

**DRAFT Three**  
**Proposed Warren County Animal Ordinance**  
**February 2008**

**COMMONWEALTH OF KENTUCKY**  
**COUNTY OF WARREN**

**Warren Fiscal Court**

**Ordinance Number** \_\_\_\_\_

**ORDINANCE ESTABLISHING AN ANIMAL CONTROL  
AND PROTECTION POLICY**

WHEREAS, Warren Fiscal Court having been presented with concerns from the public, the Humane Society and law enforcement, concerning the keeping and caring of dogs and cats, including complaints from the public; and,

WHEREAS, Warren County does not have any Ordinance in place to address the issues and concerns of the citizens of Warren County; and,

WHEREAS, an Ordinance is needed both for the protection of animals and citizens alike.

THEREFORE, BE IT HEREBY ORDAINED by the County of Warren, as follows:

Section I:     **Definitions**

“**Abandon**” means the intentional relinquishment and control of domesticated animals without appropriate safeguards for the animal’s well-being.

“**Cat**” means any age feline of the domesticated type.

“**Confinement for Dogs**” means confined to the premises of the owner. If off premises of the owner, the animal must be restrained by a lead or leash and under the control of a capable person. Hunting Dogs, while accompanied by their owner or a responsible person and under the direction of that person, are excluded from this restriction.

“**Companion Animal**” means dogs or cats kept in or near the household for the primary purpose of companionship for the members of the family.

“**Dangerous Dog or Cat**” means any dog or cat that without justification attacks a person or domestic animal causing physical injury or death or behaves in a

manner that a reasonable person would believe poses an unjustified imminent threat or serious injury or death to one or more persons or domestic animals.

“**Dog**” means any age canine.

“**Feral Cat**” means any domestic feline that has reverted in some degree to a wild state.

“**Feral Cat Colony**” means more than one feral cats living outdoors or in environments involving little human contact. They depend on dumpsters outside restaurants or garbage cans to survive.

“**Feral Cat Colony Registration**” means the registration by the manager or caretaker of a Feral Cat Colony with Animal Control. The manager or caretaker is responsible for the feeding, trapping, sterilization, and record-keeping for colony members.

“**Fixed Point Restraint**” means any restraint of a dog, whether by chain, rope, lead, etc., that is affixed to any immovable object.

“**Livestock Guarding Dogs**” means dogs kept for primary purpose of protecting livestock from predatory attacks.

“**Shade for Dogs**” means that in addition to a dog house or outbuilding, animals must have shade from the direct sun either from trees or if in a kennel or fence from a tarp or sunshade.

“**Shelter**” for companion animals shall mean a moisture proof structure of suitable size and composition to accommodate the animal and allow retention of body heat. Depending on the shelter structure, a sufficient quantity of suitable bedding may be needed to provide insulation and protection against, cold and dampness or other environmental conditions detrimental to the animal. Livestock Guarding Dogs are excluded from this requirement.

“**Tethering**” means a method of confining a dog to the owner’s property by use of a 10 foot chain with swivels on both ends and attached to a pulley or overhead trolley, at least 10 feet in length and mounted no more than 7 feet above the ground.

“**Wholesome Food**” means food which is appropriate for the animal, palatable, safe and which is not contaminated.

## Section II:     **Cruelty to dogs or cats**

A. It shall be unlawful for any person to:

- i. Intentionally beat or strike repeatedly, maim, mutilate, disfigure, torture, poison, burn or scald, overload or otherwise intentionally injure or cause pain to a dog or cat whether or not the animal dies, or use these methods to cause the animal to die.
- ii. Fail to provide the dog or cat, belonging to them, or under their control, with wholesome food and water that is uncontaminated and of sufficient quantity and of nutritional value to meet the normal daily requirements for the conditions and size of the animal; and shelter from rain, hail, sleet, snow, extremes of temperature or a surrounding environment that may cause the animal to suffer or die.
- iii. Fail to provide outside dogs with appropriate shade during times of extreme heat.
- iv. Fail to provide dogs or cats, which are confined to a kennel on a full-time or almost full-time basis, with sufficient room which would provide the animal with necessary daily exercise.
- v. Fail to keep a dog or cat in an area that is dry, clean, sanitary and free from offensive odors and their own waste.
- vi. Confine a dog or cat in any pen, cage, coop, crate or any other such place or enclosure that is too small for the size of the animal or would overcrowd the animal. The animal must be able to stand up and turn around in whatever type of confinement is used. Dogs or cats undergoing treatment in a veterinary clinic or being confined under a veterinarian's orders are excluded.
- vii. Abandon any dog or cat, whether healthy or sick, injured or disabled that one owns, possesses, or has the care, custody or control of.
- viii. Restrain a dog exclusively by a fixed-point restraint. In order to remove exclusivity, a dog must be exercised daily off the restraint.
- ix. Allow any companion animal to go without appropriate medical care to alleviate suffering.

### **Section III: Mandatory Registration / Tag Required**

Every person keeping or maintaining any companion dog or cat over the age of 4 months, or after first bringing a dog or cat into Warren County, shall obtain and then continuously maintain, a current and valid registration tag. Dogs and cats within the Bowling Green city limits are subject to Bowling Green's licensing law

and all other areas fall under this licensing requirement unless exempted by their governing body. It is recommended that the registration tag, bearing the registration number and year of registration shall be attached to a suitable collar and kept on the dog or cat at all times. Break-away collars are recommended for outside cats. If a collar and tag are not kept on the animal at all times, the owner or caretaker must be able to produce the current registration for all dogs and cats under his care. The registration fee and application process shall be established by resolution. Funds from this licensing program will be used first to provide a civilian Cruelty Investigator for the Humane Society and any additional funds will provide free spay/neuter surgeries for low-income pet owners.

**Section IV: Animal Nuisances Prohibited**

Any one of the following circumstances, including but not limited to the following circumstances, shall be considered evidence which establishes prima facie evidence that a public nuisance exists or has occurred:

- A. Allowing dogs to chase, worry, injure, or kill domestic animals or livestock off the owner's (or one charged with the care and control of the dog) property.
- B. Allowing dogs off the owner's or caretaker's property to chase, jump at or on, bark at or otherwise annoy or threaten passing pedestrians, bicyclists, motorcyclists or operators of motorized vehicles.
- C. Allowing companion animals to disturb the peace and quiet of any person by excessive, continuous or untimely noises including, but not limited to, barking, howling, or whining.
- D. Allowing offensive odors or otherwise unclean or unsanitary conditions on property where dogs and cats are kept and maintained.
- E. Allowing dogs to run at large off the owner or caretaker's property.
- F. Maintaining, keeping or harboring any companion animal over 4 months old that does not have a current rabies vaccination.
- G. Failing to register any companion animal over 4 months old that is maintained, kept, or harbored in Warren County.

**Section V: Chaining and Tethering**

- A. It is prohibited to exclusively restrain a dog by any fixed-point restraint. In order to remove exclusivity, a dog must be exercised daily off the restraint.

- B. Any fixed point restraint or tethering system employed shall not allow the dog to leave the owner's property.
- C. No chain or tether shall weigh more than 1/8 of the dog's body weight.
- D. Any chain or tether shall be at least ten (10) feet in length and have swivels on both ends.
- E. Any chain or tether must be attached to a properly fitting collar or harness worn by the animal.

**Section VI: Feral Cat Colonies**

It is recognized that trap, neuter and return is an effective and humane means of controlling feral cat populations. It is the responsibility of the caretakers of feral cat colonies to do the following in maintaining the colony:

- a. Register the colony with Warren County Animal Control.
- b. Make arrangements for feeding the colony regularly throughout the year, including weekends, holidays and vacations of the feral cat caregiver.
- c. Spay/neuter all adult cats that can be trapped.
- d. Make every attempt to spay/neuter all kittens over eight (8) weeks of age and before sixteen (16) weeks of age.
- e. Vaccinate, as required by law, all cats that can be trapped against rabies and any other infectious disease as mandated by law.
- f. Make every attempt to remove kittens from the colony before eight (8) weeks of age for domestication and adoption.
- g. Make every attempt to remove sick or injured cats from the colony for immediate veterinarian care or humane euthanasia.
- h. Ear crop all cats with a single cut preferably on the left ear, at least one (1) inch from the outside tip of the auricle.
- e. Maintain proof of sterilization, vaccination, and medical records with photos, if possible, of all colony cats. These records must be provided to Animal Control upon request.
- f. Any feral cat trapped by Animal Control which has an appropriate ear tipping will be returned to the colony unless veterinary care is required.

Section VII: Penalties

Penalties for noncompliance of this ordinance shall be established by resolution of the Warren County Fiscal Court.

**IT IS NOW HEREBY ORDERED AND ORDAINED** by the Fiscal Court of Warren County, Commonwealth of Kentucky, that this Ordinance be adopted as hereinabove written.

This Ordinance is adopted pursuant to K.R.S. 67.077 in that it was introduced on \_\_\_\_\_, 2008, and given final reading on \_\_\_\_\_, 2008, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to K.R.S. 67.077(3).

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2008.

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MICHAEL O. BUCHANON  
Warren County Judge Executive

Presented to Warren Fiscal Court by a Citizens Committee headed by Jennifer Chiles

ATTESTED:

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BRENDA HALE  
Warren Fiscal Court Clerk