

ORDINANCE NO. 724

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING SECTION 6.04.080 OF THE COLUMBIA FALLS MUNICIPAL CODE.

WHEREAS, the City Council desires to amend Section 6.04.080 of the Columbia Falls Municipal Code; and

WHEREAS, the City Council has determined that said amendment to the Columbia Falls Municipal Code is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Section Amended: Section 6.04.080 of the Columbia Falls Municipal Code is hereby amended to read as follows:

6.04.080 Vicious Dogs.

It shall be unlawful for any person to keep, harbor, or maintain any vicious dog within the city. If any vicious dog is running at large or any dog appears to be mad or dangerous to the public, and it appears to the animal control officer that it is necessary to kill such a dog in order to protect the public from the dog, the animal control officer is hereby authorized to kill the dog.

If any dog, including but not limited to vicious dogs, bites a person living in the city, such dog bite shall immediately be reported to the designated animal control office. Any animal control officer may issue a written order requiring the owner of such dog to surrender the dog to the Flathead County Animal Control Center or, at the owner's expense, to a licensed veterinarian. Such order may be served by the animal control officer on the owner. If the owner cannot be found at his/her place of residence, the order may be served by leaving it with a person at the residence or by placing it in a prominent place at the main entrance of such residence. It is unlawful for any person to refuse or neglect to surrender any dog, within twenty-four hours after the service of such order, and any animal control officer shall seize and impound such dog at either the Flathead County Animal Control Center or a license veterinarian's office, at the owner's expense. In the event the owner is unknown or the dog is running at large, the officer shall seize and impound the dog without notice. If the vicious dog is running at large and the officer is unable to seize and impound such dog, the dog may be killed by any law enforcement or animal control officer of this city without notice. All dogs impounded under this section shall be quarantined for the period and under the conditions as determined by the animal control officer. (Ord. 669 § 1, 2006: Ord. 335 § 9, 1977)

000132

For purposes of this section, a “vicious dog” is defined, pursuant to 7-23-2109, MCA as one which bites or attempts to bite any human being without provocation or which harasses, chases, bites, or attempts to bite any other animal. The term “animal” includes all livestock and any domestic pet.

Section Two. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Three. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Four. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 19th DAY OF MARCH, 2012, THE COUNCIL VOTING AS FOLLOWS:

AYES: Fisher, Karper, Plevel, Shepard, Bates, Barnhart

NOES:None

ABSENT: Petersen

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA, THIS ____ DAY OF _____, 2012.

Mayor

ATTEST:

City Clerk