Chapter 20.08 General Animal Regulations

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20.08.010 Dogs at large-Impoundment procedure.
a. It is unlawful to allow any dog to run at large, whether licensed or not, within the corporate limits of the City.
b. Dogs not wearing a collar and tag found running at large, anywhere within the City limits, may be taken up by a peace officer or Animal Control Officer and impounded in the shelter designated by the Chief of Police as the area animal shelter, and there confined in a humane manner for a period of not less than seventy-two hours, unless claimed by the owner, and may thereafter be disposed of in a humane manner if not claimed by their owners, or held for adoption. Any impounded dog not wearing a City license shall not be released from the area animal shelter unless evidence of a valid license is provided or, if the animal is unlicensed, upon payment of licensing fee to the Animal Control Officer at the shelter, for which fee the Animal Control Officer shall deliver a "dog license voucher" tot he animal owner or his agent. The dog license voucher shall serve as a temporary thirty-day license, and at any time during the thirty-day period, the voucher may be surrendered at City Hall in exchange for a current license. In addition, either proof of rabies vaccination or payment of rabies vaccination fees to the shelter (in exchange for a thirty-day rabies vaccination voucher valid at any licensed veterinarian in the City) shall be required prior to release from impoundment.
c. Dogs wearing a collar and tagged found running at large within the City limits shall be impounded for not less than one hundred twenty hours, subject to the alternative provisions of subsection d of this section, and if not claimed by the owner or given up for adoption shall then be disposed of in a humane manner. Immediately upon impounding any animal, a peace officer or Animal Control Officer shall make reasonable effort to inform the owner of the conditions under which he may regain custody of such animal if such animal's owner is known to the officer. No impounded dog shall be released from the animal shelter unless all impoundment fees shall have been paid.
d. When a dog is found running at large within the City limits and its ownership is known to the peace officer or Animal Control Officer so finding it, the officer, in addition to, or in lieu of impounding the dog, may cite the owner of the dog to appear in the District Court of the State to answer to a charge of violation of this section.
e. Penalties. Persons convicted of violation of this section (dog at large) shall be sentenced as follows:

No prior convictions	Class A infraction
1 prior convictions	Class B infraction
2 prior convictions	Class C infraction
3 prior convictions	Class D infraction

(Ord. 88-1 (part), 1988).

20.08.020 Animals on harbor floats. No person shall have, in his possession, keep, or maintain, any animal on the floats of the Homer Small Boat Harbor, unless the animal is kept under physical control by leash or chain at all times. The person in control of the animal shall be responsible for the cleanup of the animal's excrements and litter caused by the animal. Failure to properly clean up after the animal will result in appropriate cleanup labor charges

and/or person in control of the animal. Penalty: Class A infraction. (Ord. 88-5 1, 1988: Ord. 88-1 (part), 1988).

20.08.030 Nuisance animals. a. No person may permit an animal which he owns or has control over to annoy another person by interfering with the latter's sleep, work or reasonable right to peace and privacy by making repeated or continued noise.
b. The owner of any animal shall not permit the same to defecate, dig upon or injure private or public property or a public thoroughfare.
c. The owner of any animal shall not permit the same to frequently or habitually growl, snap at, jump upon or otherwise menace, injure or frighten persons within the City. This provision does not apply to persons who are trespassing or otherwise in violation of the law.
d. Any animal in violation of this section may be humanely restrained by any person, and that person shall, within twenty-four hours of the animals' capture, and between the hours of eight a.m. and four-thirty p.m., surrender the animal to the Animal Control Officer or his designee. Animals impounded under this section may be destroyed or otherwise disposed of by the City if they are not claimed by the owner or his agent within five days of impoundment. If the owner of the animal is known or can reasonably be determined by the City, the owner or his/her agent shall be notified of the impoundment by the City prior to the destruction of the animal. Service of notice to the owner shall be by (a) telephone call or (b) personal contact by any City employee or, if the owner cannot be reasonably contacted by either (a) or (b), a written notice shall be placed on the main front door of the residence of the owner or his agent, if the residence is known or can reasonably be determined.
e. Impoundment of Nuisance Animals. Any peace officer may impound a nuisance animal from private property if necessary to abate that nuisance; if that officer cannot locate the owner of the animal in response to his knocking on the door of the residence. Animals impounded as nuisance animals shall not be released from impound without payment to the City of an impound fee (for each animal) and any other fees incurred by the City in caring for, feeding, transporting, or housing the animal.
f. Prosecution Authorized. The City may, in addition to charging the impoundment fee, elect to prosecute the animal owner or his agent for the violation of this section by the issuance of a citation compelling their attendance in court.
g. Penalty Provisions. Persons cited for violation of this section are punishable as follows:

First Offence	Class A infraction
Second Offence	Class B infraction
Third Offence	Class C infraction
Fourth or subsequent Offence	Class D infractio

(Ord. 88-1 (part), 1988).

20.08.040 Cruelty to animals. No person shall torture or ill-treat any domestic animal, whether belonging to himself or any other person. No person shall poison any domestic animal or distribute poison in any manner whatsoever with the intent or for the purpose of poisoning any domestic animal, willfully injuring or disfiguring a domestic animal, except, that any officer or agent of the United States or of the State or of the City who exposes poison to be taken by predatory animals shall be exempt from the provisions of this section. Violation of this section is a Class E infraction. (Ord. 88-1 (part), 1988).

20.08.050 Dog boarding. Dogs may be boarded at the Homer Animal Shelter providing the following requirements are met:
a. The owner and dog must reside inside the City.
b. The owner pays boarding fees for a maximum of seven days, the fee doubling for any time over that period in which the owner does not claim the dog from the animal shelter.
c. The owner provides proof from a veterinarian that all rabies, parvo and distemper shots are current and a fecal examination for parasites has resulted in acceptable limits.
d. The owner must exhibit proof of current City dog license.
e. The owner will reserve boarding space twenty-four hours in advance of desired boarding time, boarding being on a space-available basis.
f. Any dog determined by animal personnel to be sick, injured, vicious or in heat may be denied boarding.
g. Prior to boarding the owner must execute a boarding agreement to which all the requirements will be listed along with a statement holding the City harmless and waiving liability claims against the City.
h. All boarding costs shall be paid in full prior to the animal being released to its owner or designee.
i. The City will not board dogs if any licensed private commercial boarding kennel is operating within the City and that facility has space available for animal boarding. (Ord. 88-1 (part), 1988).

20.08.060 Shelter and feeding fees. The City Clerk or designee is authorized to and shall collect for the City shelter fees and feeding fees for each animal under impoundment. (Ord. 88-1 (part), 1988).

20.08.070 Large animals.
a. Any cow, horse, sheep, goat, swine or other similar animal commonly kept as livestock is subject to impound when at large, or left unattended on any public street or public property.
b. Any impounded large animal not claimed by the owner or his agent within ten days shall be sold at public auction with public notice as provided in A.S. 09.35.140 (personal property). Prior to sale, the Animal Control Officer shall make a reasonable effort to notify the owner of said animal.
c. It shall be unlawful for any person to allow any large animal to run at large within the corporate limits of the City. Any animal in violation of this subsection may be impounded and/or the owner may be cited into court. Penalty: Class A infraction for first offense, Class E infraction second and subsequent offenses. (Ord. 88-1 (part), 1988).

20.08.080 Female animals in heat-Confinement required. Every female dog or cat in season shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such a manner that such female dog or cat cannot come in contact with another dog or can except for planned breeding purposes. Penalty: Class B infraction. (Ord. 88-1 (part), 1988).

20.08.090 Abandonment of animals. No animal shall be purposely abandoned within the City limits. Penalty: Class B infraction. (Ord. 88-1 (part), 1988).

20.08.100 Maintenance and sanitation. A person who owns an animal shall maintain all structures, pens and yards where he keeps the animal, and all areas adjacent thereto, in a clean and sanitary condition and free from objectionable odor. Penalty: Class B infraction. (Ord. 88-1 (part), 1988).

20.08.110 Animal/vehicle accident. It shall be unlawful for any person to deliberately injure or run over any domestic animal by means of a motor vehicle. Any person accidentally injuring or striking a domestic animal shall immediately stop and render (or summon) medical aid for the injured animal. Additionally, that person shall immediately notify the owner of the animal or the Police Department of the accident and animal injury. Penalty: Class B infraction. (Ord. 88-1 (part), 1988).

20.08.120 Adoption of shelter animals. To minimize the destruction of animals, the City shall make unclaimed animals and animals turned in to the shelter for disposal available for adoption by any adult person except as restricted herein. The City Clerk or designee thereof is authorized to collect an adoption fee for each animal. This fee may be waived by the animal control officer at his discretion in cases of indigent persons on whom the fee would constitute an extreme hardship. The licensing fee and rabies vaccination fees shall not be waived. The Animals Control Officer is authorized to deny adoption to any person of whom that officer has personal knowledge, that the person is a frequent violator of the animal control ordinances, or who has a history of animal abuse, neglect, or inhumane or unsanitary housing conditions. Frequent violation for purposes of this section shall mean three or more convictions in the last twenty-four months. (Ord. 88-1 (part), 1988).

20.08.130 Disposal of animals at request of owner. The Homer Animal Shelter will accept cats and dogs for disposal (or adoption) from the animal's owner, provided that the owner executes a written agreement with the City wherein that person certifies that they are the lawful owner of the animal, they request it be disposed of by the City, and that person agrees to indemnify and hold harmless the City and its agents from any claims arising from the destruction of the animal. Animals received for disposal if not adopted, shall be disposed of in a humane fashion. Nonresidents of the City shall pay a disposal fee for each dog or cat delivered to the Shelter under this section. (Ord. 88-1 (part), 1988).

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