehicle without adequate ventilation or in such a manner as to subject the animal to extreme temperatures which adversely affect its health or welfare.

H. A person to utilize a chain, cable or rope to restrain a dog unless it is placed or attached to avoid entanglement with chains of other dogs or any other object, and is at least three (3) times the length of the dog as measured from the tip of its nose to the base of its tail allowing the dog convenient and safe access to water and protection from the elements.

(Ord 799 §1, 2005; Ord. 793 § 12, 2005; Ord. 609 Ord. § 1, 1998;146 § 13, 1971)(from old 7.12.130) and (Ord. 645 § 1, 2000; Ord. 189 § 1, 1976; Ord. 15 § 2, 1926.(from 7.08.020)

7.08.030 Leaving animals in a public place.

A. No person shall leave any animal in a public place without securely fastening such animal, or allow any animal to be picketed or to graze along public thoroughfares where it may be a danger or nuisance, or tie or picket any animal so as to obstruct any sidewalk, street, alley or access to any public place. This section shall not apply to an animal engaged in the performance of law enforcement duties or a certified service animal. (Ord. 189 § 1976; Ord. 15 § 3, 1926.)

B. All dogs shall be kept under restraint when off the property of the owner. However, no owner of any dog shall restrain the dog with a leash, cord, chain, rope or other device and then secure such leash, cord, chain, rope or other device to any vehicle, mailbox, post or other structure adjacent to any roadway, doorway, pathway or sidewalk, that would allow said dog to interfere with vehicular or pedestrian traffic along any public roadway, pathway, sidewalk or entrance to any building frequented by the general public. This section shall not apply to any service dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.

7.08.040 Release of animals.

It is unlawful for any person to release animals at large or fail to close any gate by which animals may escape. (Ord. 189 § 3, 1976).

7.08.045 Gate and fence maintenance.

It shall be the owner's or lessor's responsibility to maintain and repair all fences around any animal enclosure. (Ord. 189 § 3, 1976).

7.08.050 Obedience to traffic regulations.

Unless a special permit or Town Council approval is obtained, the running of livestock on any public highway, street, alley, pathway or other thoroughfare is not allowed and all horse riders and horse-drawn vehicles are required to respect and follow the traffic ordinances of the Town unless otherwise stated and except those that by their very nature do not apply. (Ord. 189 § 4, 1976).

7.08.060 Vehicular collisions with animals.
Any motorist, while operating a vehicle, who collides with a domestic animal shall stop and immediately report the incident to either the animal’s owner, or in the event the owner cannot be ascertained and located, to an animal control officer or law enforcement.

7.08.070 Supplemental feeding of certain animals prohibited.

A. Definitions.
   1. “Supplemental feed attractants” are any human food, pet food, hay, forage product or supplement, grain, seed or birdseed, garbage, or other attractant.
   2. For the purposes of this section “agricultural” means the science or art of cultivating the soil, producing crops, boarding and/or raising permitted livestock.

B. No person shall knowingly or intentionally provide supplemental feed attractants to the following animals, unless specifically authorized by an agency of either the State of Wyoming or the United States of America: antelope, bighorn sheep, deer, elk, moose, mountain goat, bobcat, black bear, grizzly bear, mountain lion, lynx, wild bison, coyote, fox, raccoon and wolf.

C. A person engaged in any of the following activities is not subject to liabilities under this section:
   1. A person engaged in the normal feeding of livestock;
   2. A person pursuing an agricultural purpose on agricultural land as defined by W.S. 39-13-101(a)(iii);
   3. A person engaged in the practice of raising crops and crop aftermath, including hay, alfalfa and grains, produced, harvested, stored or fed to domestic livestock in accordance with normal agricultural practices;
   4. A person engaged in the cultivation of a lawn or garden; and,
   5. A person engaged in bird feeding where the bird food is made unavailable to the animals specified in paragraphs A and B of this Section.

(Ord. 727 § 1, 2003)
Chapter 7.12

DOG AND CAT LICENSES AND REGULATIONS

Sections:

7.12.020 Dog and Cat License Required.

7.12.030 License--Conditions of Issuance.

7.12.040 License --- Revocation.

7.12.090 Rabies vaccination required.

7.12.100 Rabid dog--Muzzling.

7.12.020  Dog and Cat License Required

A) Any dog or cat residing in Town more than thirty (30) days must be licensed.

B) Such license shall not be issued until payment of the applicable fee and presentation of a current and valid certificate subscribed by a licensed veterinarian that the dog or cat has been vaccinated against rabies, and that dog or cat is current on its rabies vaccination. The vaccination certificate shall indicate the date of vaccination, the type used and the period of immunization.

C) Licenses shall be renewed at the start of every calendar year.

D) Dogs and cats less than four (4) months of age are exempt from having licenses.

E) Upon issuance, the license tag shall be fastened to the dog's collar or harness. Such tags shall be worn at all times when the dog is off the premises of its owner. (Ord 793 § 6, 2005; Ord 194 § 2, 1976; Ord. 146 § 4, 1971)

(Ord 793 § 4, 2005; Ord 789 § 7, 2004; Ord. 646 § 1, 2000; Ord. 194 § 1, 1976; Ord. 146 § 2, 1971)

7.12.030 License -- Conditions of Issuance

Licenses issued in accordance with this chapter are conditioned upon the requirement for humane care of the dogs or cats and for compliance by the owner with all provisions of this chapter and other applicable state and local laws. (Ord. 146 § 12, 1971).

7.12.040 License --- Revocation

The Town Clerk or an animal control officer may revoke any license if the person holding the license refuses or fails to comply with this or any state or local law governing cruelty to animals or the keeping of animals. When a license is revoked, the owner of the dog or cat shall within ten (10) days thereafter surrender the dog or cat to the animal shelter, remove the dog or cat from the Town jurisdiction or humanely euthanize the dog or cat. No part of the license fee shall be refunded. If the owner fails to surrender the dog or cat to the animal shelter, remove the dog or cat from the Town jurisdiction or humanely euthanize the dog or cat being owned, kept or harbored by such person as required in this chapter, such dog or cat may be seized by an animal control officer subject to a Court's disposition of the dog or cat and, thereafter, put up for adoption or humanely disposed of. (RESEARCH)
7.12.090 Rabies Vaccination Required.

A rabies certificate signed by a licensed veterinarian showing that a dog or cat has been vaccinated against rabies is required of all dog and cat owners.

7.12.100 Rabid dog—Muzzling

Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the Mayor, if he deems it necessary, may issue a proclamation ordering every person owning a dog to confine it securely on his premises and to muzzle the dog with a muzzle of sufficient strength to prevent its biting any person. Any unmuzzled dog found within the Town during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies.

All dogs so noticeably infected with rabies and displaying vicious propensities shall be killed by a police officer or other authorized person finding such dog, without notice to the owner. If it is determined that an impounded dog is not infected, the dog shall be released to the owner upon payment of the impounding charge provided for in this title. If unclaimed after thirty (30) days, the dog may be summarily destroyed or adopted. (Ord. 146 § 10, 1971).
E. **Trespassing on Animal Shelter or Animal Control Vehicle (moved from 7.12.140)** No person shall obtain an animal from within the confines of the animal shelter, from an animal control vehicle, or from the custody and control of any animal control officer without the permission of the authority in charge. Any person who tampers with any lock, gate, door or fence on the animal control vehicle or located at the animal shelter or any person who climbs or attempts to climb any fence located at the animal shelter shall be considered a trespasser. Any person who violates the provisions of this section is guilty of a misdemeanor and may be punished in accordance with MC 1.12.010. **Section 7.12.160.**

(Ord 793 § 14, 2005; Ord. 180 § 1, 1975; Ord. 146 § 14, 1971.)

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, for each 24 hours or portion thereof the amount of
If by a license, tag, microchip or other means the owner can be identified or ascertained, the animal shelter shall notify by telephone that the animal has been impounded.

If the dog / cat is under 6 months of age, then the owner shall have the animal spayed or neutered within 30 days of the animal reaching 6 months.
following payment of all impoundment fees and costs.

Any person who violates the provisions of this section is guilty of a misdemeanor and may be punished in accordance with Section 7.12.160.

do not apply to all animals; if just to apply to dogs and cats, can move back


dog which has been impounded for not less than seven days shall pay to the animal shelter manager or designated official for credit to the general fund of the town the sum of thirty dollars per animal as an adoption fee. Any person wishing to adopt a cat which has been impounded for not less than seven days shall pay to the animal shelter manager or other designated official for credit to the general fund of the town the sum of twenty dollars per animal as an adoption fee.

The issuance of any permit shall be subject to the following conditions:
The keeping of one to two horses requires a minimum lot size of seven thousand five hundred square feet, and a minimum corral space of eight hundred square feet. Three horses require a minimum lot of one-half acre or twenty-one thousand seven hundred eighty square feet. Four horses require a minimum lot size of one acre or forty-three thousand five hundred sixty square feet. The keeping of more than four horses requires a minimum lot size of one acre plus one-half acre for each additional horse over four to be kept. Animals in excess of the permit allowance may be kept on premises for which a permit is in effect for short periods not to exceed twenty-one days in any calendar year; providing, that a temporary permit as provided in subsection G is obtained, and the restrictions of subsection G are met.

At the request, made in writing to the animal control officer, of any person owning property adjacent to premises for which a permit has been or is to be issued, all fences or structures for the confining of animals shall be a minimum distance of five feet from the requesting owner's property line. A temporary permit shall be required for the keeping of a horse or horses for short periods not to exceed twenty-one days in any calendar year. Such permit shall be issued without charge upon application to the animal control officer therefore, and not more than three temporary permits shall be issued for the same premises in any calendar year. All horses kept pursuant to a temporary permit shall be so restrained as to prohibit their moving closer than five feet to any adjacent land owner's property line. (Ord. 204 § 1, 1976; Ord. 188 § 1, 1976; Ord. 130 § 3, 1970.)
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planning commission acting as the board of adjustments pursuant to Chapter 18.52 of this code.

or board of adjustment
who shall question the complaint, consult with a veterinarian and the county health officer, and his chief clerk the board of adjustment. The board of adjustment shall then upon not less than five days' notice to such permittee hold a public hearing on the complaint, and recommend that the town council take action upon the complaint, including revocation, cancellation or suspension of the permit, as in the best judgment of the board will best serve and protect the public health and welfare of the town.

dollars per day for each day kept, for care of and keeping of each animal. The animal control officer shall make every reasonable attempt to determine ownership of any impounded animal and notify the owner of the impounding. Any impounded animal which remains unclaimed after a period of

to accumulate therein.

days of

may be disposed of at public sale or destroyed. (Ord. 188 § 5, 1976: Ord. 130 § 8, 1970.)
7.04.120 Penalty for violations.
A person violating any of the provisions of this chapter shall, upon conviction, be fined according to Section 1.12.010 of this code. (Ord. 130 § 9, 1970.)

The requirement for permits as required in this chapter

Care and Control of Animals

7.05.020 Animals at Large Prohibited.
Care and Control

No owner of an animal shall fail to exercise proper care and control to prevent it from becoming a public nuisance as defined in this title. Excessive, continuous or untimely barking, molesting passersby, chasing vehicles, attacking other domestic animals, running wild game, trespassing on school grounds, trespassing upon private property...
shall be deemed a public nuisance. (See/ compare to Cheyenne definition under 7.02)
WHAT ABOUT DISTURBANCE OF THE PEACE??? Cheyenne has separate section under 6.08.070 – what is difference?)
It shall be unlawful for the owner or any person having charge or control of any dog to permit such animal to defecate and to allow the feces to remain upon any public street, sidewalk, pathway, park, pedestrian way, or any public facility, or on any school ground, or on any private property not owned or possessed by the owner or person having the charge or control of such animal unless the person...
7.05.020 Animals at large prohibited.
No person or persons, firm, association or corporation owning, keeping or harboring any livestock, predatory animals, fowl or domestic animals shall permit the same to run at large within the corporate limits of the Town. Any livestock, predatory animal, fowl or domestic animals found running at large which is not immediately removed by the owner thereof, or someone acting at his direction, may be impounded by the animal control officer and such livestock, predatory animal, fowl or domestic animal shall not be released except to the owner thereof upon the payment of fifteen (15) dollars per day for each day kept, for care of and keeping of each animal. The animal control officer shall make every reasonable attempt to determine ownership of any impounded livestock, predatory animal, fowl or domestic animal and notify the owner of the impounding. Any impounded livestock, predatory animal, fowl or domestic animal which remains unclaimed after a period of one week may be disposed of at public sale or destroyed. (Ord. 188 § 5, 1976; Ord. 130 § 8, 1970.- from 7.04.100) (Ord 793 § 7, 2005; Ord 789 § 9, 2004; Ord. 146 § 6, 1971 – from 7.12.060.B))
have, keep, harbor or

that manifests a disposition to bite or attack any person

Proof of the fact that the animal has bitten or attacked any person at any place where a person has a legal right to be may be used as evidence that the animal is vicious within the meaning of this title?? chapter.
of any dog that bites in a vicious manner is guilty of a misdemeanor.
pursuant to Section 1.12.010 of the Jackson Municipal Code. I

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D. **Dog injuring or killing wildlife:** 
A dog injuring or killing wildlife may be impounded and a determination shall be made by the Town of Jackson Municipal Court or Ninth Judicial Circuit Court for Teton County as to the propensity for the dog to continue to pose a threat to
wildlife. If it is determined that the dog may pose a future threat to wildlife, the Court may order that the dog be humanely disposed of or restrictions be placed on the movement of the dog. This section does not limit the ability of a peace officer to utilize the provisions of Wyoming Statute §23-3-109, as amended, that allows for killing of the dog at the time of the attack on wildlife.

E. **Quarantine of animal that bites:**

Any animal that bites a person other than its owner resulting in an open wound shall be reported to the animal control officer or the police department.

Any animal which attacks or bites a person, other than its owner, may be impounded by the animal control officer and may be held in quarantine for at least fifteen (15) days and not more than twenty (20) days after the attack to determine whether the animal has any disease which may be communicated to humans, except that no animal shall be quarantined if the animal’s owner or custodian presents a valid, current rabies certificate showing that the animal has been vaccinated against rabies by a licensed veterinarian. During the quarantine the animal shall be securely confined and kept from contact with any other animal. At the discretion of the animal control officer, the quarantine may be on the premises of the owner. If the animal control officer requires other confinement, the owner shall surrender the animal for the confinement period to the animal control officer, who shall keep the animal in the animal shelter.

All costs associated with the impoundment, quarantine and testing, shall be paid by the owner or custodian of the animal.

(Ord 793 § 10, 2005; Ord. 146 § 9, 1971)
attached to vehicles or blocking thoroughfares

Inspection for disease

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, shall upon conviction thereof, be punished according to Section 1.12.010 of this code.
If any person

or other horse or other

attached to any vehicle in any street or alley within the limits of the town

or

, he shall upon the conviction thereof be fined in any sum not less than ten dollars nor more than fifty dollars.
It is unlawful for any person to open a corral or pasture gate to release animals at large or fail to close such gate in traversing across any property.

livestock

. horses

. oG AND CAT

PERMITS

7.12.010 Definitions
712.010-1 Animal Control Officer Authority

Anima

7.12.040 License
7.12.050 Repealed
7.12.060 Restraint

7.12.080 Disposition of Unclaimed or Infected Dogs

7.12.085 Adoption--Fee
7.12.090 Dangerous, Fierce or Vicious Animals

7.12.110 Rabid dog--Impoundment--Notice
7.12.120 Vaccination

7.12.135 Dogs Prohibited in Town Parks

7.12.140 Trespassing on Dog Pound or Animal Control Vehicle
7.12.145 Possession of Impounded Dogs
7.12.150 Disposal of Dead Animals

7.12.160 Penalty for Violations

7.12.010 Definitions

As used in this chapter, unless the context otherwise indicates:

A. “Animal” means every living dumb creature, domestic or wild.
B. “At Large”: Every animal shall be considered running at large when it is physically off the property of the owner and not under the immediate restraint of a competent person.

C. “Close proximity”: For the purpose of these ordinances “close proximity” shall mean next to its owner or another responsible person designated by the owner and not greater than 20 feet distance in any direction from its owner or another responsible person designated by the owner.

D. "Control" means to exercise restrain influence over, to dominate, regulate, to hold from action, to curb and to govern. A dog shall be deemed to be under control if it is in close proximity to its owner or another responsible person designated by the owner, at all times while off the premises of the owner and providing that such dog is not engaged in any action which would classify it as a nuisance under this chapter.

E. "Dog" means both male and female canine.

F. “Leash” means a rope, strap, chain or other device of similar nature used to restrain or hold an animal in check.

G. "Noisy dog" means any dog that habitually, constantly or frequently disturbs the sleep, peace or quiet of any neighborhood or person.

H. "Nuisance" means any noisy dog, any vicious dog, or any animal which chews, tears, digs in or scratches, litters or soils, destroys, or in any other manner injures clothing, washing, garbage containers, gardens, flower beds, lawns, trees or shrubbery, or any other public or private property, real or personal, or the keeping or maintaining of more than two (2) dogs over the age of three (3) months on any lot or premises within the town. Excessive, continued or untimely barking, molesting passersby, attacking or acting in a threatening manner towards wildlife, other domestic animals or any person other than its owner, chasing vehicles, habitually attacking other domestic animals and trespassing upon private
property in such manner as to damage property shall also be deemed a nuisance. Unlicensed animals are also declared a public nuisance.

I. "Owner" means any person or persons, firm, association, or corporation owning, keeping, or harboring an animal or any person who permits an animal to be fed or remain habitually in or about the premises under the person’s control.

J. "Premises" means the real property owned or occupied by the owner of the animal. An animal shall be deemed to be under restraint if on the premises of its owner or if accompanied by a responsible person and under that person's control.

K. “Restraint”: an animal is under restraint when such animal is on a lead or other physical means to limit its actions or when such animal is in close proximity to its owner, agent, or responsible person and subject to immediate recall by said person.

(Ord 802, §1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2,3,4,5,6, 2004; Ord. 146 § 1, 1971)

7.12.010-1 Animal Control Officer Authority

The Community Service Officers shall serve as animal control officers for the Town of Jackson and shall have the enforcement powers of this chapter. No person shall interfere with, hinder, molest, delay, obstruct or abuse any officer in the exercise of his duties, nor willfully set any animal upon the officer, or allow any animal to run at large, or break or assist to break open any enclosure where an animal is confined by the officer.

Employees of the Jackson / Teton County Animal Shelter shall also have enforcement powers as relates to animal control.

(Ord. 793 § 3, 2005)
n animal without a issued by the County. The fine for violation of this subsection shall be twenty-five dollars ($25.00)(add in a maximum and a minimum??).

Animal l

by the County Treasurer or the Treasurer’s designee which may include veterinarians, Town of Jackson, animal control officers, and the Animal Shelter, upon five dollars ($5.00)

animal

Such vaccination shall remain effective through the term of the license. The fee for that have been properly spayed or neutered animals is one dollar.

if the owner provides a bona fide certificate to show that the has been properly spayed or neutered.

The County will replace lost or damaged licenses for one-dollar ($1.00).
Each licensed dog shall wear a collar tagged with the license number issued to that animal whenever the dog is off the owner’s property.

The fine for violation of this section shall be twenty-five dollars ($25.00).
7.12.040 License

—Application (done away with??)(license or permit??)
The owner shall state at the time application is made for a license and upon printed form provided for such purpose, his name and address, and the name, breed, color and sex of the animal owned or kept by him, and whether such animal has been spayed or neutered. At the time of application for permit the owner shall also present a certificate of vaccination obtained in accordance with this chapter.

Upon issuing a permit to keep any dog or cat, a metallic or durable plastic tag shall be given to the owner of the dog or cat stamped with an identifying number and with the year of issuance and so designed that it may conveniently be fastened to the dog's collar or harness. Such tags shall be fastened to the dog's collar or harness by the owner and shall be worn at all times when the dog is off the premises of its owner. The County Treasurer, the Animal Shelter and the Town Clerk shall maintain a record of the identifying numbers.

(Ord 793 § 6, 2005; Ord. 194 § 2, 1976; Ord. 146 § 4, 1971)

7.12.050 Permit--Issuance--Fees--Tags

Repealed. (Ord 789 § 7, 2004; Ord. 371 § 1, 1987; Ord. 194 § 3, 1976; Ord. 146 § 5, 1971)

7.12.060 Restraint

A. All domestic animals shall be kept under restraint when off the property of the owner. However, no owner or keeper of any domestic animal shall restrain the domestic animal with a leash, cord, chain, rope or other device and then secure such leash, cord, chain, rope or other device to any vehicle, mailbox, post or other structure adjacent to any
roadway, doorway, pathway or sidewalk, that would allow said domestic animal to interfere with vehicular or pedestrian traffic along any public roadway, pathway, sidewalk or entrance to any building frequented by the general public.

This section shall not apply to any guide dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.

B. Animals Running At Large Prohibited:

It is unlawful for any domestic animal to run at large within the city. Every domestic animal shall be considered running at large when it is physically off the property of the owner of the animal, and not under the immediate restraint of a competent person.

(Ord 793 § 7, 2005; Ord 789 § 9, 2004; Ord. 146 § 6, 1971)

7.12.070 Impounding (move so applies to all animals or just dogs and cats???)

A. Unlicensed animals, unrestrained animals, animals running at large, animals that pose a threat to public safety or welfare, or any animal that has been treated in a cruel or inhumane manner may be taken up and impounded by police officers, special municipal officers or the animal control officer, and may be done without making or requiring a complaint therefore, and such animal may be placed in the animal shelter and there confined in a humane manner.
The owner of any animal so impounded may reclaim such animal upon payment of the permit fee, if unpaid, and of all costs and charges incurred by the town for impoundment and maintenance of the animal.

Redemption - Payment of costs:

The owner or agent of an owner of any animal impounded under these rules shall have the privilege of claiming such animal within seven (7) days after it is impounded, upon complying with the following requirements:

Show proof of licensure, and if no license, then obtain a license.
Show proof of vaccination against rabies, and if none, then obtain the proper vaccination.

c. Pay the following fees to the Teton County/Jackson Animal Shelter:
   i. First Impoundment - $25.00
   ii. If the same animal is impounded for a second time within one year - $35.00
   iii. If the same animal is impounded for a third time within one year - $50.00
   iv. If the same animal is impounded for a fourth or subsequent time within a one year period of time - $100.00.

d. Pay the Teton County/Jackson Animal Shelter, for each 24 hours or portion thereof the amount of $15.00 per animal. The first 24 hours of impoundment is included in the Impoundment Fee delineated in “C” above.

e. The owner reclaiming an impounded animal may also be proceeded against for violation of this chapter and any permit may be revoked.

B. Return to owner without impounding:

If an animal is found running at large and its owner can be identified and located, such animal need not be impounded but may, instead, be taken to the owner. In such a case, the police officer or animal control officer may proceed against the owner for violation of this chapter.

C. Notification of owner (REQUIRED ANY LONGER??)

Upon impounding any animal pursuant to this division, the animal shelter shall make reasonable efforts to ascertain the ownership of each animal so impounded. If by a license, tag, microchip or other means the owner can be identified or ascertained, the animal shelter shall notify by telephone that the animal has been impounded.
D. **Disposition of animals (all animals or dogs and cats???)**:  

Impounded animals shall be kept for at least seven (7) days unless reclaimed by their owners. All animals left unclaimed after seven (7) days may be adopted out or may be destroyed. Any animal not claimed within seven days or adopted as provided for herein, may be destroyed. Destruction of animals shall be in a humane manner. Any person, who adopts an animal after the seven-day waiting period, shall have the animal spayed or neutered within 30 days, and secure a license. A license is not required if the animal shall not be remaining in Teton County.

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If the dog / cat is under 6 months of age, then the owner shall have the animal spayed or neutered within 30 days of the animal reaching 6 months. A licensed veterinarian shall vaccinate any dog or cat adopted out, for rabies within 10 days if not current on its rabies vaccination.


7.12.080 **Disposition of Unclaimed or Infected Dogs**

Any animal impounded under these regulations not claimed by the owner within seven days may be adopted to any person who will secure a license. A license is not required if the animal shall not be remaining in Teton County. Any animal not claimed within seven days or adopted as provided for herein, may be destroyed. Destruction of animals shall be in an humane manner. Any person who acquires an animal as a new owner after the seven-day waiting period, must have the animal spayed or neutered within 30 days. If the animal is under 6 months of age, then the new owner shall have the animal spayed or neutered within 30 days of the animal reaching the age of 6 months.

(Ord 789 § 11, 2004; Ord. 146 § 8, 1971.)

7.12.085 **Adoption—Fee**

The animal shelter manager or other designated official is authorized to advertise and place for adoption all dogs, cats or other animals, which have been impounded for a period of not less than seven days if they are not sooner claimed by the owner of such animal. Any person wishing to adopt a dog which has been impounded for not less than seven days shall pay to the animal shelter manager or designated official for credit to the general fund of the town the sum of thirty dollars per animal as an adoption fee. Any person wishing to adopt a cat which has been impounded for not less than seven days shall pay to the animal shelter manager or other designated official for credit to the general fund of the town the sum of twenty dollars per animal as an adoption fee.

(Ord 793 § 9, 2005; Ord. 711 § 1,2002;  Ord. 648 § 1, 2000; Ord. 252 § 2, 1979)
7.12.090 Dangerous, Fierce or Vicious Animals (move? This covers all vicious animals as defined in 7.02.020; not just dogs...)

A. No person shall have, keep, harbor or allow an animal that manifests a disposition to bite or attack any person to run upon the premises of one other than its owner.

Proof of the fact that the animal has bitten or attacked any person at any place where a person has a legal right to be may be used as evidence that the animal is vicious within the meaning of this chapter.

B. Control of Biting Dogs:
   a. The owner of any dog that bites a person that results in an open wound, or attacks any person in a vicious manner is guilty of a misdemeanor. This subsection shall not apply if the dog is on the owner's premises and either the premises are clearly posted with warnings concerning the dog or the entry onto the premises was unlawful.

   b. If the Town of Jackson Municipal Court or the Ninth Judicial Circuit Court of Teton County further finds the dog to be vicious and has a propensity to bite any person or attack any person in a vicious manner again, the Court may order that the dog be disposed of in a humane manner in addition to the fine ordered pursuant to Section 1.12.010 of the Jackson Municipal Code. If the animal is euthanized the Court may order that the remains be examined for the presence of any disease communicable to humans. All costs of destruction and analysis, expenses incurred by the victim, and impoundment fees as delineated in Section 7.12.070 shall be paid by the owner.

   c. Any dog that bites a person that results in an open wound, or attacks any person in a vicious manner may be reported to an animal control officer or police officer and then the dog shall be apprehended and impounded.

      i. Except if the owner or custodian of a dog which bites can show evidence of a current valid rabies vaccination, the dog shall be returned to the owner or custodian, after payment of any expenses incurred by the victim and impoundment fees as delineated in Section 7.12.070.

      ii. (State not in line with federal – federal less strict—CHECK! If the owner or custodian cannot produce evidence of a current and valid rabies vaccination, the dog shall be impounded and quarantined, at the expense of the owner or custodian, for a period of at least 15 days and not more than 20 days after the attack to determine whether the dog has any disease which may be communicable to humans. Provided, however, that prior to release of the dog to the owner, the owner or custodian of the dog shall pay the impoundment fees as delineated in Section 7.12.070.

      iii. If the owner or custodian cannot produce evidence of a current and valid rabies vaccination and the owner or custodian does not desire to proceed pursuant to Section 7.12.090 (c) (ii), the dog shall be humanely destroyed and its remains analyzed
C. **Dog injuring or killing livestock:**
   A dog injuring or killing livestock may be impounded and a determination shall be made by the Town of Jackson Municipal Court or the Ninth Judicial Circuit Court for Teton County as to the propensity for the dog to continue to pose a threat to livestock. If it is determined that the dog may pose a future threat to livestock, the Court may order that the dog be humanely disposed of or restriction be placed on the movements of the dog. This section does not limit the ability of an owner of livestock or his agent or any peace officer from killing a dog in the act of injuring or killing livestock pursuant to Wyoming Statute §11-31-301(d)(LexisNexis 2003)

D. **Dog injuring or killing wildlife:**
   A dog injuring or killing wildlife may be impounded and a determination shall be made by the Town of Jackson Municipal Court or Ninth Judicial Circuit Court for Teton County as to the propensity for the dog to continue to pose a threat to wildlife. If it is determined that the dog may pose a future threat to wildlife, the Court may order that the dog be humanely disposed of or restrictions be placed on the movement of the dog. This section does not limit the ability of a peace officer to utilize the provisions of Wyoming Statute §23-3-109 (LexisNexis 2003) that allows for killing of the dog at the time of the attack on wildlife.

E. **Quarantine of animal that bites:**
   Any animal that bites a person other than its owner resulting in an open wound shall be reported to the animal control officer or the police department.

   Any animal which attacks or bites a person, other than its owner, may be impounded by the animal control officer and may be held in quarantine for at least fifteen (15) days and not more than twenty (20) days after the attack to determine whether the animal has any disease which may be communicated to humans, except that no animal shall be quarantined if the animal’s owner or custodian presents a valid, current rabies certificate showing that the animal has been vaccinated against rabies by a licensed veterinarian. During the quarantine the animal shall be securely confined and kept from contact with any other animal. At the discretion of the animal control officer, the quarantine may be on the premises of the owner. If the animal control officer requires other confinement, the owner shall surrender the animal for the confinement period to the animal control officer, who shall keep the animal in the animal shelter.

   All costs associated with the impoundment, quarantine and testing, shall be paid by the owner or custodian of the animal.

(Ord 793 § 10, 2005; Ord. 146 § 9, 1971)
or keeping a

of Jackson

man

Dogs impounded during the first two days of such proclamation shall, if claimed within five days,

unless infected with rabies,

7.12.110 Rabid dog—Impoundment—Notice

If any dog is believed to have rabies and has bitten another dog, or been bitten by dogs suspected of having rabies, or has bitten any person, said bite resulting in an open wound, such dog shall be impounded in the animal shelter by any police officer or other person authorized by the Town. The animal shelter manager or some other designated official upon receiving any such dog shall make a complete registry, entering the breed, color, and sex of such dog and whether licensed, and shall also make record of the incident which led to the impounding of the dog. If the dog is licensed, the animal shelter shall enter the name and address of the owner and the number of the license tag. Not later than three (3) days after the impounding of any such dog, the owner shall be notified, or if the owner of the dog is unknown, written notice shall be posted for a reasonable period of time at the Town Hall in the town of Jackson describing the dog and the place and time of taking. The dog shall be kept at the animal shelter and held in quarantine for at least fifteen (15) days and not more than twenty (20) days. At the end of the quarantine period, a licensed veterinarian shall inspect the dog and if the dog shows no symptoms of rabies, the veterinarian may authorize the release of the dog. If the dog shows symptoms
of rabies, or is suspected by the veterinarian of being infected with rabies, the 
veterinarian may direct whatever disposition of the dog he/she may deem necessary, 
including, but not limited to, destroying the dog and/or conducting laboratory tests on the 
animal. Following the quarantine period the owner of the dog so impounded may reclaim 
such dog on payment of all costs and charges incurred by the town for impounding and 
maintenance of the dog. If the owner does not reclaim the dog at the end of the 
, the dog may be put up for adoption or humanely destroyed. 
(Ord 793 § 11, 2005; Ord 789 § 12, 2004; Ord. 146 § 11, 1971.)

7.12.120 Vaccination. 
Prior to the issuance of a dog permit, a certificate of vaccination with anti-rabies 
vaccine signed by a licensed veterinary surgeon showing that a dog for which the permit 
application is made has been vaccinated with anti-rabies vaccine within one year 
preceding the date on which the permit application is made must be presented to the town 
clerk or poundmaster at the time such application is made. 
(Ord. 146 § 12, 1971.)

7.12.130 Care and control (SEE MC BOOK!!)
A. title nuisance?? No owner shall fail to exercise proper care and control of his dog 
to prevent it from becoming a public nuisance. Excessive, continuous or untimely 
barking, molesting passersby, chasing vehicles, attacking other domestic animals, 
running wild game, trespassing upon school grounds, trespassing upon private 
property, noxious or offensive odors emanating from their living conditions, or 
unsanitary living conditions shall be deemed a nuisance. 

B. Defecation (scoop the poop):
It shall be unlawful for the owner or any person having charge or control of any 
dog to permit such animal to defecate and to allow the feces to remain upon any 
public street, sidewalk, pathway, park, pedestrian way, or any public facility, or 
on any school ground, or on any private property not owned or possessed by the 
owner or person having the charge or control of such animal unless the person 
shall immediately and securely enclose all feces deposited by the animal in a bag, 
wrapper or other suitable container and dispose of it in a sanitary manner. 

Any person who has the charge and control of a dog on any public street, 
sidewalk, pathway, park, pedestrian way, or any public facility, or on any school 
ground, or on any private property not owned or possessed by the owner or person 
having the charge or control of such animal shall at all times maintain in his/her 
possession sufficient suitable wrappers, bags or containers for the purpose of 
complying with this section. The failure of such person to carry such wrappers, 
bags or containers when in the charge and control of any animal on any public 
street, sidewalk, pathway, park, pedestrian way, or any public facility, or on any 
school ground, or on any private property not owned or possessed by the owner or
person having the charge or control of such animal shall constitute a violation of this section.

This section shall not apply to any guide dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.

C. Animals on the Pathways:
No person shall allow any dog belonging to him or her or in his or her custody to enter upon any Pathway within the Town of Jackson, without the dog under leash control. This section shall not apply to any guide dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.

D. Cruelty to Animals ADOPT STATE FELONY CRUELTY LAW:
It shall be unlawful for any person to abandon, maltreat, torture or torment an animal unnecessarily, to cruelly beat, injure or mutilate an animal, to carry an animal in a cruel or inhumane manner, or having the right and authority, to kill any animal in any way except in a humane manner.

It shall be unlawful for any owner, caretaker or agent to fail to provide his/her animals with sufficient quantities of proper food, water, shelter and protection from the weather. Veterinary care shall be provided to his/her animals when needed to prevent suffering, and to treat the same with humane care.

It shall be unlawful for any person to cause or encourage a dogfight, cockfight, bullfight, or any other form of combat (DEFINE....TO EXCLUDE RODEO ACTIVITIES?? OR ANY OTHER “BLOOD SPORT” – BE CAREFUL B/C DON’T WANT TO ALLOW IT AT RODEO) between animals or between animals and humans, or to permit the same to occur on premises under his charge or control.

A person commits animal cruelty if he is knowingly present at any place where an exhibition of animal fighting is occurring for amusement or gain.

It shall be unlawful for any person other than a licensed veterinarian to crop an animal’s ear or tail.

Ownership or the commission of such acts of cruelty on private property shall not be a justifiable defense for violation of this section.

(Ord 799 §1, 2005;Ord. 793 § 12, 2005; Ord. 609 Ord .§ 1, 1998;146 § 13, 1971.)
No person shall allow any dog belonging to him or her or in his or her custody or care or control to enter or be upon any park premises of the town of Jackson, including the Town Square, North Park, Miller Park, Phil Baux Park, Snow King Ball Park, Powderhorn Park, Powderhorn Ball Park, Mike Yokel Park, Rangeview Park and Mateosky Ball Park.

(Ord 793 § 13, 2005; Ord. 293 § 1, 1982: Ord. 253 § 1, 1979: Ord. 213 § 3, 1977.)

7.12.145 Possession of Impounded Dogs (MOVE??) applies to all animals

No person shall obtain an animal from within the confines of the animal shelter, from an animal control vehicle, or from the custody and control of any animal control officer without the permission of the authority in charge. Any person who tampers with any lock, gate, door or fence on the animal control vehicle or located at the animal shelter or any person who climbs or attempts to climb any fence located at the animal shelter shall be considered a trespasser. Any person who violates the provisions of this section is guilty of a misdemeanor and may be punished in accordance with Section 7.12.160.

(Ord 793 § 14, 2005; Ord. 180 § 1, 1975: Ord. 146 § 14, 1971.)

7.12.150 Disposal of Dead Animals

When any domestic animal has died or has been destroyed in accordance with this chapter, the remains of such animal shall be cremated by a licensed crematorium or buried beneath the surface of the ground at the Teton County Landfill or any other appropriate location. The remains of animals, which have been killed or destroyed in accordance with this chapter, shall not be
placed in garbage cans for pickup and disposal by employees of the franchise holder for garbage disposal in the town. Notwithstanding the foregoing, licensed veterinary clinics and the animal control shelter may dispose of animals in garbage receptacles with proper notice given to the garbage disposal franchise holder.
(Ord 793 § 16, 2005; Ord. 649 § 1, 2000: Ord. 146 § 15, 1971.)

7.12.160 Penalty for Violations

Any person violating any provision of this chapter is guilty of a misdemeanor and upon a first conviction shall be punished by a fine of not less than twenty-five dollars ($25.00) nor more than seven hundred fifty dollars ($750.00); on a second conviction by a fine of not less than fifty dollars ($50.00) nor more than seven hundred fifty dollars ($750.00); and on a third and subsequent conviction by a fine of not less than seventy-five dollars ($75.00) nor more than seven hundred fifty dollars ($750.00). If any violation is continuing, each day's violation shall be deemed a separate violation. If any person is found guilty by a court of violating Section 7.12.

130 (was moved to 7.05.020 and 7.08.010 --- if need/want to still apply, need to add into new chapters under 7.05.020 and 7.08.010!!!!!) for a fourth time, his permit to own, keep, harbor, or have custody of dogs shall be deemed automatically revoked and no new license may be issued for a period of one (1) year.
(Ord. 289 § 3, 1982; Ord. 213 § 4, 1977: Ord. 146 § 16, 1971.)
Title 7 Animals

Chapters:

7.02 DEFINITIONS, ADMINISTRATION AND ENFORCEMENT

7.04 KEEPING HORSES, LIVESTOCK AND FOWL

7.05 ANIMAL CARE AND CONTROL REGULATIONS GENERALLY

7.08 TREATMENT AND USE OF ANIMALS

7.12 DOG AND CAT LICENSES AND REGULATIONS
Chapter 7.02
DEFINITIONS, ADMINISTRATION AND ENFORCEMENT

Sections:
7.02.010 Definitions
7.02.020 Purpose - Authority - General Provisions
7.02.030 Capture of Animals
7.02.040 Impounding
7.02.045 Possession of Impounded Animals
7.02.050 Adoption - Fee
7.02.060 Violation - Penalty

7.02.010 Definitions.
The following definitions shall apply to this title, unless otherwise stated:
A. “Aggressive Manner” shall mean charging a person to within potential biting or striking distance while snapping or snarling or growling or displaying teeth in a threatening manner or exhibiting any behavior demonstrating a potential attack.
B. “Animal” means any living dumb creature, domestic or wild, as defined in this title as “dog”, “domestic animal”, “fowl”, “horse”, “livestock” or “predatory animal.”
C. “Animal Control Officer” or “Officer” means any person designated by the state, county commissioners, the Town or another municipal government, who is qualified to perform duties under the laws, regulations or ordinances of the state, county, the Town or other municipality pertaining to animals or animal control, and shall include animal control employees.
D. “Animal Shelter” means a facility recognized and designated by the governing body for the purpose of impounding or caring for animals held under the authority of this title or state law.
E. “At Large” means physically off the property of its owner and not under immediate restraint of a competent person; or not controlled by a leash, lead, rope, or reins; or not in the immediate company of a competent person and obedient to that person’s command; or not confined within a vehicle on a street or other enclosure.
F. “Control” means to exercise restraining or directing influence over, to dominate, regulate, to hold from action, to curb and to govern. (Ord.802, §1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2, 3, 4, 5, 6, 2004; Ord. 146 § 1, 1971).
G. “Close proximity” shall mean next to its owner or another responsible person designated by the owner and not greater than twenty (20) feet distance in any direction from its owner or another responsible person designated by the owner.
H. “Dog” means any domesticated canine breed excluding wolf, coyote, fox, other wild canine, or any hybrid thereof.
I. “Domestic animal” means an animal habituated to live in or about the homes of human beings.
J. “Fowl” means chickens, ducks, geese, turkeys, pheasants, ostriches, grouse, peacocks, guinea fowl or any other birds used for producing eggs or meat.
K. “Horse” means any pony, mule, donkey, ass, horse or any other solid-hoofed herbivorous ungulate mammal.

L. “Leash/lead” means a thong, cord, rope, chain or similar device which holds an animal in restraint and which is not more than six (6) feet in length.

M. “Livestock” means horses, cattle, swine, sheep, goats, hogs, poultry, llamas, alpacas, or other animal generally used for food or in the production of food or fiber.

N. “Noisy Animal” means any domestic animal that habitually, constantly or frequently disturbs the sleep, peace or quiet of any neighborhood or person, or a dog that excessively, continuously or untimely barks, whines or howls.

O. “Own” and “Owner” shall apply to any person or persons, firm, association, or corporation who shall own, possess, keep or harbor a domestic animal, fowl and/or livestock, including the person named on an animal registration record as owner, or who shall permit a domestic animal, livestock or fowl to be fed or remain habitually in or about the premises under their control. “Owner” includes, but is not limited to, an occupant of the premises or dwelling unit where the animal is usually kept, if the premises or dwelling unit are other than the premises of the owner shown on the registration record; or any person having control or purporting to have control over any animal which is running at large; or any person in possession of, harboring, or who allows any animal to remain about their premises for a period of three consecutive days or more. The parent or guardian of an owner shall be deemed the owner for purposes of this title when the owner is under the age of eighteen (18) years. For purposes of recovering stolen animals, a person named on the animal’s most recent registration record will be considered the animal’s owner.

P. “Pack” means a group of three (3) or more animals of the same species.

Q. “Predatory Animal” means black bear, grizzly bear, mountain lion, coyote, bridger, marmot, picas, squirrels, jackrabbit, porcupine, raccoon, red fox, skunk, stray cat or any other animal which preys on domestic animals, livestock, fowl or humans.

R. “Premises” means the real or personal property owned or occupied by the owner of the animal, and includes any vehicles in which the owner of the animal is residing.

S. “Restraint” means physical control by a responsible person by use of a leash, lead or other physical means to limit the domestic animal, livestock or fowl’s actions or when such animal is in close proximity to its owner agent or responsible person and subject to immediate recall by said person; tethering an animal to a stationary object not within range of a public street, sidewalk, alley or common path; or confining an animal within a fence or other enclosure which restricts it to a particular premise. An animal shall be deemed to be under restraint if on the premises of its owner or if accompanied by a responsible person and under that person's control. (Ord.802, §1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2, 3, 4, 5, 6 2004; Ord. 146 § 1, 1971).

T. “Vicious animal” means any animal which constitutes a physical threat to human beings or other animals, or an animal which, when unprovoked, bites or attacks or manifests a disposition to bite or attack any person or domestic animal. Proof of the fact that the animal has bitten or attacked any person or domestic animal at any place where the person or domestic animal has a legal right to be may be used as evidence that the animal is vicious. A certified animal trained and properly used as a guard, sentry, or police dog shall not be considered a vicious animal.
7.02.020 Purpose - Authority - General Provisions

A. The purpose of this title is to establish regulations and procedures for the registration, control, impoundment, and general care of animals within the Town.

B. Authority is granted cities and towns by Wyo. Stat. Section 15-1-103(a)(xiv) to regulate any animals within the Town and to provide for the operation of animal control and animal shelter services.

C. Animal Control Officer Authority. No person shall interfere with, hinder, molest, delay, obstruct or abuse any officer in the exercise of his duties, nor willfully set any animal upon the officer, or break or assist to break open any enclosure where an animal is confined by the officer.

1. If an animal control officer observes a vehicle parked within the city in which domestic animals are confined with no visible means of ventilation or the health or safety of the animal is threatened, the officer shall immediately attempt to locate the vehicle owner or person responsible to provide for ventilation or to remove the animal from the vehicle. If unable to locate the vehicle owner or the person responsible within a reasonable time, the officer will be empowered to use whatever means reasonably necessary to enter the vehicle to provide ventilation or to remove the animal from the vehicle to preclude serious harm to the animal.

2. Animal control officers are authorized to enter upon any premises, excluding a dwelling unit, within the Town for the purpose of apprehending and impounding animals which the officer is authorized to impound or for any other purpose authorized in this title.

D. Trespassing on Animal Shelter or Animal Control Vehicle

No person shall obtain an animal from within the confines of the animal shelter, from an animal control vehicle, or from the custody and control of any animal control officer without the permission of the authority in charge. Any person who tampers with any lock, gate, door or fence on the animal control vehicle or located at the animal shelter or any person who climbs or attempts to climb any fence located at the animal shelter shall be considered a trespasser. (Ord. 793 § 14, 2005; Ord. 180 § 1, 1975; Ord. 146 § 14, 1971).

7.02.030 Capture of animals.

A. Animal control officers are authorized to:

1. Place or authorize the use of humane and safe traps in order to capture unrestrained animals on public or private property within the Town at the request of the property owner or occupant;

2. Utilize chemicals to capture public nuisance, aggressive or vicious animals.

3. Capture unrestrained animals whether at large singly or in packs.

B. Police officers may shoot a vicious animal when necessary to avoid immediate physical threat or injury to human beings or other animals.

C. No person shall trap animals, except rodents, within the Town without express consent of an animal control officer.
7.02.040 Impounding

A. Unlicensed animals, unrestrained animals, animals running at large, animals that pose a threat to public safety or welfare, or any animal that has been treated in a cruel or inhumane manner may be taken up and impounded by an animal control officer.

The owner of any animal so impounded may reclaim such animal upon payment of the permit or license fee, if unpaid, and of all costs and charges incurred by the town for impoundment and maintenance of the animal. However, an animal control officer may deny or refuse return of an animal to its owner where there is concern for the health, safety and welfare of the animal or the public.

1. An administrative appeal may be made to the Municipal Court of the Town of Jackson, Teton County, of the animal control officer’s decision to deny or refuse return of an animal.

B. Redemption - Payment of costs:

The owner or agent of an owner of any animal impounded under these rules shall have the privilege of claiming such animal within seven (7) days after it is impounded, upon complying with the following requirements:

1. Show proof of licensure, and if no license, then obtain a license.
2. Show proof of vaccination against rabies, where applicable, and if none, then obtain the proper vaccination within two (2) weeks of release and furnish such proof to the Jackson/Teton County Animal Shelter.
3. Pay the following fees to the Jackson/Teton County Animal Shelter:
   a. First Impoundment - $25.00
   b. If the same animal is impounded for a second time within one year - $35.00
   c. If the same animal is impounded for a third time within one year - $50.00
   d. If the same animal is impounded for a fourth or subsequent time within a one year period of time - $100.00.

4. Pay the Jackson/Teton County Animal Shelter $15.00 per animal for board for each twenty-four (24) hours or portion thereof. The first twenty-four (24) hours of impoundment is included in the Impoundment Fee delineated above.

5. The owner reclaiming an impounded animal may also be cited for any violation of this chapter and/or any permits issued may be revoked.

C. Return to owner without impounding:

If an animal is found running at large and its owner can be identified and located, such animal need not be impounded but may, instead, be taken to the owner. In such a case, the animal control officer may cite the owner for any violations of this chapter.

D. Notification of owner:

Upon impounding any animal pursuant to this division, the animal shelter shall make reasonable efforts to ascertain the ownership and notify the owner of each animal so impounded.
E. Disposition of animals:
1. Impounded animals shall be kept for at least seven (7) days unless reclaimed by their owners. All animals left unclaimed after seven (7) days become the property of the Town.
2. Any person, who adopts an animal after the seven (7) day waiting period, shall have an animal spayed or neutered within thirty (30) days, and secure a license for any dog or cat so adopted. A license is not required if the dog or cat shall not be remaining in Teton County. A licensed veterinarian shall vaccinate any dog or cat adopted out, for rabies within fourteen (14) days if not current on its rabies vaccination.

(Ord 793 § 8, 2005; Ord 789 § 10 and 11, 2004; Ord. 710 § 1, 2002; Ord. 647 § 1, 2000; Ord. 371 § 3, 1987; Ord. 252 § 1, 1979; Ord. 194 § 6, 1976; Ord. 146 § 7 and 8, 1971).

7.02.045. Possession of Impounded Animals
No person shall have in his or her possession, care, custody or control any impounded animal that has not been properly released by an animal control officer or other authorized agent or official. (Ord 793 § 15, 2005; Ord. 213 (part), 1977).

7.02.050 Adoption—Fee
The animal shelter manager or other designated official is authorized to advertise and place for adoption all dogs, cats or other animals, which have been impounded for a period of not less than seven (7) days. Any person wishing to adopt an animal shall pay a fee set by Resolution of the Town Council. (Ord. 793 § 9, 2005; Ord. 711 § 1, 2002; Ord. 648 § 1, 2000; Ord. 252 § 2, 1979).

7.02.060 Violation -- Penalty
Any person who violates any provisions of this title for which violation no specific penalty is provided is guilty of a misdemeanor and upon conviction thereof shall be punished according to Section 1.12.010 of this code. If any violation is continuing, each day's violation shall be deemed a separate violation.
Chapter 7.04
KEEPING HORSES, PREDATORY ANIMALS, LIVESTOCK AND FOWL

Sections:
7.04.010 Keeping certain animals unlawful.
7.04.020 Keeping horses--Permit required.

7.04.025 General restrictions on all horse permits.
7.04.030 Keeping horses--Permit--Fee--Term--Restrictions.
7.04.040 Permit for commercial stables--Area permitted.
7.04.050 Permit for commercial stables--Fees.
7.04.060 Keeping horses--Permit--Application--Approval--Appeal.
7.04.070 Keeping horses--Permit--Revocation or cancellation.
7.04.080 Keeping horses--Cleanliness of premises.
7.04.090 Keeping horses--Premises--Spraying for flies.
7.04.110 Exceptions.
7.04.130 Publication of requirement.

7.04.010 Keeping certain animals unlawful.
The keeping, maintaining, harboring, or boarding of livestock, predatory animals, or fowl within the corporate limits of the Town, or within any cemetery or park, or upon any ground owned, leased or controlled by the Town, for any purpose whatsoever, is a nuisance and hereafter is unlawful, except for horses as set forth in this chapter. (Ord. 130 § 1, 1970).

7.04.020 Keeping horses--Permit required.
The keeping, maintaining, harboring or boarding of horses on any tract of land within the corporate limits of the Town, or within any cemetery or park, or upon any ground owned, leased or controlled by the Town for any purpose whatsoever, is a nuisance and hereafter unlawful, unless a permit is obtained therefore as hereinafter provided. (Ord. 130 § 2, 1970).

7.04.025 General Restrictions on horse permits.
The issuance of any permit in this chapter shall be subject to the following conditions:
A. The keeping of one to two (1-2) horses requires a minimum lot size of seven thousand five hundred (7,500) square feet, and a minimum corral space of eight hundred (800) square feet.
B. Three horses require a minimum lot of one-half (1/2) acre or twenty-one thousand seven hundred eighty (21,780) square feet, and a minimum corral space of one-thousand (1,000) square feet.
C. Four horses require a minimum lot size of one (1) acre or forty-three thousand five hundred sixty (43,560) square feet, and a minimum corral space of twelve hundred (1,200) square feet.
D. The keeping of more than four (4) horses requires a minimum lot size of one (1) acre plus one-half (1/2) acre for each additional horse over four (4) to be kept, and a minimum corral space of twelve hundred (1,200) square feet plus two hundred (200) square feet per each additional horse over four (4) horses.
E. Animals in excess of the permit allowance may be kept on premises for which a permit is in effect for short periods not to exceed twenty-one (21) days in any calendar year; providing, that a temporary permit as provided in subsection G is obtained, and the restrictions of subsection G are met.

F. At the request, made in writing to an animal control officer, of any person owning property adjacent to premises for which a permit has been or is to be issued, all fences or structures for the confining of animals shall be a minimum distance of five (5) feet from the requesting owner's property line.

G. A temporary permit shall be required for the keeping of a horse or horses for short periods not to exceed twenty-one (21) days in any calendar year. Such permit may be issued upon application to the Town therefore, shall not be issued for consecutive time periods and not more than three (3) temporary permits shall be issued for the same premises in any calendar year. All horses kept pursuant to a temporary permit shall be so restrained as to prohibit their moving closer than five (5) feet to any adjacent land owner's property line. (Ord. 204 § 1, 1976; Ord. 188 § 1, 1976; Ord. 130 § 3, 1970).

7.04.030 Keeping horses--Permit--Fee--Term

Permits for the keeping, maintaining, harboring or boarding of horses may be issued by the Town upon the payment by the permittee of an annual license fee of fifty dollars ($50.00) for the first horse and five dollars ($5.00) for each additional horse so kept. Such permits shall be issued for a term of one (1) year, after the date of issuance, but shall be subject to revocation, suspension and cancellation as provided in Section 7.04.070.

7.04.040 Permit for commercial stables--Area permitted.

For the purposes of this section, a commercial stable shall mean a business that keeps and maintains horses for profit. In addition to permits which may be issued in accordance with Section 7.04.030, the Town Clerk may grant permits for the operation of a commercial stable. Permits may be granted for that area within the Town lying outside of the following described portion of the Town:

All of that portion of the SW1/4 of Section 27, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson;

All of that portion of the NW1/4 of Section 34, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson, except that portion being described as follows: Beginning at Corner No. 1, which is 30 feet south and 2457.8 feet east of the northwest corner of said Section 34; thence south 750 feet to Corner No. 2; thence east 195 feet to Corner No. 3; thence north 750 feet to Corner No. 4; thence west 195 feet to Corner No. 1, the place of beginning.

All of that portion of the NE1/4 of Section 33, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson;
All of that portion of the SE1/4 of Section 28, T. 41 N., R. 116 W., lying and being within the corporate limits of the Town of Jackson.(Ord. 139 § 1, 1971; Ord. 130 § 3.1, 1970).

7.04.050 Permit for commercial stables--Fees.
Permits issued in accordance with Section 7.04.040 may be issued upon application being made therefor to the Town Clerk upon such forms as may be prescribed therefor, and upon payment of an annual license fee of one- hundred dollars ($100.00) for the first animal for which the permit is sought and twenty dollars ($20.00) for each additional horse so kept, up to a maximum of five-hundred dollars ($500.00), whichever shall be less. Such permits shall be issued for a term of one (1) year, after date of issuance, but shall be subject to revocation, suspension or cancellation as provided in Section 7.04.070. (Ord. 139 § 2, 1971; Ord. 130 § 3.2, 1970).

7.04.060 Keeping horses--Permit--Application--Approval--Appeal.
A. Application for permits shall be made to the Town upon forms furnished by the Town. Upon receipt of a proper application and permit fee, the application shall be referred to an animal control officer. An animal control officer shall make an investigation which shall include verification of the information contained in the application and may include consultation with one (1) veterinarian and the county health officer. The animal control officer shall thereafter issue the permit or take such other action on the application as in his judgment will serve, promote and protect the public health and welfare of the Town.
B. Appeals from the decision of the animal control officer may be taken by an applicant or an adjacent property owner to the Town Council. (Ord. 256 § 5, 1979; Ord. 188 § 2, 1976; Ord. 130 § 4, 1970).

7.04.070 Keeping horses--Permit--Revocation or cancellation.
Any permit which is issued by an animal control officer may be revoked, cancelled or suspended by the Town Council at any time during the term thereof; provided that the Town shall have first received a complaint in writing. The complaint shall thereupon be investigated by the animal control officer who shall submit a recommendation to the Chief of Police. Appeals from the decision of the Chief of Police may be taken by an applicant or an adjacent property owner to the Town Council. (Ord. 188 § 3, 1976; Ord. 130 § 5, 1970).

7.04.080 Keeping horses--Cleanliness of premises.
The holder of a permit issued pursuant to the provisions of this chapter must at all times keep any building, yard, shed, stable, corral, or enclosure wherein any horses are kept, in a clean and sanitary condition and may not permit accumulations of any manure or other filth or debris. (Ord. 130 § 6, 1970).

7.04.090 Keeping horses--Premises--Spraying for flies.
It is an expressed condition of any permit that the holder of such permit is required to spray for flies any building, yard, shed, stable, corral or enclosure where any horses are kept, fed or maintained, and each permittee shall be required to lime or otherwise treat such stables or
such other areas, both spraying and liming to be done as frequently as may be deemed necessary by an animal control officer. (Ord. 188 § 4, 1976; Ord. 130 § 7, 1970).

7.04.110 Exceptions.
This chapter shall not apply to the Teton County Fair Grounds and the Town Council may, for special events and youth programs, waive the requirements of the permit. (Ord. 130 § 11, 1970).

7.04.130 Publication of requirement.
The Town shall publicize all permit applications or renewals by advertisement thereof in a local newspaper at least once a week for a period of two (2) weeks each year prior to issuance or renewal of a permit under this chapter. (Ord. 188 § 6, 1976).
Chapter 7.05
ANIMAL CARE AND CONTROL REGULATIONS GENERALLY

Sections:

7.05.010 Responsibility of Owner
Owners are responsible for control of their animals.

7.05.020 Public Nuisances
The following are considered public nuisances and, as such, are prohibited.
   A. Animals at Large
      No person or persons, firm, association or corporation owning, keeping or
      harboring any livestock, predatory animals, fowl or domestic animals shall permit the
      same to run at large within the corporate limits of the Town, including trespassing on
      school grounds or private property.
   
      B. Uncontrolled Animals
         1. A dog shall be deemed to be under control if it is in close proximity to its
            owner or another responsible person designated by the owner, at all times while
            off the premises of the owner and providing that such dog is not engaged in any
            action which would classify it as a nuisance under this title. In order for a dog to
            be considered under control it must either be under physical restraint or subject to
            and responsive to the verbal commands of the owner or other person asserting
            control of the dog such that it does not interfere with the right of others' peaceable
            use of the streets, pathways, sidewalks or other public or private way.

            2. In addition to subsection 1 herein, a dog is not under control if it is
               running at large or unrestrained in the streets, along the sidewalks, or on any
               school ground, playground, park or place of public amusement or recreation.

            3. An animal is not under control if it molests passersby, chases vehicles, or
               attacks other domestic animals.
               (Ord. 802, §1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2,3,4,5,6, 2004; Ord. 146 § 1,
               1971).
   
   C. Disturbing the Peace
      1. A noisy animal as defined in this title is deemed a disturbance of the peace
         and is prohibited

         (Ord. 802, §1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2,3,4,5,6, 2004; Ord. 146 § 1,
         1971).
D. **Noxious or Offensive Odors.**
No person shall allow a noxious or offensive odor to emanate from an animal’s living environment.

E. **Diseased Animals.** An animal that becomes an untreated source of communicable disease shall be deemed a public nuisance.

F. **Destruction of Property.**
No domestic animal, livestock or fowl shall chew, tear, dig in or scratch, litter or soil, destroy, or in any other manner injure clothing, washing, garbage containers, gardens, flower beds, lawns, trees or shrubbery, fences or any other public or private property, real or personal.

G. **Excessive Number of Dogs**
The keeping or maintaining of more than two (2) dogs over the age of three (3) months on any lot, residence or premises within the Town is a public nuisance.
(Ord. 802, §1, 2005; Ord. 793 § 2, 2005; Ord. 789 § 2, 3, 4, 5, 6, 2004; Ord. 146 § 1, 1971).

H. **Defecation (scoop the poop):**
Any person who has the charge and control of any dog on any public street, sidewalk, pathway, park, pedestrian way, or any public facility, or on any school ground, or on any private property not owned or possessed by the owner or person having the charge or control of such animal shall at all times:

1. Maintain in his/her possession sufficient suitable wrappers, bags or containers for the purpose of complying with this section;

2. Shall immediately and securely enclose all feces deposited by the animal in a bag, wrapper or other suitable container; and

3. Dispose of collected feces in a sanitary manner.

This section shall not apply to any service dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.

I. **Animals on the Pathways:**
No person shall allow any dog belonging to him or her or in his or her custody to enter upon any Pathway within the Town without the dog under leash control. This section shall not apply to any guide dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.

J. **Dogs and Cats Prohibited in Town Parks**
No owner of any dog or cat shall allow the dog or cat to enter or be upon any Town park, including but not limited to the Town Square, North Park, Miller Park, Phil Baux Park, Snow King Ball Park, Powderhorn Park, Powderhorn Ball Park, Mike Yokel Park, Rangeview Park, Garaman Park and Mateosky Ball Park. (Ord 793 § 13, 2005; Ord. 293 § 1, 1982; Ord. 253 § 1, 1979; Ord. 213 § 3, 1977).
7.05.030 Biting, Aggressive or Vicious Animals

A. Aggressive or Vicious Animals

1. No person shall allow an aggressive or vicious animal to be upon the premises of anyone other than its owner, unless the animal is muzzled or secured in an appropriate container or vehicle.

2. No person shall keep, harbor or allow a vicious animal to be upon any premises occupied by him or her under his or her charge or control that may manifest a disposition to bite anyone without having the animal properly secured, contained or muzzled so as to prevent it from injuring any person, domestic animal or passersby.

B. Control of Biting Domestic Animals

1. Every owner shall take reasonable steps to prevent his or her domestic animal from biting a person or other domestic animal so as to break the skin or result in an open wound, or from engaging in an unprovoked attack on any person or other domestic animal. This subsection shall not apply if the biting domestic animal is on the owner's premises and either the premises are clearly posted with warnings concerning the biting domestic animal or the entry onto the premises was unlawful. This section shall not apply to a police dog in the performance of law enforcement duties or a veterinarian treating domestic animals.

2. If the Ninth Judicial Circuit Court of Teton County further finds the biting domestic animal to be vicious and has a propensity to bite any person or other domestic animal, or attack any person or other domestic animal in a vicious manner again, the Court may order that the biting domestic animal be disposed of in a humane manner in addition to any fines ordered. If the biting domestic animal is euthanized, the Court may order that the remains be examined for the presence of any disease communicable to humans or animals, and that all costs of destruction and analysis, expenses incurred by the victim, and impoundment fees as delineated shall be paid by the owner.

3. Any domestic animal that bites another domestic animal or person, other than its owner or immediate family member, which results in an open wound or attempts to attack or attacks any person or other domestic animal in a vicious manner shall be reported by the owner to an animal control officer. In the event the biting domestic animal may be a carrier of rabies or other communicable diseases, it may be apprehended and impounded.

   i. If the owner of a dog or cat which bites can show evidence of a current valid rabies vaccination, the dog or cat shall be returned to the owner after payment of impoundment fees as delineated in this title.

   ii. If the owner cannot produce evidence of a current and valid rabies vaccination, the domestic animal, if capable of transmitting rabies, shall be impounded and quarantined for a period of at least fifteen (15) days and not more than twenty (20) days after the attack to determine whether it has any disease which may be
communicable to humans. At the discretion of the animal control officer, the quarantine may be on the premises of the owner. Prior to release of the domestic animal to the owner, the owner of the animal shall pay the impoundment fees as delineated in this title.

iii. If the owner cannot produce evidence of a current and valid rabies vaccination and the owner does not desire to proceed pursuant to Section 7.02.030(B)(3)(ii), the animal may be humanely destroyed and its remains analyzed for the presence of any disease communicable to humans, or may be forfeited to the Jackson/Teton County Animal Shelter for disposition. The owner shall pay all costs of destruction and analysis and any applicable impoundment and shelter fees, and shall be responsible for any Court ordered restitution to the victim.

C. Dog chasing, injuring or killing livestock or wildlife

A dog chasing, injuring or killing livestock or wildlife may be impounded and a determination shall be made by the Ninth Judicial Circuit Court for Teton County as to the propensity for the dog to continue to pose a threat to livestock or wildlife. If it is determined that the dog may pose a future threat to livestock or wildlife, the Court may order that the dog be humanely disposed of or restriction be placed on the movements of the dog. This section does not limit the ability of an owner of livestock or his agent or any peace officer from killing a dog in the act of chasing, injuring or killing livestock pursuant to Wyoming Statute. This section does not limit the ability of a peace officer to utilize the provisions of Wyoming Statute that allows for killing of the dog at the time of an attack on wildlife.

7.05.040 Disposal of Dead Animals

When any animal has died or has been destroyed, the remains of such animal shall be cremated by a licensed crematorium or buried beneath the surface of the ground at the Teton County Landfill or any other appropriate location. The remains of animals shall not be placed in garbage cans for pickup and disposal by employees of the franchise holder for garbage disposal in the Town. Notwithstanding the foregoing, licensed veterinary clinics, animal control officers or the animal shelter may dispose of animals in garbage receptacles with proper notice given to the garbage disposal franchise holder.

(Ord 793 § 16, 2005; Ord. 649 § 1, 2000; Ord. 146 § 15, 1971).
Chapter 7.08
TREATMENT AND USE OF ANIMALS

Sections:

7.08.010 Killing, maiming or disfiguring animals.
7.08.020 Cruelty to animals.
7.08.030 Leaving animals in a public place.
7.08.040 Release of animals.
7.08.045 Gate and fence maintenance.
7.08.050 Obedience to traffic regulations.
7.08.060 Vehicular collisions with animals.
7.08.070 Supplemental Feeding of certain animals.

7.08.010 Killing, maiming or disfiguring animals

It shall be unlawful for any person to willfully kill, maim, inhumanely trap, or disfigure any domestic animal or administer any poison to any domestic animals or expose any poisonous substance with the intent that it be devoured by any domestic animal, unless otherwise permitted by law. (Ord. 14 § 1, 1926.)

7.08.020 Cruelty to animals

It shall be unlawful for:

A. Any person to knowingly and intentionally maltreat, torture or torment an animal with the intent to cause death, injury or undue suffering; to cruelly overwork, override, beat, injure, mutilate or otherwise abuse any animal; to carry an animal in a cruel or inhumane manner, or having the right and authority, to kill any animal in any way except in a humane manner.

B. Any person to frighten or scare any animal in an enclosure or on the street by airguns, firecrackers, noisemakers, gestures, motorized vehicles, or other loud noises with the intent to torment the animal.

C. Any owner to: fail to provide an animal with sufficient quantities of proper food, water, shelter and protection from the weather; neglect an animal; abandon an animal; or fail to provide appropriate veterinary care or sanitary living conditions.

D. Any person to cause or encourage a dogfight, cockfight, bullfight, or any other form of combat between animals or between animals and humans, nor own, keep, possess or train any bird, fowl, dog or other animal with the intent of engaging or using the animal in an exhibition of fighting, or to permit the same to occur on premises under his charge or control. Animals so kept, possessed, owned or trained may be subject to forfeiture. Nothing in this subsection shall be construed to prohibit rodeo events.

E. A person to knowingly be present at any place where an exhibition of animal fighting is occurring for amusement or gain.

F. Any person other than a licensed veterinarian to crop an animal’s ear or dock an animal’s tail.
G. A person to leave any animal in an unattended vehicle without adequate ventilation or in such a manner as to subject the animal to extreme temperatures which adversely affect its health or welfare.

H. A person to utilize a chain, cable or rope to restrain a dog unless it is placed or attached to avoid entanglement with chains of other dogs or any other object, and is at least three (3) times the length of the dog as measured from the tip of its nose to the base of its tail allowing the dog convenient and safe access to water and protection from the elements.

(Ord 799 §1, 2005; Ord. 793 § 12, 2005; Ord. 609 Ord. §1, 1998; 146 § 13, 1971); (Ord. 645 § 1, 2000: Ord. 189 § 1, 1976: Ord. 15 § 2, 1926).

7.08.030 Leaving animals in a public place
A. No person shall leave any animal in a public place without securely fastening such animal, or allow any animal to be picketed or to graze along public thoroughfares where it may be a danger or nuisance, or tie or picket any animal so as to obstruct any sidewalk, street, alley or access to any public place. This section shall not apply to an animal engaged in the performance of law enforcement duties or a certified service animal. (Ord. 189 § 1976; Ord. 15 § 3, 1926).

B. All dogs shall be kept under restraint when off the property of the owner. However, no owner of any dog shall restrain the dog with a leash, cord, chain, rope or other device and then secure such leash, cord, chain, rope or other device to any vehicle, mailbox, post or other structure adjacent to any roadway, doorway, pathway or sidewalk, that would allow said dog to interfere with vehicular or pedestrian traffic along any public roadway, pathway, sidewalk or entrance to any building frequented by the general public. This section shall not apply to any service dog accompanying any handicapped person or a police dog in the performance of law enforcement duties.

7.08.040 Release of animals
It is unlawful for any person to release animals at large or fail to close any gate which he or she has opened by which animals may escape. (Ord. 189 § 3, 1976).

7.08.045 Gate and fence maintenance
It shall be the owner's or lessor's responsibility to maintain and repair all fences around any animal enclosure. (Ord. 189 § 3, 1976).

7.08.050 Obedience to traffic regulations
Unless a special permit or Town Council approval is obtained, the running of livestock on any public highway, street, alley, pathway or other thoroughfare is not allowed and all horse riders and horse-drawn vehicles are required to respect and follow the traffic ordinances of the Town unless otherwise stated and except those that by their very nature do not apply. (Ord. 189 § 4, 1976).

7.08.060 Vehicular collisions with animals
Any motorist, while operating a vehicle, who collides with a domestic animal shall stop and immediately report the incident to either the animal’s owner, or in the event the owner cannot be ascertained and located, to an animal control officer or law enforcement.

7.08.070 Supplemental feeding of certain animals prohibited

A. Definitions.
   1. “Supplemental feed attractants” are any human food, pet food, hay, forage product or supplement, grain, seed or birdseed, garbage, or other attractant.
   2. For the purposes of this section “agricultural” means the science or art of cultivating the soil, producing crops, boarding and/or raising permitted livestock.

B. No person shall knowingly or intentionally provide supplemental feed attractants to the following animals, unless specifically authorized by an agency of either the State of Wyoming or the United States of America: antelope, bighorn sheep, deer, elk, moose, mountain goat, bobcat, black bear, grizzly bear, mountain lion, lynx, wild bison, coyote, fox, raccoon and wolf.

C. A person engaged in any of the following activities is not subject to liabilities under this section:
   1. A person engaged in the normal feeding of livestock;
   2. A person pursuing an agricultural purpose on agricultural land as defined by W.S. 39-13-101(a)(iii);
   3. A person engaged in the practice of raising crops and crop aftermath, including hay, alfalfa and grains, produced, harvested, stored or fed to domestic livestock in accordance with normal agricultural practices;
   4. A person engaged in the cultivation of a lawn or garden; and,
   5. A person engaged in bird feeding where the bird food is made unavailable to the animals specified in paragraphs A and B of this Section.

(Ord. 727 § 1, 2003).
Chapter 7.12
DOG AND CAT LICENSES AND REGULATIONS

Sections:
7.12.020 Dog and Cat License Required.
7.12.030 License--Conditions of Issuance.
7.12.040 License ---Revocation.
7.12.090 Rabies vaccination required.
7.12.100 Rabid dog—Muzzling.

7.12.020 Dog and Cat License Required
A) Any dog or cat residing in Town more than thirty (30) days must be licensed.
B) Such license shall not be issued until payment of the applicable fee and presentation of a current and valid certificate subscribed by a licensed veterinarian that the dog or cat has been vaccinated against rabies, and that dog or cat is current on its rabies vaccination. The vaccination certificate shall indicate the date of vaccination, the type used and the period of immunization.
C) Licenses shall be renewed at the start of every calendar year.
D) Dogs and cats less than four (4) months of age are exempt from having licenses.
E) Upon issuance, the license tag shall be fastened to the dog's collar or harness. Such tags shall be worn at all times when the dog is off the premises of its owner. (Ord 793 § 6, 2005; Ord. 194 § 2, 1976; Ord. 146 § 4, 1971).

(Ord 793 § 4, 2005; Ord 789 § 7, 2004; Ord. 646 § 1, 2000; Ord. 194 § 1, 1976; Ord. 146 § 2, 1971).

7.12.030 License --Conditions of Issuance
Licenses issued in accordance with this chapter are conditioned upon the requirement for humane care of the dogs or cats and for compliance by the owner with all provisions of this chapter and other applicable state and local laws. (Ord. 146 § 12, 1971).

7.12.040 License ---Revocation
The Town Clerk or an animal control officer may revoke any license if the person holding the license refuses or fails to comply with this or any state or local law governing cruelty to animals or the keeping of animals. When a license is revoked, the owner of the dog or cat shall within ten (10) days thereafter surrender the dog or cat to the animal shelter, remove the dog or cat from the Town jurisdiction or humanely euthanize the dog or cat. No part of the license fee shall be refunded. If the owner fails to surrender the dog or cat to the animal shelter, remove the dog or cat from the Town jurisdiction or euthanize the dog or cat being owned, kept or harbored by such person as required in this chapter, such dog or cat may be seized by an animal control officer subject to a Court’s disposition of the dog or cat. and, thereafter, put up for adoption or humanely disposed of. (Ord. 793 § 5, 2005; Ord. 213 § 1, 1977; Ord. 146 § 3, 1971).
7.12.090   Rabies Vaccination Required
A rabies certificate signed by a licensed veterinarian showing that a dog or cat has been vaccinated against rabies is required of all dog and cat owners.

7.12.100   Rabid dog--Muzzling
Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the Mayor, if he deems it necessary, may issue a proclamation ordering every person owning a dog to confine it securely on his premises and to muzzle the dog with a muzzle of sufficient strength to prevent its biting any person. Any unmuzzled dog found within the Town during the time of the proclamation shall be seized and impounded, unless noticeably infected with rabies. All dogs so noticeably infected with rabies and displaying vicious propensities shall be killed by a police officer or other authorized person finding such dog, without notice to the owner. If it is determined that an impounded dog is not infected, the dog shall be released to the owner upon payment of the impounding charge provided for in this title. If unclaimed after thirty (30) days, the dog may be summarily destroyed or adopted. (Ord. 146 § 10, 1971).