

AN ORDINANCE TO REPEAL ORDINANCE 208 WHICH WAS PASSED ON SECOND READING ON MARCH 21, 1977 AND TO ENACT IN LIEU THERE- OF THIS ORDINANCE. THE PURPOSE OF THIS ORDINANCE IS TO COMPLETELY REWRITE THE REGULATIONS OF THE MUNICIPAL CODE OF THE CITY OF MANNINGTON RESPECTING DOGS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANNINGTON:

That Ordinance No. 208 (Regulations Regarding Dogs) be amended and read as follows:

Sec. 1. Annual Head Tax Imposed - Dog Tags To Be Affixed.

(a) It shall be the duty of each person who keeps within the City a dog above the age of six months to report such dog to the Marion County Assessor at the time the annual assessment of personal property is made; provided, that when any persons within the City acquires a dog above the age of six months, such person shall then report such dog to the Marion County Assessor.

(b) Each person reporting a dog to the County Assessor as required above shall pay to the assessor the amount of the head tax prescribed by the assessor and the state law for each dog he is required to report, and he shall then attach to the collar of each such dog the proper registration tag furnished to him by the assessor, and retain within his possession the certificate of registration furnished to him by the assessor for each such dog.

(c) No person shall attach a license tag to any dog to which it was not issued or remove a license tag from the collar of any dog without the consent of the owners.

Sec. 2. Dogs Are Not To Be Permitted To Run At Large.

No dog, whether wearing a license tag or not, shall be permitted - and it shall be unlawful for any dog - to run at large within the City at any time. Any dog found running at large in violation of this Section shall be subject to impoundment by the police or the dog warden and its owner shall be subject to fine.

Sec. 3. To recognize the authority of Animal Warden to fulfill obligations according to West Virginia Code, Chapter 19, Article 20.

Sec. 4. Unrestrained animals may be taken by police, Warden, or Humane Society and impounded in Animal Shelter. Shall be kept for not less than 5 days unless reclaimed by owners. If by permit tag or other means owner can be identified, owner shall be notified. Those not claimed by owners within period shall be humanely disposed of by Warden or someone designated by him to exercise that authority.

Sec. 5. An owner reclaiming an impounded animal shall pay a fee to be designated by the Humane Society. The owner shall also pay any taxes due on any dog reclaimed. The manager of the Animal Shelter will be a deputy assessor and be able to receive taxes and issue tags. These monies will all go back to the County Assessor for distribution according to the governing laws.

Sec. 6. It shall be the duty of the owner or person in custody of a dog to have the dog inoculated against rabies, as per the state Code 19-20A-1, 2-6.

Sec. 7. It shall be unlawful to permit any dangerous or vicious

Sec. 8. No domestic animal afflicted with a contagious disease shall be allowed to run at large or to be exposed whereby the health of man or beast may be affected; nor shall any such animal be shipped or removed from the premises of the owner except under supervision of a health officer.

Sec. 9. Keep Dogs or Other Animals So As To Become A Nuisance-Barking Dog

(a) No dog or other animal or fowl shall be kept in such a place or condition as to become a nuisance - barking dog.

(b) No dog or other animal or fowl shall be kept in such a place or condition as to become a nuisance either because of noise, odor, contagious disease or other reasons.

Sec. 10. Violations

A violation of any section of this ordinance shall be punishable by a fine of not less than ten dollars nor more than fifty dollars for each separate violation on first offense. On second offense the fine shall be no more than one hundred dollars and/or not more than fifteen days imprisonment.

This ordinance shall be effective beginning April 2, 1979.

Passed by the City Council the 5<sup>th</sup> day of MARCH, 1979.

Charles A. Jenkins

Mayor

ATTEST:

Michelle R. Hanna

City Clerk