

ORDINANCE NO. _____

ENTITLED: "AN ORDINANCE AMENDING TITLE 6, ANIMALS, OF THE MUNICIPAL CODE OF THE CITY OF CHEYENNE, WYOMING, REGARDING THE REGISTRATION, CONTROL, IMPOUNDMENT AND GENERAL CARE OF ANIMALS AND BIRDS WITHIN THE CITY."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That Title 6, Animals, of the City of Cheyenne, Wyoming, is hereby amended as set out in this ordinance.

Chapter 6.04 - DEFINITIONS, ADMINISTRATION AND ENFORCEMENT

6.04.010 - Purpose and authority; ~~Authority~~ ~~General provisions.~~ enforcement.

- A. The purpose of this title is to establish regulations and procedures for the ~~registration,~~ control, impoundment, and general care of animals and ~~few~~ birds within the city.
- B. Authority is granted cities and towns by ~~Wyo. Stat. Section~~ W.S. 15-1-103(a)(xiv) to regulate animals within the city and to provide for the operation of animal control and animal shelter services.
- C. The provisions of this title ~~will~~ shall be enforced by persons or agencies designated by the governing body. ~~Animal control officers designated by the city will first, before~~ Before entering upon their duties, each animal control officer shall take an oath of office by the mayor or city clerk to empower them to issue citations for violations of this title.
- ~~D. If an animal control officer or a police officer observes a vehicle parked within the city in which domestic animals are confined with no visible means of ventilation and the health or safety of the animal is threatened, the officer shall immediately attempt to locate the vehicle owner or person responsible to provide for ventilation or to remove the animal from the vehicle. If unable to locate the vehicle owner or the person responsible within a reasonable time, the officer will be empowered to use whatever means reasonably necessary to enter the vehicle to provide ventilation or to remove the animal from the vehicle to preclude serious harm to the animal.~~

~~No officer or agent taking action pursuant to this section is liable for damage reasonably necessary to rescue a confined animal.~~

- ~~E.~~ D. Animal control officers and police officers are authorized to enter upon any premises, excluding a dwelling unit, within the city for the purpose of apprehending and impounding ~~animals which the officer is authorized to impound~~ any animal or for any other purpose authorized in this title.

6.04.020 - Definitions.

~~A. The following definitions shall apply in the interpretation and enforcement of this title: As used in this title:~~

- ~~1. "Abandon" means to leave an animal unattended, unsupervised and without support or provision for shelter, food or medical care except that abandon shall not include a community cat as specified under Section 6.08.190;~~
- ~~2. "Altered" means an animal which has been spayed or neutered;~~
- ~~3. "Animal" means a live, vertebrate creature, that is domestic or wild;~~
- ~~4. "Animal control authority" means the animal control officers designated by the city who are responsible for enforcing the provisions of this title;~~
- ~~5. "Animal control officer" means any person designated by the state, county commissioners, or the city ~~or another municipal government, of Cheyenne~~ who is qualified to perform duties under the laws, regulations or ordinances of the state, county, or city; ~~or other municipality pertaining to animals or animal control.~~~~
- ~~6. "Animal shelter" means a facility recognized and any premises designated by the governing body for the city of Cheyenne, Wyoming, for the purpose of impounding ~~or~~ and caring for animals held under the authority of this title or state law;~~
- ~~7. "At large" means an animal that is not under any type of restraint;~~
- ~~8. "Community cat" means a cat that is abandoned, stray, lost or feral. any free roaming cat lacking any identifiable evidence of ownership that has access to adequate food, water, and shelter as evidenced by the general body condition of the cat or any cat that may be cared for by one or more residents of the immediate area, either known or unknown. A community cat may or may not be socialized;~~
- ~~9. "Community cat caregiver" means a person who, in accordance with trap-neuter-return, provides care, including food, shelter, or medical care to a community cat. to a cat, including providing food, shelter or medical care. A community cat caregiver shall not be considered the owner, custodian, harbinger, possessor, or keeper of a community cat.~~
- ~~10. "Dangerous animal" means any animal which constitutes a physical threat to human beings or other animals, or an animal when, unprovoked, bites or attacks a human being. A properly registered An animal properly trained as a guard, sentry, or police dog may shall not be considered a dangerous animal when acting in conformance with the animal's training;~~

~~"Destroyed" means euthanization by methods generally accepted as humane by the veterinary profession.~~

11. "Domestic animal" means an animal ~~habituated to live in or about the homes of human beings that has been selectively bred and genetically adapted over generations to live alongside humans~~;
12. "Dwelling unit" means a structure consisting of one (1) or more rooms or units designed for or occupied as a unit by one (1) family or by an individual for living purposes;
13. "Eartipping" means the removal of the one-quarter-inch tip of a community cat's left ear, performed while the cat is under anesthesia, to identify the community cat as being ~~sterilized~~ altered and lawfully vaccinated for rabies;
14. "Euthanasia" or "euthanize" means the termination of an animal's life in a humane manner by a local veterinarian or other certified professional;
15. "Humane trap" means a device designed to capture or contain an animal without causing injury to the animal;
16. "Inhumane trap" means a device designed to capture or contain an animal which causes injury to the animal ~~as a result because~~ of the ~~trap's device's design or~~ operation;
17. ~~"Leash/lead"~~ "Tether" means a ~~thong~~ cord, rope, chain or similar device which ~~holds~~ restrains an animal ~~in restraint, and which~~ and is not more than ~~six~~ twenty-five (25) feet in length;
18. "Livestock" means horses, mules and asses, llamas, cattle, bison, swine, sheep, goats, ducks, geese and animals generally used for food or in the production of food or fiber. "Livestock" shall not include rabbits, or live female chickens as authorized under Section 6.08.020 of the city code;
19. "Local veterinarian" means any Wyoming licensed veterinarian practicing within Laramie County;
20. "Owner" means ~~every any~~ person keeping or harboring a domestic animal, including the person named on ~~an animal registration record as owner~~ the animal's rabies vaccine certificate or identified as the owner of the animal through the use of an implanted microchip. The parent or guardian of an owner shall be deemed the owner for purposes of this title when the purported owner is under the age of eighteen (18) years. "Owner" includes shall also include:
- a. ~~, but is not limited to, an~~ The occupant of the premises or dwelling unit where the animal is usually kept, if the premises or dwelling unit are other than the premises of the owner shown on the ~~registration record~~ animal's rabies vaccine certificate or the premises of the owner as identified through the use of an implanted microchip; or ~~any~~

b. ~~Any~~ person having control or purporting to have control over ~~any an~~ animal ~~which that~~ is running at large; ~~or any person in possession of or harboring the animal. The parent or guardian of an owner shall be deemed the owner for purposes of this title when the owner is under the age of eighteen (18) years. For purposes of recovering stolen animals, a person named on the animal's registration record will be considered the animal's owner.~~

~~"Pack" means a group of three or more animals at large.~~

21. "Pet" means any ~~dog, cat or ferret~~ domesticated animal owned, kept, harbored or in the custody of a person living within the city limits of Cheyenne;:-

22. "Public nuisance" means an animal ~~which that~~:

a. ~~molests~~ Molests passersby or passing vehicles;

b. ~~attacks~~ Attacks other animals; ~~or damages private or public property; barks, whines, howls, or makes other noise in an excessive, continuous or untimely fashion;~~ or

c. ~~an animal that becomes an untreated~~ Becomes a source of disease to other animals or humans.

23. "Restraint" means physical control by a responsible person by use of a ~~leash or lead;~~ tether, the tethering of an animal to a stationary object not within range of a public street, sidewalk, alley or common path; ~~or confining the confinement~~ of an animal within a fence or other enclosure which restricts it to a particular premise;:-

24. "Stray" means an animal that has been abandoned by its owner, has been separated from its owner accidentally or has no current known owner. As used in this title, "stray" shall not include a community cat;

25. "Trap-neuter-return" ~~(TNR)~~ means the nonlethal process of humanely trapping, ~~sterilizing, altering,~~ vaccinating for rabies, eartipping, and returning a community ~~eats~~ cat to the cat's original trapping location;:- and

26. "Vehicle" means any type of conveyance of travel which may be lawfully operated or parked upon any public or private way.

6.04.030 - Capture of animals.

A. ~~Animal~~ Each animal control ~~officers and/or officer and~~ police ~~officers are~~ officer is authorized to:

- ~~A. 1. Place~~ With the consent of the property owner, place or authorize the use of humane and safe traps in order to capture unrestrained animals on public or private property within the city; ~~at the written request of the property owner;~~
- ~~B. 2.~~ Utilize chemicals to capture public nuisance or dangerous animals if all other means fail or are deemed unsafe. No officer may exercise this authority until the officer has been properly trained in the use of ~~the~~ chemical capture. Only tranquilizing drugs approved for use on animals by the American Veterinary Medical Association (AVMA) may be utilized;
- ~~C. 3.~~ Shoot a public nuisance or dangerous animal when necessary to avoid immediate physical threat or injury to human beings;
- ~~D. 4.~~ Capture unrestrained stray animals ~~whether at large singly, or in packs,~~ and cause them to be confined in ~~the~~ an animal shelter.

6.04.040 - Violation; ~~Penalty~~ penalty.

Any person ~~violating the provisions~~ who violates or fails to comply with any provision of this title ~~will, upon conviction, be punished pursuant to the penalties outlined in this title, or for which no separate penalty is provided is guilty of a misdemeanor and punishable~~ as provided by ~~general penalty~~ Section 1.24.010 of the city code. Any subsequent ~~violations, including penalties and fees, refers to and will be a~~ violation shall constitute a second or subsequent violation by the same owner, regardless of whether or not the same animal was involved in ~~each violation. the underlying conduct.~~

Chapter 6.08 - ANIMAL CARE AND CONTROL REGULATIONS GENERALLY

6.08.010 - Cruelty to animals.

- A. No owner shall abandon or fail to provide an animal with sufficient, ~~good and wholesome~~ food, ~~and~~ water, proper shelter, ~~protection from the weather~~ and adequate space, and veterinary care when needed to prevent suffering, ~~and with humane care and treatment.~~ Food ~~must shall~~ be ~~free from contamination, wholesome, palatable and~~ of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal. For the purposes of this subsection, any person who relinquishes an animal to a public or private animal shelter or similar facility without transferring actual custody of the animal to the animal shelter or similar facility shall be deemed to have abandoned the animal in violation of this subsection. This subsection shall not apply to any person returning a community cat to a location within one-half (1/2) mile of the cat's original location after altering and vaccination.
- B. If a shelter with a ~~chain tether~~ is used as a primary enclosure for a dog kept outdoors, the ~~chain must tether shall~~ be placed or attached to avoid entanglement with ~~chains the tethers~~ of other dogs or any other object. A ~~chain should tether shall allow for the dog's convenient and safe access to shelter and water and shall~~ be at least three (3) times the length of the

dog as measured from the tip of its nose to the base of its tail, ~~and must allow the dog convenient and safe access to shelter.~~

- C. No person shall leave ~~a dog or any other~~ any animal in an unattended vehicle without adequate ventilation or in such a manner as to subject the animal to extreme temperatures which may adversely affect ~~its~~ the health or welfare of the animal.
- D. No person shall carry any animal upon the hood, fender, running board, truck bed or other external part of a vehicle when the vehicle is being operated upon a public road or highway, unless the animal is protected by a carrier or other device sufficient to keep the animal from falling from the vehicle. The use of a tether shall not constitute sufficient protection under this subsection.
- E. If any animal control officer or a police officer observes a vehicle parked within the city in which an animal is confined with no visible means of ventilation and the health or safety of the animal is threatened, the officer shall immediately attempt to locate the vehicle owner or person otherwise responsible for the animal. If unable to locate the vehicle owner or the person otherwise responsible for the animal within a reasonable time, the officer may use whatever means reasonably necessary to enter the vehicle to provide ventilation or to remove the animal from the vehicle. No animal control officer or a police officer shall be liable for any damages resulting from the rescue of an animal when the officer is acting in accordance with this subsection.
- ~~D. F.~~ No person shall ~~establish or promote as an exhibition or~~ cause, promote or permit any dogfight, cockfight, bullfight or other combat between animals nor keep or train any ~~bird, dog or other~~ animal with the intent of engaging or using the animal in an exhibition of fighting. ~~Animals so kept or trained by persons violating this provision are subject to penalties set out in Wyo. Stat. Section 6-3-203(e).~~
- ~~E. G.~~ No person shall permit, induce or encourage any animal to perform through the use of chemical, mechanical, electrical or manual devices in a manner likely to cause physical injury, suffering or trauma to the animal.
- ~~F. H.~~ No ~~Except as otherwise authorized under this title, no~~ person shall ~~wilfully intentionally~~ kill, maim, poison, inhumanely trap, or disfigure any ~~domestic or wild~~ animal, ~~except as provided for in this title, or administer poison or cause to be ingested any~~ In addition, no person shall cause an animal to ingest a foreign object to any animal or expose an animal to any poisonous substance with the intent that it will be taken by the animal, except pests of public health importance or vermin within a dwelling unit.
- I. Animal control officers and police officers ~~have the authority shall be authorized to kill or destroy~~ cause any ~~wild or domestic~~ animal ~~in order to be euthanized to~~ avoid an immediate physical threat or injury to a human beings being.

6.08.020 - Keeping or slaughtering of certain animals; ~~Restrictions~~ restrictions within city; exceptions.

- A. Except as provided by this section or otherwise provided ~~within in~~ this title, no person may keep or slaughter within the city any ~~cattle, cows, horses, swine, goats, ducks, geese, turkeys, guinea fowl, livestock, birds or~~ nonhuman primates. ~~or other livestock.~~
- ~~B. This section shall not apply in areas of the city zoned agricultural; to livestock brought into the city for purposes of being shipped out of the city; to animals brought into the city to receive veterinary care; to animals impounded within or on the grounds of any animal shelter facility designated by the city of Cheyenne to provide animal shelter or control services; or to goats that are being used for weed and pest control purposes by or through the weed and pest control division.~~
- ~~C. B. The prohibition against the~~ keeping of animals, ~~birds or fowl, otherwise prohibited by this section, may be allowed for~~ shall not apply to female chickens as provided under subsection (C) of this section, to goats used for weed and pest control purposes in accordance with subsection (F) of this section, or to properly licensed and permitted rodeos, fairs, circuses, carnivals, parades and other public exhibitions or entertainment events. ~~;~~ provided, that the proper licenses and permits for the event have been obtained from the city. Persons desiring to use goats for weed and pest control purposes per subsection B of this section must also obtain proper licenses and permits.
- ~~D. C. Chickens may be kept on any eligible lot, as defined in subsection (D)(3), of this section. It shall be unlawful to keep, possess or otherwise maintain live male chickens anywhere in the city of Cheyenne. Notwithstanding, the keeping, possessing or maintaining of live female chickens within the city of Cheyenne shall be permitted in accordance with subsection (D) of this section and~~ subject to the following requirements: ~~and all other applicable provisions of this chapter:~~
- ~~1. It shall be unlawful to keep, possess, or maintain live roosters (male chickens) anywhere in the city. Only live hens (female chickens) may be kept, and all references herein to chickens or poultry shall mean hens only. The keeping, possession or maintaining of a female chicken shall be permitted under this section only when kept, possessed or otherwise maintained upon an eligible lot. Every female chicken shall be clipped to prevent the chicken from escaping from the eligible lot. It shall be unlawful to possess, keep or maintain chickens in a dwelling unit of any kind;~~
 2. It shall be unlawful to keep, possess or otherwise maintain a combined total of more than six ~~hens (6) female chickens~~ on any eligible lot within the city.;
 3. ~~For the purposes of this chapter, the term "eligible lot" is defined as any lot that contains no more than one detached single family residential dwelling unit that is occupied as a personal residence by at least one adult who shall be responsible for compliance with the provisions of this chapter. An "eligible lot" may also include an accessory dwelling unit approved under the Unified Development Code. During daylight hours, every~~

female chicken shall have access to a coop as provided by paragraph (4) of this subsection and to a pen surrounding the coop. The pen shall be totally enclosed to prevent escape and to protect the chickens from predators. Female chickens shall be enclosed within the coop each night from sundown to sunrise;

4. ~~Chickens must~~ Female chickens shall be confined within a covered, predator-resistant coop, ~~including that has~~ predator-resistant roofing and flooring, which shall be located in the backyard ~~(rear)~~ or rear portion of the eligible lot. The coop ~~must~~ shall be adequately ventilated and easily accessed, ~~cleaned,~~ and otherwise maintained. ~~The coop must and shall provide for at least three (3) square feet of space for each hen.~~ female chicken. The coop and pen shall be routinely cleaned and maintained to avoid attracting excessive insects or vermin or otherwise becoming a nuisance. The coop ~~must~~ shall further comply with Section 6.08.140 of this chapter, with all applicable provisions of ~~Title 8 and Title~~ Titles 8 and 15 of the ~~Cheyenne City Code~~ city code and with applicable provisions of the Unified Development Code. No coop shall have an enclosed floor space exceeding sixty (60) square feet, and no portion of any coop or pen shall exceed a height of seven (7) feet from the ground surface at any point;
5. ~~During daylight hours, each chicken must have access to the coop and to a pen surrounding the coop that shall be totally enclosed to prevent escape and to protect the chickens from predators. Chickens must be enclosed within the coop each day from sundown to sunrise on the following day.~~
6. ~~5.~~ During daylight hours, female chickens may be permitted to roam outside the pen, ~~described in subsection 4 of~~ required under this section, and within the backyard or rear portion of the eligible lot, ~~so long as~~ A female chicken may only roam in a backyard if they are confined within an area enclosed by a solid fence not less than six (6) feet in height. ~~Any such fence must comply~~ which fence shall comply with applicable requirements of the Unified Development Code. ~~The chickens' wings shall be clipped to prevent them from escaping over the fence.~~
7. ~~6.~~ It is unlawful for any ~~chickens~~ female chicken to be at large, ~~as defined in Section 6.04.020~~ Any chickens and any female chicken found at large may be ~~taken into possession and~~ impounded by the animal control authority. ~~defined in Section 6.04.020 of this chapter.~~ Any ~~chickens~~ female chicken not reclaimed within two (2) business days may be euthanized;
8. ~~The coop and pen must be cleaned and maintained such that the coop and pen do not become a nuisance or attract excessive insects or vermin. Chicken waste, including unharvested eggs, is subject to the requirements of Section 6.08.140 of this chapter.~~
9. ~~7.~~ Chickens Female chickens shall be provided with sufficient potable liquid water at all times. Chicken feed shall be stored in secured containers to prevent access by mice, rats, and other vermin;

~~10. It shall be unlawful to possess, keep or maintain live chickens in a dwelling unit of any kind.~~

8. No female chicken may be killed within the city by or at the direction of the owner or keeper thereof, except pursuant to a lawful order of the state or county health officer, for the purpose of euthanasia when surrendered to a licensed veterinarian or as otherwise expressly permitted by law; and

9. The carcass of a deceased female chicken shall be disposed of in accordance with Section 6.08.130 of this chapter.

D. In addition to the requirements imposed under subsection (C) of this section, the keeping, possession or maintaining of a female chicken upon an eligible lot shall be subject to the following:

~~a.—1.~~ 1. All lot owners, ~~(including any purchaser under a contract for deed,)~~ and all adult residents of the eligible lot, including those residing in any accessory dwelling unit on the same lot, ~~must~~ shall consent in writing to keeping female chickens on the eligible lot. ~~The consent of an individual lot owner or adult resident~~ Consent under this paragraph shall be effective and may be revoked in the same manner as ~~described~~ specified in ~~subsection (10)(e),~~ paragraph (3) of this ~~section.~~ subsection;

~~b.—2.~~ 2. No ~~chickens~~ female chicken may be kept on an eligible lot unless all owners and all adult residents of adjacent lots consent in writing. ~~For the purposes of the consent requirement of this paragraph, an~~ As used in this paragraph, "adjacent lot" means any lot that touches an eligible lot at any point, including corner to corner touching. A lot separated from the eligible lot only by an easement that does not provide for public vehicular, bicycle or pedestrian access, ~~is~~ shall be deemed ~~to be~~ an adjacent lot for the purposes of the consent requirement of this paragraph. In addition, rights-of-way and other public access areas that are adjacent to an eligible lot and that may be lawfully used for public vehicular, bicycle or pedestrian access, including but not limited to streets, alleys, sidewalks, greenways, parks, plazas, parking facilities and playgrounds shall not be considered to be adjacent lots, provided however, that no portion of a coop or pen may be located within six (6) feet of an adjacent right-of-way or other public access area; and

~~e.—3.~~ 3. The consent of an adjacent owner or an adult resident shall be irrevocable for a period of one hundred eighty (180) days from the date consent is given in writing. After the expiration of one hundred eighty (180) days, ~~an~~ the consent provided by an adjacent lot owner or adult resident may ~~revoke consent~~ be revoked by providing ~~a~~ written notice of revocation to the record owner(s) of the eligible lot and to any person keeping female chickens on the eligible lot that was the subject of the original consent. Upon receiving written notice of the revocation of consent ~~from any adjacent owner or adult resident,~~ under this paragraph, the owners and occupants of the eligible lot shall have sixty (60) days to remove all female chickens.

- ~~d. Rights of way and other public access areas that may be lawfully used for public vehicular, bicycle or pedestrian access (e.g. streets, alleys, sidewalks, greenways, parks, plazas, parking facilities, and playgrounds) that are adjacent to an eligible lot shall not be considered to be adjacent properties for the purposes of the consent requirement of subsection (10)(b), of this section, provided however, that no portion of a coop or pen may be located within six feet of an adjacent right of way or other public access area.~~
- ~~11. This section does not supersede or affect the validity or enforceability of private lot restrictions, restrictive covenants, home owners' association agreements, or any other agreement or arrangement that may limit or prohibit the keeping of chickens.~~
- ~~12. Chickens may not be killed within the city by or at the direction of the owner or keeper thereof, except pursuant to the lawful order of state or county health officials, or for the purpose of euthanasia when surrendered to a licensed veterinarian for such purpose, or as otherwise expressly permitted by law.~~
- ~~13. The carcass of a dead chicken must be disposed of in accordance with Section 6.08.130 of this chapter.~~
- ~~14. This section does not exempt any person from compliance with the provisions of Title 6 of the Cheyenne City Code. This section shall be enforced pursuant to Section 6.04.040 of this title.~~
- E. This section shall not supersede or affect the validity or enforceability of private lot restrictions, restrictive covenants, homeowners' association agreements or any other agreement or arrangement that may limit or prohibit the keeping of female chickens.
- F. This section shall not apply in areas of the city zoned agricultural, to livestock brought into the city for purposes of being shipped out of the city, to animals brought into the city to receive veterinary care, to animals impounded within or on the grounds of any animal shelter facility designated by the City of Cheyenne or to goats that are properly permitted and contracted by the City of Cheyenne for weed and pest control purposes.
- ~~E.~~ G. The city/county health officer may issue an order prohibiting the keeping of any ~~animals, fowl or bird~~ animal which poses a health hazard to the general public pursuant to city ordinances, or state and federal laws pertaining to public health.
- H. As used in this section, "eligible lot" means any lot that contains no more than one (1) detached single family residential unit wherein at least one (1) adult person resides who shall be responsible for compliance with the provisions of this chapter. An "eligible lot" also includes an accessory dwelling unit approved under the Unified Development Code.

6.08.030 - Animals running at large prohibited.

~~A.~~ Except as otherwise provided by ~~subsections C, and D,~~ of this section, the owner of ~~an any~~ animal ~~must shall~~ keep the animal under restraint at all times; and not ~~permitting it allow~~ the animal to run at large except on the owner's property. ~~The owner of an animal found to be at large shall be responsible for any violation of this section. Upon conviction, the owner of any animal that is:~~ Any person violating this section shall be guilty of a misdemeanor and punishable as follows:

~~A. 1. Altered~~ For any animal that is altered or less than six ~~(6)~~ months of age ~~may the~~ owner shall be punished as follows:

~~1. a.~~ First offense: a fine of not less than fifty ~~dollar-dollars~~ (\$50.00); ~~fine;~~

~~2. b.~~ Second offense; within a twelve (12) month period: a fine of not less than seventy-five ~~dollar-dollars~~ (\$75.00). ~~fine. A~~ In addition, a second offense will within a twelve (12) month period shall result in the mandatory microchipping and identification of the animal at the expense of the owner. ~~Upon a second offense, the~~ The owner of the animal shall bear the burden of proof and cost regarding the animal's ~~alteration and~~ microchipping. Within ~~ten (10)~~ thirty (30) calendar days of redemption, the owner shall provide proof to the municipal court of ~~alteration~~ and microchipping identification through certification by a veterinarian or by the animal control authority; or

~~3. c.~~ Third ~~and or~~ subsequent offenses; within a twelve (12) month period: mandatory appearance in municipal court; and a fine of not less than one hundred ~~dollar-dollars~~ (\$100.00) ~~fine and up to a and not more than~~ seven hundred fifty ~~dollar-dollars~~ (\$750.00). ~~fine.~~

~~B. 2.~~ Unaltered and ~~For any animal that is unaltered or~~ more than six (6) months of age ~~may the~~ owner shall be punished as follows:

~~1. a.~~ First offense: A fine of not less than seventy-five ~~dollar-dollars~~ (\$75.00); ~~fine;~~

~~2. b.~~ Second offense; within a twelve (12) month period: A fine of not less than one hundred ~~dollar-dollars~~ (\$100.00). ~~fine. A~~ In addition, a second offense will within a twelve (12) month period shall result in the mandatory altering and microchipping of the animal at the expense of the owner. ~~Upon a second offense, the~~ The owner of the animal shall bear the burden of proof ~~and cost~~ regarding the animal's alteration and microchipping. Within ~~ten (10)~~ thirty (30) calendar days of redemption, the owner shall provide proof to the municipal court of alteration and microchipping identification through certification by a veterinarian or by the animal control authority; or

~~3.-c.~~ Third ~~and-or~~ subsequent ~~offenses,-~~offense within a twelve (12) month period: mandatory appearance in municipal court; and a fine of not less than a one hundred ~~dollar-~~dollars (\$100.00) ~~fine~~ and ~~up to a not more than~~ seven hundred fifty ~~dollar-~~dollars (\$750.00).~~fine.~~

B. Any person who fails to have their animal altered or microchipped as required under subsections (A) or (B) of this section shall be guilty of a misdemeanor punishable by a fine of not less than a one hundred dollars (\$100.00) and not more than seven hundred fifty dollars (\$750.00).

C. This section shall not apply to any:

1. Police service dog engaged in the line of duty;

2. ~~trained~~ Trained goose control ~~dogs-dog~~ under the direction and control of a city ~~employees-employee~~ or ~~contractors-contractor~~ in the performance of official goose control operations; ~~or to police service dogs engaged in the line of duty.~~

3. Community cat as defined by Section 6.04.020(A)(8) of this title; or

4. Goats used for weed and pest control purposes in accordance Section 6.08.020(F) of this title.

D. Service animals as defined ~~pursuant to-by~~ the Americans with Disabilities Act ~~must-shall~~ be ~~harnessed, leashed, or tethered, unless these devices-controlled by means of a tether.~~ This requirement shall not apply in circumstances where the tether will interfere with the service animal's work or the individual's disability prevents using ~~these devices.~~ In that case, a tether and the individual must-is able to maintain control of the animal through voice, signal, or other effective controls.

6.08.040 - Owning or keeping dangerous animals: penalties.

A. No person shall own, keep, harbor or allow to be upon any premises occupied by him or her or under his or her charge or control, any dangerous animal without having the animal properly secured and muzzled.~~"Dangerous animal" is defined in Section 6.04.020 as "any animal which constitutes a physical threat to human beings or other animals, or an animal when, unprovoked, bites or attacks a human being. A properly registered animal trained as a guard, sentry, or police dog may not be considered a dangerous animal."~~

B. Any person who violates this section shall be guilty of a misdemeanor punishable as provided by Section 1.24.010 of the city code. Upon conviction, ~~of any person violating this provision,~~ the municipal court may, ~~in addition to the general penalty provided by city code,~~ additionally order any ~~animal control officer or police officer to destroy such-the~~ dangerous animal be euthanized or may ban ~~it-the animal~~ from the city, and for that purpose, ~~any-the~~ officer charged with such duty shall have the right to enter upon any premises within the city.

6.08.050 - Selling of vertebrates.

- A. No live ~~animal, mammal,~~ reptile or bird younger than six (6) weeks ~~in of~~ age may be sold in quantities of less than one dozen to one purchaser.
- B. ~~Live animals, reptiles or birds~~ No live mammal, reptile or bird may ~~not~~ be given away as a prize for or as an inducement to enter a place of amusement, or used as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade or a pecuniary benefit.

6.08.060 - Keeping of wild animals.

No person shall own any wild or exotic animal ~~or exotic pet~~ within the city limits, except that this restriction ~~does shall~~ not apply to the keeping of small cagebirds or aquatic, amphibian or nonpoisonous reptilian animals or small rodents such as hamsters, guinea pigs or gerbils kept solely as pets. ~~nor~~ The prohibitions imposed under this section shall also not apply to any zoological garden, theatrical exhibit, circus, legally incorporated college, university or school.

6.08.070 - Disturbance of the peace.

No owner of ~~an any~~ animal within the city shall permit the animal to disturb the peace and quiet of any individual, family or neighborhood by allowing the animal to bark, whine, howl or make any other noise in an excessive, continuous or untimely fashion. ~~If an animal does so disturb the peace and quiet, its~~ Any owner who violates this subsection shall be ~~deemed~~ guilty of a ~~violation of this section when~~ misdemeanor upon a showing that the owner ~~receives~~ received a written warning from the city ~~of for~~ a previous ~~complaint~~ violation of this section at least ~~once one~~ (1) time within the preceding twelve (12) months.

6.08.090 - Quantity of animals.

- A. ~~Animals kept within a~~ No person shall keep more than four (4) dogs or more than four (4) cats in a single dwelling unit. ~~are not permitted in quantities of more than four adult animals per dwelling unit.~~ Any ~~dwelling unit or other property maintaining~~ person keeping more than four (4) dogs ~~is or more than four (4) cats in a single dwelling unit shall be~~ considered to be operating a kennel and the property must meet the applicable zoning requirements.
- B. ~~More~~ Notwithstanding the prohibitions imposed under subsection (A) of this section, a person may keep more than four (4) dogs or more than four (4) cats of the same litter ~~may be maintained on the premises~~ in a single dwelling unit until ~~attaining~~ the dogs or cats reach the age of four (4) months.

6.08.100 - Prohibited animals—~~General regulations.~~ generally.

~~The following animals shall not be brought into, kept, maintained, offered for sale or barter, or released within the city: poisonous~~ Poisonous or venomous biting or injecting species of

amphibian, arachnid or reptile, including snakes, shall not be brought into, kept, maintained, offered for sale or barter, or released within the city. This ~~restriction does section~~ shall not prohibit any educational facility, circus or other entertainment organization, ~~an educational facility, or the department of parks and recreation~~ from keeping ~~such an animal~~ an amphibian, arachnid or reptile where-when the ~~animal it~~ is securely and humanely confined.

6.08.110 - Public nuisance; ~~Unlawful.~~ unlawful.

No owner of an animal shall allow it to be or become a public nuisance. Owners violating this section shall be subject to the general penalty as provided ~~within this title or the general penalty provided by city code.~~ by Section 1.20.010 of the city code.

6.08.120 - Vehicular accidents with animals.

Any ~~motorist, while~~ person operating a vehicle, who hits a domestic animal with the vehicle shall immediately stop and ~~immediately~~ report the incident ~~either~~ to the animal's owner, or, in the event the owner cannot be ascertained and located, to the animal control authority or police department.

6.08.130 - Removal of dead animals required.

If an animal ~~dies within the city, its~~ is euthanized and the owner of the animal, or person in charge ~~must arrange for the animal to be buried at a location approved, in advance, of the animal, wants to bury the animal within the city, they shall obtain prior approval~~ by the animal control authority. If the owner or person having charge of the animal ~~neglects-fails~~ to ~~remove-dispose of~~ the ~~same-animal~~ within ten (10) hours of ~~an-the~~ animal's death, the animal control authority or police department ~~will-shall~~ arrange for removal at the expense of the owner or ~~persons-person~~ having charge of the animal. ~~such expense is recoverable by the city through civil action.~~ ~~Whenever the~~ If the animal's owner or person having charge of ~~a-the~~ dead animal cannot be found or ascertained, ~~it is the duty of~~ the animal control authority ~~to make arrangements~~ shall arrange for the removal and disposal of the animal.

6.08.140 - Animal wastes.

- A. ~~A-Any~~ person owning, keeping, possessing or harboring ~~any-an~~ animal ~~must-shall~~ promptly and in a sanitary manner remove and dispose of, ~~in a prompt and sanitary manner,~~ any feces left by the animal on any public property or on any private property not owned or lawfully occupied by ~~such-the~~ person owning, keeping, possessing or harboring the animal.
- B. An animal owner is responsible for keeping his or her property free and clear of animal waste to prevent potential harm to the public health, as determined by the city/county health officer, or his or her designee. If a determination is made that ~~a-potentially dangerous situation to-an owner has allowed the accumulation of animal waste to threaten~~ the public's health, ~~exists, a notice of violation may be issued.~~ an animal control officer may cite the owner of the animal for violation of this subsection.

C. This section ~~does~~shall not apply to:

1. ~~persons~~Any person utilizing a seeing-eye dog or to ~~persons~~any person physically handicapped to such a degree that they are incapable of compliance;~~:- or~~
2. Owners of animals participating in events for which a permit has been issued by the city clerk.

~~D. This section does not apply to owners of animals participating in events for which a permit has been issued by the city clerk.~~

6.08.150 – Housing or exhibiting animals.

Persons keeping or maintaining ~~poultry or animals according to~~any animal in accordance with Section ~~6.08.020(B) and (C)~~6.08.020 of this chapter ~~must~~shall keep the same under clean and sanitary conditions. Facilities for housing and confinement ~~must~~shall be thoroughly cleaned at least once every twenty-four (24) hours; or as otherwise directed by the city/county health officer. It ~~will~~shall be unlawful to permit refuse to remain uncovered or to permit any decaying food; or any refuse of any kind; to remain in the facility. The collection and disposition of refuse ~~will~~shall be in accordance with city ordinances~~;~~; ~~and it will be unlawful to permit refuse to remain uncovered.~~

~~6.08.160 – Carrying an animal on vehicle prohibited – Exception – Penalty – Definitions – Enforcement.~~

~~A. No person shall carry any animal upon the hood, fender, running board, or other external part of a vehicle or in the open bed of a pickup truck or other vehicle if the vehicle is being operated upon a public road or highway, unless the animal is protected by framework, carrier or other device sufficient to keep it from falling from the vehicle. This prohibition does not apply to livestock.~~

~~B. Any person who violates this section is guilty of a misdemeanor.~~

~~C. Definitions:~~

~~1. For purposes of this section, "vehicle" means any means of conveyance or travel which may be lawfully operated or parked upon any public or private way.~~

~~2. For purposes of this section, "animal" means and includes only living animals.~~

~~D. Enforcement. Any enforcement of this section requiring a traffic stop shall be enforced by the Cheyenne police department.~~

6.08.170 – Owning or keeping a biting animal prohibited; ~~—Penalty—Summary impoundment—Fees.~~ summary impoundment; penalty.

- A. Any person who owns, possesses, keeps or exercises control over any animal shall take all reasonable steps to prevent the animal from biting or causing ~~any~~ bodily injury to any person or domestic animal. ~~_, except that, this~~ This section shall not apply to bites inflicted by police service dogs in the line of duty, ~~nor~~ to owners bitten by their own dog, ~~nor~~ to bites inflicted on trespassers, ~~nor or~~ to bites inflicted as a result of accidental provocation.
- B. Any animal ~~which that~~ bites, attacks, or causes any bodily injury to a human being or domestic animal; may be summarily and immediately impounded for up to ten (10) days. ~~at the owner's expense.~~ Impoundment ~~is shall be~~ at the discretion of the animal control officer or police officer; who responded to the incident and who is trained in animal enforcement. ~~_, that responds as to whether the dog is impounded or not.~~ The owner shall be liable for paying the costs of impoundment. Any person failing to pay the required impoundment costs shall be guilty of a misdemeanor as provided by subsection (D) of this section. Any owner whose animal is impounded shall be afforded an opportunity for a municipal court hearing within not more than ten (10) days of impoundment upon proper application by the owner to the municipal court. Prior to court determination ~~of on~~ the animal's disposition, the animal shall be assessed to determine if it is rabid, dangerous, physically sound, or may otherwise pose any threat to the public health, safety and welfare. Assessment shall be at the owner's expense.
- C. Any ~~animal not claimed by the owner within forty-eight (48) hours,~~ owner failing to claim their impounded animal within forty-eight (48) hours of receiving notice in accordance with Section 6.20.020 of this title shall be deemed to have abandoned the animal. Any animal deemed abandoned under this subsection shall become property of the ~~city or its agent,~~ animal shelter and ~~will be~~ available for adoption to a suitable home, ~~or may be,~~ or by order of the municipal court, ~~humanely the animal shall be~~ euthanized. Owners of reclaimed animals shall be ~~subject to and pay a~~ responsible for paying any applicable reclamation fee charged by the animal shelter.
- D. Any person who violates this section shall be issued a must appear citation to municipal court and upon conviction, shall be ~~punished~~ guilty of a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00).

6.08.180 – Feeding geese and ducks prohibited.

- A. No person may feed, provide or give ~~any~~ food or any other edible item to any goose or duck, or to any gaggle of geese or flock of ducks, in or upon:
1. Any property owned by the city of Cheyenne within the city limits;
 2. Any park, golf course, ~~or~~ other recreation, open space, or public use area within the city limits which is operated by the city of Cheyenne; or

3. Any park, golf course, or other recreation, open space, or public use area within the city limits which is owned by the city of Cheyenne and operated by any third person or entity pursuant to a lease or other use agreement with the city of Cheyenne.
- B. Any person who violates ~~the provisions of~~ this section shall, ~~upon conviction, pay~~ be guilty of a misdemeanor, punishable by a fine of not less than ten dollars (\$10.00) and not more than twenty-five dollars (\$25.00), ~~together with court costs as may be assessed by the municipal court for convictions of other violations of the Cheyenne City Code for which a criminal penalty is provided.~~
- C. In lieu of a citation for a violation of this section, ~~a~~ an animal control officer or police officer may issue one (1) written warning to any person who has not previously been convicted of violating this section.
- D. No more than one (1) citation alleging a violation of this section may be issued to any one person in any twenty-four (24) hour period.

6.08.190 – Community cat initiative.

- A. The city of Cheyenne recognizes the need for innovation in addressing the issues presented by community cats. To that end, it recognizes that trap-neuter-return is the only effective and humane method to manage, and ~~over time~~, reduce the population of community cats. ~~Trap neuter return shall be permitted, and community~~ Community cat caregivers, animal welfare organizations, ~~city staff, and local veterinarians~~, animal control officers ~~are allowed~~ and other city staff shall be authorized to carry out trap-neuter-return. To qualify as a community cat under this section, each cat shall be ear tipped, altered and have received at least one (1) vaccination against rabies. This section shall not apply to pet cats.
- ~~B. An eartipped cat received by local shelters will be returned to the location where trapped unless veterinary care is required. A trapped eartipped cat will be released on site unless veterinary care is required.~~
- B. In accordance with the community cat initiative created by this section, the following actions shall be permitted in Cheyenne in conjunction with trap-neuter-return:
 1. Trapping, for the sole purpose of altering, vaccinating for rabies and ear-tipping community cats under the supervision of a licensed veterinarian;
 2. After receiving any necessary veterinary care, an ear tipped community cat received by the animal shelter or other certified professional may be returned to the location where the cat was originally trapped; and
 - ~~C.~~ 3. Community cat caregivers are empowered ~~authorized~~ to reclaim impounded community cats without proof of ownership solely for the purpose of carrying out trap-neuter-return and/or returning ear tipped community cats to their original locations.

- C. In caring for any community cats under this section, every community cat caregiver shall provide the cats with the proper quantity of food for the number of cats, and in appropriate food containers, and discard any food containers on a daily basis. A community cat caregiver may only feed community cats on the caregiver's property or on city, county, state or federal property with the appropriate government entity's written permission.
- D. Community cats shall be exempt from any licensing, stray, abandonment and at-large provisions of this title.
- E. A person who returns a community cat to its original location while conducting trap-neuter-return or shelter-neuter-return shall not be deemed to have abandoned the cat in violation of Section 6.08.010 of this chapter.

6.08.200 – Keeping of bees.

All bees within the city are declared a nuisance except for apiaries kept in strict compliance with the Wyoming Agriculture Act, Wyo. Stat. Sections W.S. 11-7-130 through 11-7-407, as amended. Persons Any person keeping bees within the city shall provide certification of compliance with the above mentioned statutes Wyoming Agriculture Act to the city compliance department upon request. If certification is not provided, the city compliance department may declare the presence of bees as a nuisance and require the abatement thereof.

Chapter 6.12 – ~~PET REGISTRATION~~ RABIES CERTIFICATION

6.12.010 Pet registration.

- ~~A. A person owning, keeping, harboring, or having custody of a pet four months of age or older shall register their pet annually with the animal control authority either through a local veterinarian, or at the office of the animal control authority. Registration requires that the pet owner provide a current and valid rabies vaccination certificate to their local veterinarian, or to the local animal control authority if their pet is not seen by a local veterinarian. The rabies vaccination certificate constitutes the registration form, and registration is considered complete when a copy has been received at the office of the animal control authority. The owner of a pet will be presumed to be the individual listed as the owner on the rabies vaccination certificate.~~
- ~~B. Local veterinarians practicing within the city limits of Cheyenne shall provide a current rabies vaccination/registration listing to the office of the animal control authority each month.~~
- ~~C. The animal control authority may require an annual registration fee of not more than fifteen dollars (\$15.00) for an altered animal and twenty five dollars (\$25.00) for an unaltered animal. Fees collected for the purpose of registration will be put towards the up keep of the animal control facility providing necessary equipment for animal control duties, and/or to cover the costs of boarding animals.~~

**6.12.020 – ~~Rabies /registration~~ Annual rabies tag; ~~Rabies rabies~~ vaccination certificate;—
Renewal renewal of annual rabies/~~registration~~ ~~rabies~~ tags and rabies vaccination certificates.**

A. Rabies/~~Registration~~ Tag.

1. The rabies/~~registration~~ tag issued by a veterinarian at the time of rabies vaccination, ~~is shall be~~ valid for one (1) year from the date of vaccination, ~~and serves—shall serve~~ as proof of current rabies vaccination, ~~and, if issued by a local veterinarian, serves as proof of current annual registration for Cheyenne/Laramie County. The Each~~ pet owner ~~must—shall~~ obtain a current rabies/~~registration~~ tag annually, from the date of last vaccination, regardless of whether the most recent vaccination was a one (1) year or three (3) year vaccination.
2. The rabies/~~registration~~ tag shall be displayed on a collar, harness or ~~chain—tether~~ attached to the pet. No person, other than the owner, ~~or an animal control officer, or animal shelter staff~~ shall remove the collar, harness, ~~chain—tether~~ or rabies/~~registration~~ tag from a pet. The rabies/~~registration~~ tag ~~is—shall~~ only ~~be~~ valid for the animal for which it was issued.

B. Rabies Vaccination Certificate.

1. The rabies vaccination certificate received at the time a pet is vaccinated ~~provides—shall~~ constitute proof of vaccination should the current rabies/~~registration~~ tag be lost, ~~allows~~ The rabies vaccination certificate shall allow for the re-issuance of a lost ~~or destroyed~~ tag without re-vaccination, ~~and provides—shall constitute~~ proof and viability of three (3) year vaccinations for the issuance of annual rabies/~~registration~~ tag.
2. New rabies vaccination certificates ~~will—shall~~ only be issued when a vaccination is administered or when a rabies vaccination certificate is lost or destroyed, in which case the owner ~~must—shall have the pet re-vaccinated or~~ return to the original vaccinating veterinarian for a replacement certificate, ~~or have the pet re-vaccinated.~~

C. Renewal of Annual Rabies/~~Registration~~ Tags and Rabies Vaccination Certificates. If a pet's most recent rabies vaccination was a one (1) year vaccination the pet ~~must—shall~~ be re-vaccinated in order to obtain the following ~~years—year's~~ rabies/~~registration~~ tag and a new rabies vaccination certificate. If a pet's most recent rabies vaccination was a three (3) year vaccination, the owner shall provide the most recent vaccination certificate indicating that ~~a—the~~ three (3) year vaccination was administered and that the vaccination has, ~~at a minimum,~~ not less than one (1) year of viability remaining. When a three (3) year vaccination is renewed without a vaccination, only a new rabies/~~registration~~ tag ~~will—shall~~ be issued. To renew a rabies/~~registration~~ tag for a still viable three (3) year vaccination, the owner ~~must—shall~~ either return to the veterinarian who administered the most recent vaccination or ~~visit a different—employ another~~ veterinarian with whom the owner has established a client/doctor relationship.

6.12.030 – Record.

The animal control authority shall maintain a public record of all pets ~~registered~~ that have been vaccinated in accordance with this title.

Chapter 6.16 – RABIES CONTROL

6.16.010 – Exemptions.

- A. Hospitals, clinics and other premises operated by a ~~licensed~~ local veterinarian for animal care and treatment are exempt from the provisions of this title pertaining to rabies control, except where expressly stated otherwise.
- B. A letter of exemption from vaccination may be submitted in lieu of certification if a medical reason exists that precludes vaccination of a pet. Qualifying letters shall be in the form of a written statement, signed by a licensed veterinarian, that includes a description of the pet and the medical reason that precludes vaccination. If the medical reason is temporary, the letter shall indicate a time of expiration of the exemption. A pet exempted under this subsection shall be considered unvaccinated for the purposes of Section 6.16.030 of this chapter in the case of an exempted pet's exposure to a suspected or confirmed rabid animal.

6.16.020 – Rabies vaccination required.

- A. All pets four (4) months of age or older, shall be vaccinated against rabies. All pets vaccinated for the first time ~~at four months of age or older~~ in accordance with this section shall receive a booster vaccination one (1) year after the first vaccination. Beginning with, and including, the booster vaccination, all pets shall be vaccinated, at a minimum, once every three (3) years. ~~It is at the discretion of the~~ The pet owner shall have the discretion as to whether to vaccinate for rabies every year or every three (3) years; ~~however,~~ Notwithstanding, it is recommended that owners, in consultation with their veterinarians, decide upon an individualized vaccination schedule taking into consideration the pet's health, lifestyle and risk of exposure.
- B. If any pet does not have a current rabies/~~registration~~ tag affixed to its collar, harness or ~~chain, tether,~~ there shall be a rebuttable presumption that the pet's owner ~~will be presumed to have violated the provisions of this title.~~ failed to have their pet vaccinated as required under this section.

C. Vaccination Exemption.

- ~~1. A letter of exemption from vaccination may be submitted for registration, if a medical reason exists that precludes vaccination of a pet. Qualifying letters must be in the form of a written statement, signed by a licensed veterinarian, that includes a description of the pet, and the medical reason that precludes vaccination. If the medical reason is temporary, the letter shall indicate a time of expiration of the exemption.~~

- ~~2. A pet exempted under subsection (C)(1) of this section shall be considered unvaccinated for the purposes of Section 6.16.030, in the case of an exempted pet's exposure to a suspected or confirmed rabid animal.~~

6.16.030 – Reporting animal bites; ~~Rabies~~ rabies quarantine.

- A. Any person who knows that an animal has bitten a human being shall immediately report the incident to the animal control authority or police department, together with the name and address of the person bitten, if known.
- B. If an animal is suspected of having rabies or if an animal has bitten a person, the animal ~~must~~ shall be confined for a period of ~~at least~~ not less than ten (10) days by ~~a leash, chain means of a tether~~ or cage at the animal shelter, veterinary hospital or at a location approved by the animal control authority, city/county health officer, or their designee, or ~~destroyed euthanized~~ with the animal's corpse submitted to an approved laboratory for rabies analysis. Only rabies vaccinated personnel or previously exposed animals, owners or family members shall be permitted to interact with the quarantined animal. Notwithstanding, animal shelter staff shall not be required to be vaccinated when the shelter is otherwise being operated in accordance with best industry practices.
- C. No animal held for observation on suspicion of rabies ~~will~~ shall be released until the observation period is over. Upon proof of current rabies vaccination, the animal may be released into quarantine at the owner's residence at the discretion of the animal control authority.
- D. If an animal has been bitten by another animal suspected of having rabies, the owner of the bitten animal ~~must~~ shall report the incident to the animal control authority or the police department.
- E. The animal control authority may remove an animal suspected of rabies, or of being exposed to rabies, from the owner's premises to a veterinary hospital, ~~at the owner's expense to be paid in advance~~, for observation during the standard incubation period established by the State Health Department for the particular species of animal. The owner shall bear the expense of removal, which shall be paid by the owner before the animal's removal. Upon proof of previous vaccination, within the time limits generally accepted in the field of veterinary medicine and upon the approval of the animal control authority, re-vaccination and restraint of the animal shall be sufficient. Notwithstanding, the owner may elect to have the animal destroyed euthanized. Upon proof of previous vaccination, within time limits generally accepted in the field of veterinary medicine, re-vaccination and restraint shall, in the discretion of the animal control authority, be sufficient.

6.16.040 – ~~Destruction~~ Euthanasia and disposal procedures.

- A. The following procedures ~~will~~ shall be followed if an animal is found to be rabid or if it ~~can not~~ cannot be established whether ~~it~~ the animal has rabies:

- ~~A.1.~~ If a standard incubation period has not been established by the ~~State Department of Health~~ Wyoming department of health for the particular species of animal being placed under observation, the animal ~~will shall~~ be ~~destroyed in a humane fashion~~ euthanized. If the animal was involved with another animal or human being, a necropsy ~~will shall~~ be performed by a certified laboratory to determine rabies contamination~~;~~
- ~~B.2.~~ If rabies is ascertained in any animal, the animal ~~will shall~~ be ~~destroyed in a humane fashion~~ euthanized. No person shall ~~destroy~~ euthanize or cause to be ~~destroyed~~ euthanized any rabid animal suspected of having been exposed to rabies, or any animal biting a human being, except as provided herein, nor remove the animal from the city limits without written permission from the animal control authority~~;~~
- ~~C.3.~~ When rabies is diagnosed in an animal under quarantine, or when an animal dies or is ~~destroyed~~ euthanized while under observation for suspected rabies, the animal control authority ~~will shall~~ immediately send the head of the animal to the ~~State Health Department~~ Wyoming state veterinary laboratory for pathological examination~~;~~ ~~and will~~ The animal control authority shall also notify the proper public health officer of reports of human contacts and the diagnosis~~;~~
- ~~D.4.~~ The carcass of any dead animal exposed to rabies shall, upon demand, be surrendered to the animal control authority~~;~~ and
- ~~E.5.~~ Upon demand of the animal control authority, an owner shall surrender any animal ~~which that~~ has bitten a human being, or ~~which that~~ is suspected of having been exposed to rabies~~;~~ for supervised quarantine, the expense of which ~~will shall~~ be borne by the owner. The animal may be reclaimed by the owner if it is adjudged free of rabies~~;~~ and upon payment of any applicable fees~~;~~ ~~determined by the governing body from time to time by resolution.~~

6.16.050 – Quarantine~~;~~ Restrictions restrictions.

- A. If an animal under quarantine or observation is positively diagnosed with rabies, the animal control authority may order a quarantine of all animals located in such geographic area within the city deemed necessary for a period ~~not to exceed~~ of not more than sixty (60) days. During the quarantine period ~~established for a quarantine~~ no ~~pet~~ animal ~~may shall~~ be taken~~;~~ or permitted to be at large~~;~~ on any street or any public place within the quarantined area~~;~~ or taken or shipped from or into the quarantine area without permission of the animal control authority. ~~In the event that~~ If additional cases of rabies occur during the quarantine period, the ~~time frame~~ length of the quarantine may be extended as determined by the animal control authority.
- B. During the quarantine period and as long afterward as deemed necessary to prevent the spread of rabies, the animal control authority may require that all animals three (3) months of age or older within the quarantine area be vaccinated against rabies. All vaccinated animals shall be kept under restraint for thirty (30) days after vaccination. During the quarantine period, the animal control authority is authorized to provide for a program of

mass immunization by the establishment of temporary emergency canine rabies vaccination clinics.

- C. No animal ~~which~~that has been impounded by reason of ~~its~~the animal being a stray and unclaimed by an owner; may be adopted from the animal shelter during the ~~period of time~~that the animal is subject to a rabies quarantine, except by special authorization of the animal control authority.
- D. Licensed veterinarians ~~must~~shall have the affirmative duty to report any animal ~~considered to be a~~suspected of contracting rabies ~~suspect~~ to the animal control authority.

Chapter 6.20 – IMPOUNDMENT

6.20.010 – Designation of animal shelter.

~~The city may, by~~ By resolution, ~~contract or other agreement, the governing body may~~ designate or operate animal shelter facilities for the holding of animals, ~~including dogs and cats,~~ and may enter into one or more cooperative agreements with other jurisdictions for the operation of animal shelter facilities. All ~~such animal shelter~~ facilities designated or operated in accordance with this section shall be exempt from the requirements of ~~Title 6~~this title to the extent that such requirements would otherwise limit the proper use, maintenance or operation of such facilities for animal shelter or control purposes.

6.20.020 – Animal impoundment.

- A. ~~At~~Any animal that is at large, maltreated, ~~rabid,~~ dangerous ~~and/or or that constitutes a~~ public nuisance ~~animals~~ may be taken by animal control authorities and impounded in an animal shelter; or confined in a humane manner in accordance with the Association of Shelter Veterinarians guidelines for standards of care in animal shelters. Animals that are at large ~~which~~and that are not maltreated, rabid or dangerous and which are wearing current rabies tags or have another reliable means of identifying the animal's purported owner may be returned to the owner upon proof of ownership and payment of any associated fees. ~~The owner may be issued a citation for a violation of this title.~~ Community cats shall not be impounded ~~merely~~ for only being at large.
- B. Impounded animals ~~which~~that are seriously injured or ill and which have no current rabies tag may be ~~destroyed~~ euthanized.
- C. If ~~the animal~~an animal is seriously injured or ill and is wearing a current rabies identification tag or another means of identifying the pet's purported owner, the animal control authority shall make a diligent and reasonable effort to locate and inform the owner will be made of the animal. If the owner ~~is unable to~~cannot be located, the animal may, upon recommendation of a veterinarian, be ~~destroyed~~ euthanized.
- D. Notice of impoundment of an animal wearing a current ~~registration or~~ rabies tag or other identification ~~will~~shall be provided or attempted to be provided to the owner of the animal

~~by the animal control authority~~ within thirty-six (36) hours of impoundment. ~~by the animal control authority to the owner~~ Notice shall be provided either by telephone or in person at the address noted on the ~~registration, rabies or other associated owner identification or rabies document.~~ documentation. When notice cannot be made to an owner within thirty-six (36) hours of impoundment, or when the animal is unidentified, written notice by the animal control authority ~~will~~ shall be posted at the animal shelter within twelve (12) hours of impoundment, ~~giving which notice shall provide~~ a summary description of the animal held. ~~Notice will be mailed to the owner's residence, if known.~~

- E. Any animal ~~for which the owner is not identified and that is~~ not claimed ~~by its owner~~ within ~~two working~~ three (3) calendar days ~~will of impoundment shall~~ become the property of the animal shelter, ~~and will be available for adoption in a suitable home, or humanely euthanized.~~ Any animal for which the owner has been identified and which has not been claimed within five (5) calendar days shall become the property of the animal shelter. This section shall not apply to any cat under the age of eight (8) weeks old and in the custody of an animal shelter. Any cat under the age of eight (8) weeks old and in the custody of an animal shelter shall be deemed abandoned and the property of the animal shelter.

6.20.030 - Release of impounded animals.

- A. ~~An~~ Before an owner ~~reclaiming may reclaim~~ an impounded animal ~~must from an animal shelter,~~ the owner shall pay ~~the following fees:~~ any fees or other charges imposed by the shelter.
- ~~1. Any altered animal: thirty five dollars (\$35.00);~~
 - ~~2. Any unaltered animal, initial owner reclaim: fifty five dollars (\$55.00);~~
 - ~~3. Subsequent reclaiming by owner of any unaltered animal, within a twelve (12) month period: minimum one hundred five dollars (\$105.00);~~
 - ~~4. Reduction of fee by five dollars if the animal is wearing a rabies or identification tag or other acceptable form of identification listing the owner's name and current address.~~
- B. ~~An~~ Any owner reclaiming an impounded animal for which the owner does not have a current rabies tag, shall prior to the animal's release, ~~must~~ submit proof of current rabies vaccination certificate for the animal issued by a licensed veterinarian, ~~or, in~~ In lieu thereof, of a vaccination certificate, the owner may ~~submit~~ remit to the animal shelter a cash deposit of twenty-five dollars (\$25.00), ~~with the animal shelter to which deposit shall~~ be refunded upon the owner submitting acceptable proof, within seventy-two (72) hours of vaccination and license. The owner of ~~an animal reclaimed is the reclaimed animal shall be~~ responsible for the cost of any and all vaccinations, ~~administered by the animal control authority.~~ Failure to comply may result in ~~reimpoundment~~ re-impoundment of the animal, forfeiture of the deposit, ~~and~~ or disposition of the animal in accordance with Section 6.20.040 of this chapter.

C. For the purposes of reclaiming an impounded animal from the animal shelter, ownership of the animal shall be established through application of the policies specified by the shelter, which policies shall take into account whether the purported owner possesses registration records, microchip documentation, adoption or purchase records, veterinarian records or pet insurance records for the impounded animal.

~~C.-D. Owners~~ The owner of any reclaimed impounded animal may, in addition to ~~the above any~~ fees imposed by the animal shelter, be subject to penalty as provided by this title or the city code.

~~D. Any owner reclaiming an impounded animal at the animal shelter must pay to the animal shelter a daily cost of care fee for boarding the animal.~~

6.20.040 - Disposition of unredeemed animals.

If an impounded animal is not claimed or redeemed from the animal shelter in the manner and time provided in this chapter, ~~it will the animal shall~~ become the property of the animal ~~control~~ authority shelter and ~~may be eligible for adoption either by the city or by another agency. If the animal is not adopted within five days, the animal may be destroyed.~~ available for adoption in a suitable home or humanely euthanized.

6.20.050 - ~~Sterilization.~~ Alteration.

~~A. Dogs and cats~~ Any dog or cat adopted from ~~the an~~ animal shelter ~~must shall~~ be ~~sterilized.~~ altered. If a ~~animal dog or cat~~ is not ~~sterilized altered~~ at the time of adoption, the ~~proposed owner must deposit twenty five dollars (\$25.00)~~ person adopting the dog or cat shall deposit with the ~~adopting agency animal shelter~~ an amount as specified by the shelter, which ~~will amount shall~~ be refunded upon submission of acceptable proof of ~~sterilization.~~ alteration. ~~The adopter must~~ To be eligible for the refund, the person adopting the dog or cat shall present the proof of ~~sterilization alteration~~ within sixty (60) days from adoption, ~~provided, however, the requirement will be waived upon presentation of a certificate from a licensed veterinarian stating the animal is too young for sterilization during the prescribed period. The certificate will state the earliest time the animal may safely be sterilized, at which time the animal will be sterilized and the adopter will present to the adopting agency said proof of sterilization.~~ Failure by the adopter Except as provided by subsection (B) of this section, any person adopting a dog or cat from the animal shelter who fails to submit proof of sterilization will be deemed a violation of this section, alteration as required under this subsection is guilty of a misdemeanor and punishable, upon conviction, of by a fine of not less than fifty dollars (\$50.00).

B. The alteration requirement imposed under subsection (A) of this section shall be waived upon presentation of a certificate from a licensed veterinarian stating the animal is too young for alteration during the prescribed period. The certificate shall state the earliest time the animal may safely be sterilized, at which time the animal shall be altered. The adopter shall present proof of alteration to the adopting agency not more than thirty (30) days after the animal is altered.

Section 2. Sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable. If any section, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or otherwise unlawful, such declaration shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases.

Section 3. This ordinance shall be in full force and effect upon approval and publication.

FIRST READING: _____

SECOND READING: _____

THIRD AND FINAL READING: _____

PATRICK COLLINS, MAYOR

(SEAL)

ATTEST:

KRISTINA F. JONES, CITY CLERK

Published: _____
Wyoming Tribune-Eagle