



CHAPTER 90: ANIMALS

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ARTICLE I. DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDON or **ABANDONMENT**. **ABANDONMENT** consists of leaving an animal for a period in excess of 24 hours, without the animal's owner or the owners' designated caretaker providing all provisions of necessity as defined in this chapter and checking on the animal's condition.

ADEQUATE: Sufficient for a specific need or requirement

ADEQUATE FOOD: Wholesome food suitable for the animal provided at suitable intervals in a sanitary manner in quantities sufficient to maintain good health in an animal, considering its age and condition.

ADEQUATE WATER: A supply of clean, fresh, potable water provided at suitable intervals on a continual basis in a sanitary manner suitable for the animal, condition, and age of the animal. The supply shall be in sufficient amounts to maintain good health in the animal, and in a suitable container secured to prevent turnover.

ADEQUATE VENTILATION: Proper air flow and circulation by mechanical, natural, or other means that provide a constant exchange of air, with fresh, clean, oxygenated air replacing the contaminated, dirty, un-oxygenated air within a confined space.

ANIMAL: Any non-human living creature

ANIMAL CONTROL OFFICER A **peace officer** in a local government whose duty is to enforce ordinances regulating the ownership of **animals** and to respond to incidents in which **animals** are involved.

Under KRS 258.195: Animal control officers shall have the authority to issue uniform citations, local citations, or local notices for the enforcement of the provisions of this chapter, the provisions of the Kentucky Revised Statutes relating to cruelty, mistreatment, or torture of animals, and animal control ordinances in their respective jurisdictions.

ANIMAL SHELTER: Any premises designated and/or operated by Barren River Animal Welfare Association (BRAWA) for the purpose of impounding and caring for animals.

APPROVED RABIES VACCINE: Any vaccine for protecting an animal from contracting rabies approved as effective by the Kentucky Department for Human Resources and by the National Association of State Public Veterinarians, Inc. (NASPHV) in the most current version of the annual Compendium of Animal Rabies Prevention and Control.

ASSISTANCE DOG: A dog accompanying and providing support for a person who is deemed to be disabled under federal, state, or local law. For purpose of this chapter, the term **ASSISTANCE DOG** shall include a service dog recognized or defined under federal or state law.

ATTACK: An unprovoked attack in an aggressive manner on a human that causes a scratch, abrasion, or bruising, or on a domestic pet or livestock that causes death or injury.

CARETAKER: Any person or organization who participates in TNR (Trap Neuter Release) and/or who regularly provides care to a community cat.

CAT. Any feline four (4) months of age or older.

COMMUNITY CAT Any cat or kitten that has no apparent owner or identification and is free roaming.

CRUELTY: Failing to provide adequate food and water; failing to detect the need for or withholding veterinary care; creating or allowing unhealthful living conditions, infliction of suffering, injury, or death to an animal by striking, beating, dropping, kicking, dragging, choking, or by the use of an object or weapons; causing pain, injury, or death by means of caustic, flammable, boiling, or heated substances; causing suffering, injury, or death by suffocation or drowning; failure to provide health-related grooming. For purposes of this chapter, the definition of **cruelty** shall not include the acts as described in KRS 525.130 (2) and (3).

DOG. Any domestic canine six (6) months of age or older.

IMPOUNDMENT. Taken into custody of the Animal Control of Glasgow-Barren County, Kentucky, including but not limited to, the Barren River Animal Welfare Association.

LEAD. A device for restraint of a canine.

LIVESTOCK. Horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids and swine.

Poultry means chickens, ducks, turkeys, or other domestic fowl.

OWNED CAT: Any cat that is a companion to a person is regularly fed and sheltered in that same person's habitation.

OWNER: Any person with legal title to one or more animals but is not a custodian or caretaker participating in a trap-neuter-vaccinate-return (TNVR) program.

PERSON: An individual, partnership, association, company, firm, business or corporation.

PUPPY: Any domestic canine younger than five (5) months of age.

QUARANTINE: Defined in KRS 258.095: Quarantine means the confinement of an animal for observation of clinical signs of illness indicating rabies infection, and the prevention of escape or contact with any person or other animal. KRS 258.119 mandates a ten-day (10) isolation period.

SHELTER. Structure of confinement which shall have three solid sides. a top and a floor which is dry and constructed of material which provides insulation, or the floor augmented with resting boards, and during inclement weather extremes, said structure shall also include insulating bedding materials.

TETHER. A rope or chain that is used to restrict an animal, so that it will stay in a particular area.

TRAPS: A device with a door on one end, which can be lifted up and set in place with a small hook. Traps are used to ensure the safety and well-being of the animal during capture.

WILDLIFE: Bats, Bears, Beavers, Chipmunks, Coyotes, Deer's, Eagles, Foxes, Groundhogs, Lions, Minks, Moles, Monkeys, Muskrats, Opossums, Otters, Owls, Rabbits, Raccoons, Rodents, Skunks, Snakes, Squirrels, Tigers, Turtles, Vultures, Weasels, Wolves, and Any kind of birds.

ARTICLE II. ANIMAL CONTROL DEPARTMENT

SECTION A. POWERS OF ANIMAL CONTROL

1. All officers of Animal Control shall have the powers of a peace officer to enforce animal control laws and ordinances in the city/county if they otherwise qualify as a peace officer under the laws of the Commonwealth of Kentucky.
2. All officers of Animal Control shall comply with KRS 61.300.
3. Whenever an Animal Control Officer must perform any duty or enforce any provision of the Ordinance or any applicable state statute, that Officer is empowered to enter the property at a reasonable time and inspect the premises. Animal Control Officers shall have such power only if the consent of the owner or occupant of the property is freely given, a search warrant is obtained, or such exigent circumstances exist that a warrantless, non-consensual search is required.
4. All canines of any age running at large, as defined in this Ordinance and found in Barren County, Kentucky, shall be seized by Animal Control and impounded at Barren River Animal Welfare Association (from now on referred to as "BRAWA"), as they are our contracted animal shelter, or any contracted animal shelter there after.
5. All sick or injured animals found abandoned or running at large shall be seized by Animal Control and impounded at BRAWA. Treatment procedures shall follow BRAWA's Policy and Procedure Manual.
6. If an animal is impounded for any reason, the owner or guardian shall be responsible for a reasonable fee for board, administration, medical attention during the impoundment and any Animal Control citation fees.
7. Any person claiming or reclaiming an animal according to this section shall pay a reasonable fee for the board, administration, medical attention, and any Animal Control citations for the animal during impoundment. If an animal has been claimed more than once, the owner shall have the animal microchipped at \$25.00 payable to BRAWA.

8. Any animal observed by a Law Enforcement Officer or Animal Control Officer to be in immediate danger may be removed from such a situation by the quickest and most reasonable means available.
9. All canines must be accompanied by a responsible person in an enclosed “off-leash, dog park” area(s).
10. Removal of animal excreta required:
 - a. The custodian of every animal shall remove any excreta deposited by his/her animal(s) on public sidewalks, public recreation areas or private property belonging to another.
 - b. Any excreta not removed in violation of subsection (a) above is declared to be a public nuisance.
 - c. Any person violating any provision of this section shall, upon conviction by a court of competent jurisdiction be guilty of a violation and shall be fined not more than fifty dollars (\$50.00) for each violation.
11. Animal Control shall only pick up sick or injured felines.
12. Animal Control shall not set traps nor pick up trapped animals.
13. Animal Control is not authorized to handle nuisance wildlife problems. Animal Control will advise complainants to call Nuisance Wildlife Control Professional for nuisance wildlife.

ARTICLE III. ANIMAL PROTECTION VIOLATIONS

SECTION A. TORTURE OF DOG OR CAT

Under KRS 525.135 “Torture: means the intentional infliction of or subjection to extreme physical pain or serious injury or death to a dog or cat, motivated by intent or wanton disregard that causes, increases, or prolongs the pain or suffering of the dog or cat, including serious physical injury or infirmity.

1. “Torture” shall include situations where the extreme physical pain, serious physical injury or infirmity, or death results from restraint of the dog or cat, which may include being:
 - a. Locked in a cage or kennel;
 - b. Sealed in a plastic bag or box;
 - c. Chained or tied down to restrict motion;
 - d. Pitched in a dumpster;

- e. Abandonment: Abandoned in a building for three (3) days or more with no intention of returning or having made provisions for the animal's care;
 - f. Physically restrained with tie wraps, rope, chains, or tape;
 - g. Intentionally injured to cause immobility so that the animal cannot save itself from starvation, dehydration, physical impairment, serious physical injury or infirmity, or death; or
 - h. Manually restrained; and
- 2. "Serious physical injury or infirmity" means physical injury or physical infirmity that creates a substantial risk of death, protracted loss, or impairment of the function of the limb or bodily organ caused by willful or wanton disregard while restrained. As used in this paragraph:
 - a. "Physical Infirmity" includes intentional starvation, dehydration, hypothermia, hyperthermia, muscle atrophy, restriction of blood flow to a limb or organ, mange or other skin disease or parasitic infestation for which medical care has been denied, denial of life-saving medical care or professional euthanasia while intentionally restraining with the intent to cause or the wanton disregard for extreme physical pain, serious injury, or death; and
 - b. "Physical Injury" includes substantial physical pain, serious injury, or death intentionally caused by fractures, cuts, burns, punctures, bruises due to crushing, burning, drowning, beating, poisoning, suffocation, hanging, impaling or skinning alive, physical disfigurement, loss of function of a limb or body organ or other wounds or illnesses produced by violence or a thermal or chemical agent while intentionally restrained with the intent to cause or the wanton disregard for extreme physical pain, serious injury, or death.
- 3. A person is guilty of torture of a dog or cat when he or she, without legal justification, intentionally tortures a domestic dog or cat.
- 4. Torture of a dog or cat is a Class D felony.
- 5. Each act of torture of a dog or cat may constitute a separate offense.
- 6. Under recommendation of a veterinarian, a tortured dog or cat may be humanely euthanized after it is seized if it is still alive but suffering from the intentional torture that will lead to its death.
- 7. Nothing in this section shall apply to the killing or injuring of a dog or cat without intent to cause, or without wanton disregard of, increasing or prolonging the pain, suffering, or death of the dog or cat:
 - a. In accordance with a license to hunt, fish, or trap;

- b. For humane purposes;
 - c. For veterinary, agricultural, spaying or neutering, or cosmetic purposes or breed-specific alterations such as cropping of ears, docking of tails, or declawing of a cat, all done by a veterinarian;
 - d. For purposes relating to sporting activities including but not limited to training for organized dog or cat shows, or other animal shows in which a dog or a cat, or both, participate;
 - e. For bona fide animal research activities, using dogs or cats, of institutions of higher education; or a business entity registered with the United States Department of Agriculture under the Animal Welfare Act or subject to other federal laws governing animal research;
 - f. In defense of self or another person against an aggressive or diseased dog or cat;
 - g. In defense of a domestic animal against an aggressive or diseased dog or cat;
 - h. For animal or pest control; or
 - i. For any other purposes authorized by law.
8. Activities of animals engaged in hunting, field trails, dog training other than training a dog to fight for pleasure or profit, and other activities authorized either by a hunting license or by the Department of Fish and Wildlife Resources shall not constitute a violation of this section.
9. The acts specified in this section shall not constitute cruelty to animals under KRS 525.125 or 525.130.

Section B. CRUELTY TO ANIMAL IN THE FIRST DEGREE

The following persons are guilty of cruelty to animals in the first degree:

1. Whenever a dog is knowingly caused to dog fight for pleasure or profit:
 - a. The owner of the dog;
 - b. The owner of the property on which the fight is conducted if the owner knows of the dog fight; and
 - c. Anyone who participates in the organization of the dog fight; and
2. Any person who knowingly owns, possesses, keeps, trains, sells, or otherwise transfers a dog for the purpose of dog fighting.

3. Activities of dogs engaged in hunting, field trails, dog training, and other activities authorized either by a hunting license or by the Department of Fish and Wildlife Resources shall not constitute a violation of this section.
4. Activities of dogs engaged in working or guarding livestock shall not constitute a violation of this section.
5. Cruelty to animal in the first degree is a Class D felony.

SECTION C. CRUELTY TO ANIMALS IN THE SECOND DEGREE

A person is guilty of cruelty to animals in the second degree when one intentionally or wantonly:

1. Subjects any animal to or causes cruel or injurious mistreatment through abandonment,
2. Participates, other than as provided in KRS 525.125, in causing it to fight for pleasure or profit (including, but not limited to being a spectator or vendor at an event where a four (4) legged animal is caused to fight for pleasure or profit),
3. Causes mutilation, beating, torturing any animal other than a dog or cat, tormenting, failing to provide adequate food, drink, space or health care, or by any other means;
4. Subjects any animal under custody to cruel neglect; or,
5. Kills any animal other than a domestic animal killed by poisoning. This shall not apply to intentional poisoning of a dog or cat; intentional poisoning of a dog or cat shall constitute a violation.
6. Cruelty to Animals in the Second Degree is a Class A misdemeanor punishable as stated in KRS 5625.130 (5)(a)(b).

SECTION D. ENFORCEMENT OF ANIMAL CRUELTY AND PROTECTION STATUTES

Nothing in this Article is intended to preclude or prevent the institution of charges under the animal cruelty and protection statutes outlined in Chapter 525 and other pertinent chapters of the Kentucky Revised Statutes or subsequent changes therein.

ARTICLE IV. DEFENSES

1. Ownership of the abused, neglected, or abandoned animal or animal otherwise subjected to a violation of the pertinent provisions of this Ordinance shall not be a defense.
2. Guardianship of the abused, neglected, or abandoned animal or animal otherwise subjected to a violation of the pertinent provisions of this Ordinance shall not be a defense.

3. Corporations and other legal entities may be concurrently charged for acts violating this Ordinance committed by their employees or agents when the act is committed in the ordinary course and scope of the employment or agency.
4. It is no defense to the crime of Animal Abandonment that the defendant abandoned the animal at or near an animal shelter, veterinary clinic, or another place of shelter if the defendant did not make reasonable arrangements to care for the animal.

ARTICLE V. PRE-CONVICTION PROVISIONS

SECTION A. SEIZURE OF VICTIMIZED ANIMAL

Any animal subjected to a violation of the animal protection statutes of the Commonwealth of Kentucky, or the pertinent provisions of the Ordinance may be seized by an Animal Control Officer or any peace officer and subsequently impounded at BRAWA.

SECTION B. IMPOUNDMENT

SEIZURE WITH A WARRANT

If there is probable cause to believe that an animal is being subjected to treatment in violation of the animal protection statutes of the Commonwealth of Kentucky or the pertinent provisions of the Ordinance, and Animal Control Officer or peace officer, after obtaining a search warrant, shall enter the premises where the animal is located and seize the animal, and impound it a BRAWA.

SIEZURE WITHOUT A WARRANT

If an Animal Control Officer or peace officer witnesses a situation in which the Animal Control Officer or peace officer determines that the health or life of an animal is in jeopardy and immediate action is required to protect the health of safety of the animal, the Animal Control Officer or peace officer may seize the animal without a warrant; and the animal shall be immediately transported to BRAWA, where the health of the animal shall be assessed, and, if necessary, medical treatment rendered.

1. Any animal impounded according to subsections 1 and 2 of the Section shall be provided with minimum care, as defined in Article II.
2. An Animal Control Officer or peace officer proceeding following the provisions hereof and acting reasonably within the course and scope of their duties shall not be liable for any changes for an entry under subsection 2 of the Section.
3. Any owner or guardian of an impounded animal pursuant to subsection 2 of this Section shall be given written notice of the impoundment within three business days following the impoundment. The notice shall be given by posting at the

place of impoundment, by delivery to a person residing at the place of impoundment, or by registered mail if the owner's or guardian's identity is known.

SECTION C. LIENS

All expenses incurred in providing minimum care for an impounded animal shall become a lien on the owner's property and must be discharged before the animal is released to the owner or guardian following a conviction for a violation of the animal protection statutes of the Commonwealth of Kentucky or the pertinent provisions of this Ordinance. If the lien is not satisfied within fifteen (15) days following the resolution of the criminal case, the legal interest of the owner or guardian in the impounded animal shall immediately transfer to BRAWA in accordance with reasonable practices for the humane treatment of animals. Glasgow-Barren Animal Control Board may recover any additional expense that exceeds the value of the transferred interest in the animal.

ARTICLE VI. POST-CONVICTION PROVISIONS

SECTION A. FORFEITURE

1. In addition to any other sentence it may impose, a court shall require a defendant convicted of Cruelty to Animals in the First Degree under 525.125, Cruelty to Animals in the Second Degree under KRS 525.130, or Aggravated Animal Abuse under the pertinent provisions of this Ordinance to forfeit all legal interest of the defendant in the animal subject to the violation. The court shall award all such interest in or to the animal to BRAWA.
2. In addition to any other penalty it may impose, the Court may require a defendant convicted of Animal Abuse under the pertinent provisions of this Ordinance or of the second or subsequent offense of Aggravated Animal Neglect or Animal Neglect under the pertinent provisions of this Ordinance to forfeit all legal interest of the defendant in the animal subjected to the violation. The court shall award all such interest in or to the animal to BRAWA.

SECTION B. COMMUNITY SERVICE

In addition to any other sentence it may impose, a court may order the defendant convicted of violating the animal protection statutes of the Commonwealth of Kentucky or of the pertinent provisions of the Ordinance to participate in community service. If the court does order community service participation, no such participation shall occur at any humane society, animal shelter, or facility where an animal is present.

SECTION C. CONTACT WITH ANIMALS

1. In addition to any other penalty imposed by law, a person convicted of Cruelty to Animals in the Second Degree under KRS 525.130 may be ordered, in the

discretion of the court, not to own, possess, reside with, or have custody of or contact with any animal for a period of two years on a first offense, and for a period of five years on a second or subsequent offense.

2. In addition to any other penalty imposed by law, a person convicted of Cruelty to Animals in the First Degree under KRS 525.125 may be ordered, at the discretion of the court, not to own, possess, reside with, or have custody of or contact with any animal for a period of five years on a first offense, and for a period of 15 years on a second offense.

SECTION D. COST OF CARE

In addition to any other sentence it may impose, a court shall require a defendant convicted for violation of the animal protection statutes of the Commonwealth of Kentucky or the pertinent provisions of the Ordinance to repay all reasonable costs incurred, either before or after judgement, by any person or organization, including the Glasgow-Barren Animal Control Board, in impounding and providing minimum care for each animal subjected to a violation of such statutes or provisions, and for all costs of prosecution. Payment shall be made to Glasgow-Barren Animal Control Board.

SECTION E. RESTITUTION

In addition to any other sentence it may impose, a court shall order that cost of care be made by the defendant to the owner or guardian of any animal subject to mistreatment by the defendant in violation of the animal protection statutes of the Commonwealth of Kentucky or the pertinent provisions of this Ordinance. The measure for cost of care shall be then actual pecuniary value of such loss, including but not limited to the actual veterinary expenses, special supplies, and other costs incurred by the owner or guardian treating the animal and attempting to restore the animal to good health or to ameliorate the effects of the violation otherwise.

ARTICLE VII. ANIMALS TO BE RESTRAINED: PROCEDURES FOR LEASH LAW

SECTION A. LEASH LAW

1. All dogs, excluding community cats and cats, shall be kept on a leash or confined to the owners; premises at all times, as defined in Article II or otherwise provided herein.
2. No person who is the owner of any animal shall permit it to run at large in any public road, highway, street, lane or alley, or upon unenclosed land, or permit it to go on any private yard.

3. The owner of an animal who permits it to run at large in violation of this section is liable for all damage caused by the animal upon premises of another.
4. All dogs in violation of the leash law may be detained by Animal Control Officer or peace officer and impounded at BRAWA. In addition to impoundment fees, owners may be issued a citation or a summons for a violation of the city ordinance.

SECTION B. PENALTY FOR DOGS OFF LEASH

At no time shall an owner or guardian permit any dog or dogs to off restraint within the City of Glasgow, Commonwealth of Kentucky, and any person found to have violated this Section shall be fined:

- a. First Offense no less than \$50.00
- b. Second Offense no less than \$75.00
- c. Third Offense no less than \$150.00
- d. Fourth or subsequent offenses, no less than \$250.00, be imprisoned in the county jail for not less than five (5) days or more than 30 days or be subject to both such fine and imprisonment.

Fines are imposed per animal, per incident. All fines shall be payable to the City of Glasgow.

SECTION C. LIVESTOCK PROHIBITED IN CITY, EXCEPTIONS

1. It shall be unlawful to keep within the city limits any livestock. However, this prohibition shall not apply to regularly licensed stockyards, slaughterhouse, meat-packing establishments, duly licensed public exhibitions, licensed targeted grazing as described in division (B) below and tracts of land in excess of five acres; and provided further, however, that upon tracts of land in excess of five (5) acres, no more than one of the animals named "in article I definition of Livestock shall be maintained per acre".
2. All other prohibitions on livestock notwithstanding; livestock for the operation of business utilizing goats with only using Nanny Goat and Wether for targeted grazing ground clearing and nuisance plant removal shall be allowed within the city limits under the limited conditions described under Title XI of this code for business regulations.

SECTION D. PENALTY FOR LIVESTOCK RUNNING AT LARGE

1. Any person who violates Section C shall be fined:
 - \$100 for the first offense in a 12-month period
 - \$200 for the second offense in a 12-month period

\$300 for the third offense in a 12-month period

\$400-\$500 for each subsequent offense in a 12-month period

2. Each day the violation exists shall constitute a separate offense

Fines are imposed per animal, per incident. All fines shall be payable to the City of Glasgow.

SECTION E. RUNNING AT LARGE PROHIBITED

1. It shall be unlawful for any owner or person in charge of livestock to permit or allow the animals to run at large within the city limits.
2. It shall be unlawful for any person, firm or corporation to raise or keep chickens, turkeys, ducks or other fowl if the fowl is allowed to run at large with the city limits. It shall also be unlawful to keep any fowl in any place not enclosed or where the fowl can trespass on any other property in the possession of any person other than the owner of the fowl.
3. It shall be unlawful for any person, firm, or corporation to raise or keep a rooster within the city limits.

SECTION F. PENALTY FOR FOWL RUNNING AT LARGE

At no time shall an owner or guardian permit any fowl to run loose within the City of Glasgow, Commonwealth of Kentucky, and any person found to have violated this Section shall be fined:

4. First Offense no less than \$50.00
5. Second Offense no less than \$75.00
6. Third Offense no less than \$150.00
7. Fourth or subsequent offenses, no less than \$250.00, be imprisoned in the county jail for not less than five (5) days or more than 30 days or be subject to both such fine and imprisonment.

Fines are imposed per animal, per incident. All fines shall be payable to the City of Glasgow.

SECTION G. FEMALE DOGS IN HEAT

1. Every female dog in heat shall be confined in a building or enclosure in such a manner that such female dog cannot come in contact with another dog, except for planned breeding.

2. The penalty for failure to confine a female dog in heat shall follow the same fee schedule as Section B, (a-d).

ARTICLE VIII. DOMESTIC ANIMALS

SECTION A. HUMANE TREATMENT OF ANIMALS.

No owner shall fail to provide his or her dog or cat food, water, shelter, veterinary care to prevent suffering and humane care and treatment. Any owner of a dog or cat shall maintain a clean shelter and living area, which shall be kept free of accumulated waste so that the animal shall be free to walk or lie down without coming into contact with the waste. If any dog is tethered, it shall be by a trolley or swivel system designed to prevent choking or tangling using a collar adjusted to fit the dog. The tether shall not be less than ten feet in length. No tether shall weigh more than 1/18th of the dog or puppy's weight.

The penalty for any person in violation, shall follow the same fee schedule as Section B.

SECTION B. DOGS AND CATS TO BE VACCINATED AGAINST RABIES

Every dog or cat owner who resides within the city limits shall have his or her dog or cat initially vaccinated by the age of four months and revaccinated against rabies at the expiration of the immunization period as certified by the veterinarian.

1. Any person who violates shall be fined \$25.00.

SECTION C. LIMITATION ON NUMBER OF DOGS OR CATS

It shall be unlawful to keep at any one residence within the city limits, more than four dogs or cats, or a combination of dogs or cats; however, a two-month grace period shall be allowed for the disposition of litter.

If any person violates, they shall be fined

1. First Offense no less than \$50.00
2. Second Offense no less than \$75.00
3. Third Offense no less than \$150.00
4. Fourth or subsequent offenses, no less than \$250.00, be imprisoned in the county jail for not less than five (5) days or more than 30 days or be subject to both such fine and imprisonment.

Fines are imposed per animal, per incident. All fines shall be payable to the City of Glasgow.

SECTION D. IMPOUNDMENT OF UNRESTRAINED DOGS

1. The Animal Control Officer or peace officer of the city is empowered and directed to apprehend and impound any dog found unrestrained within the city limits; provided, however, the Animal Control Officer or peace officer shall not enter

upon the premises of the owner of any dog for the purpose of apprehending and/or impounding the animal. Without the consent of the property owner, court order, or warrant.

2. The Animal Control Officer or peace officer of the city is empowered and directed to apprehend and impound any dog found unrestrained and to go onto property to do so, if the dog is trying to attack and an owner or guardian not present. The Animal Control Officer or peace officer shall enter upon the premises of the owner of any dog for the purpose of apprehending and/or impounding the animal for the safety of the public and/or dog.

SECTION E. DISPOSITION OF IMPOUNDED ANIMALS

Any adult dog of unknown ownership shall be kept for a minimum of five days. IF it is not claimed within that time, it shall become the property of BRAWA to be euthanized in some humane manner or made available for adoption. However, this section does not apply to the disposition of sick, injured or vicious animals where the owner is not known or cannot be located in which case the five (5) day waiting period shall not apply. These animals may be euthanized at any time to prevent suffering and to ensure the safety of the staff and public.

SECTION F. ABANDONING DOMESTIC ANIMALS PROHIBITED

No person shall abandon any animal, abandonment consisting of leaving an animal for a period in excess of 24 hours, without providing for someone to feed, water and check on the animal's condition, or leaving an animal by the roadside or other area or leaving an animal on either a public or private property without the property owner's consent. In the event that an animal is found so abandoned, such animal may be taken by the Animal Control Officer or peace officer and impounded at BRAWA, and there confined in a humane manner. Such an animal, if taken from private property, shall be kept for not less than the prescribed period in accordance with the procedures set forth in the impounding section. In the event that an animal is so abandoned, the owner or guardian, if any, whom he has charged with the animal's care, shall be subject to a citation for violation of KRS 257.100(4).

SECTION G. NUISANCE

No person shall own, keep, or harbor any pet which shall do one or more of the following objectionable actions, each of which is hereby declared to be a public nuisance with this city;

1. Continuous barking, howling, yelping, or whining without obvious cause or provocation during the hours of 9:00 p.m. to 8 a.m.
2. Trespassing upon any property or premises not owned or occupied by the owner or guardian of said dog.
3. Turning over, getting into, or otherwise damaging or disturbing any items of personal or public property, located on any premises other than those owned or occupied by the owner or guardian of said dog.

4. Defecating or urinating on any property or premises not owned or occupied by the owner or guardian of said dogs.
5. Running after, jumping on, chasing, barking at, biting at, or in any other way frightening, molesting, or scaring any person other than the owner of said dog and the members of the owner's immediate family; and
6. Chasing of motor vehicles, bicycles, scooters, mopeds, or motorcycles other than those owned and occupied by the owners or guardian and the members of the owner's immediate family.

At no time shall an owner or guardian permit any dog or dogs to cause a nuisance within Barren County, Commonwealth of Kentucky, and any person found to have violated this Section shall be fined:

1. First Offense no less than \$50.00
2. Second Offense no less than \$75.00
3. Third Offense no less than \$150.00
4. Fourth or subsequent offenses, no less than \$250.00, be imprisoned in the county jail for not less than five (5) days or more than 30 days or be subject to both such fine and imprisonment.

Fines are imposed per animal, per incident. All fines shall be payable to the City of Glasgow.

ARTICLE IX. WILDLIFE

Kentucky is known for its abundance of wildlife. The presence of wildlife in your neighborhood may delight some citizens but cause problems for others. Glasgow-Barren Animal Control Officers are not authorized to handle nuisance wildlife problems but can evaluate and advise on the situation. If necessary, a nuisance wildlife control professional may be called to assist.

ARTICLE X. SALE OF CATS OR DOGS

1. Notwithstanding any other provision of law, it shall be unlawful for any person to offer for sale any dog or cat at, in or on any street, public right-of-way, median, park, recreation area, festival, outdoor market, indoor market, booth, yard sale, flea market, roadside stand, temporary site or parking lot without first obtaining an Occupational License through the City of Glasgow. This can be done by submitting an application and paying a fee of Ordinance 110.02.
2. Nothing in this provision shall be construed to prohibit the provision of space to an animal rescue group or an animal shelter, as defined, to publicly showcase dogs or cats available for adoption provided that the provider does not maintain an ownership interest in any of the animals offered for adoption or receive a fee for providing such space; nor, shall this section prohibit the display of dogs or

cats as part of a state or county fair exhibition, 4-H program, or similar exhibitions or educational programs.

3. Any person, firm, or corporation cited for the unauthorized sale of a dog or cat, as stated herein, shall be fined \$500 for each separate offense. Each animal for sale shall constitute a separate offense.