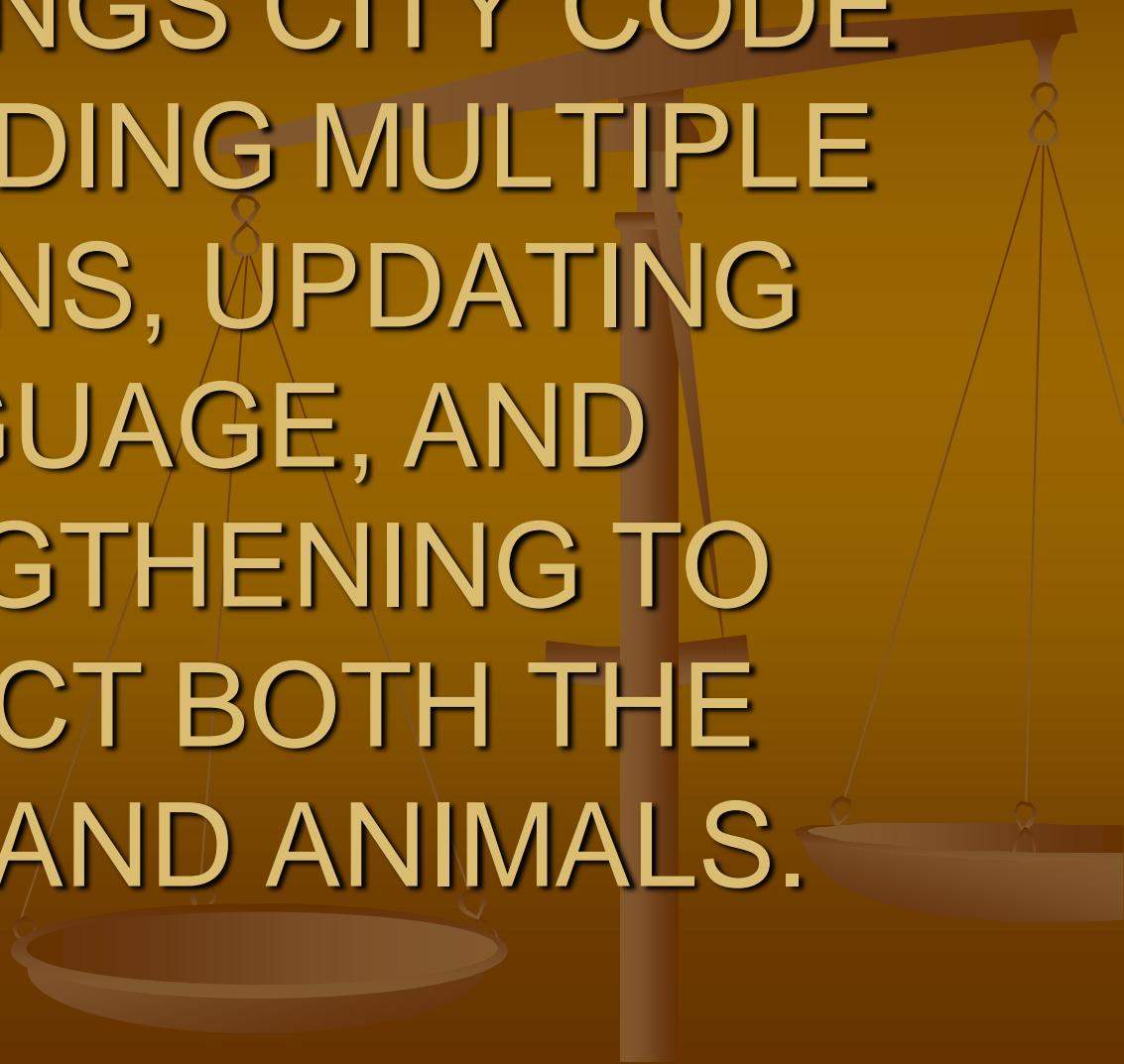


# AN ORDINANCE AMENDING THE BILLINGS CITY CODE BY AMENDING MULTIPLE SECTIONS, UPDATING LANGUAGE, AND STRENGTHENING TO PROTECT BOTH THE PUBLIC AND ANIMALS.



# ARTICLE 4-300. CARE, KEEPING AND SALE OF ANIMALS

## Section 4-301 Keeping of Wild Animals

- Removes outdated material
- Clarifies steps taken by Officer if owner refuses to remove animal from City Limits
- Clarifies wording that animal would be humanely euthanized if so ordered by the Court
- Removes age restriction for release

# 4-302 Swine and goats within city

- Changes zoning regulation reference to current regulation



# 4-308 Impoundment of abused, mistreated or neglected animals.

- Removes warden – replaces with Animal Control Officer
- Clarifies actions to be taken by law enforcement personnel.
- Places responsibility for costs associated with impoundment and care on responsible party.

# 4-309 Roadside and flea market sales.

- Includes wording for giving away of pets

# 4-310 Penalties

- Explains that animals impounded under section 4-308 would be subject to penalties under State Cruelty statutes
- Explains that violations of section 4-401 would be charged as a Criminal Offense under city code 1-110

# ARTICLE 4-400. DOGS, CATS AND SMALL ANIMALS

## DIVISION 1. GENERALLY

### Section 4-401 Definitions

- Removes definition of adult animal as no longer referenced in Ordinance
- Clarifies definition of Animal Shelter
- Clarifies definition of at large and under control of owner or trainer

# Dangerous Animal

- a) Specifies previously convicted of Potentially Dangerous
- b) More clearly defines actions by an animal to be considered a violation
- c) Allows for restrictions of convicted animals brought into the city from other jurisdictions

- Provides a definition of dwelling unit in reference to proposed changes to the Small Animal Permit section
- More clearly defines Foster Home
- Provides a definition of Keeper
- Provides that a person is an owner immediately upon making the decision to be responsible and obtaining an animal

- Provides a clearer definition of behaviors or actions of an animal to be declared Potentially Dangerous.
- Provides clearer definition of a Service Animal

# 4-402 Small Animal Permit

- Changes will require a permit for (4) four or more animals per dwelling unit
- Requires owner, animal, and vaccination history of all animals per dwelling unit

# 4-403 Female small animals

- Provides guidelines to Officers for impoundment if necessary
- Requires Court Order if person responsible fails to comply
- Allows for impoundment during oestral period for failure to comply

# Section 4-404 Noisy Animal

- Change will allow for investigating Officer to require additional witnesses should questionable or insufficient evidence be supplied by a complainant

# Section 4-405 Potentially Dangerous Behavior

- Places requirement of euthanasia when animal is involved in a fatal attack on a person
- Requires annual registration of a convicted Potentially Dangerous Behavior
- Requires secure containment of the animal
- Requires signs displaying the presence of a Potentially Dangerous Animal
- Requires identification by tattoo or microchip
- Requires Animal Control be notified if animal is lost, given away, loose, change of address or dies
- Requires annual inspection by an Animal Control Officer for compliance to restrictions.
- Provides for impoundment for failure to comply with restrictions

# 4-405.1 Quarantine - Rabies

- Removal of duplicated wording
- Allow for exceptions if authorized by State Veterinarian and Animal Control Division
- Requiring muzzling of service animals when off owners property while under rabies quarantine

# 4-405.5 Dangerous Animal

- Changes title from behavior to animal
- Requires impoundment until determination by court
- Requires court determination prior to euthanasia in fatality case
- Requires annual registration and inspection
- Strengthens enclosure requirements
- Increase to insurance limits
- Requires muzzle and identification leash/collar when off property
- Requires spay/neutering of animal if not previously done

# 4-405.7 Fee for registration of potentially dangerous and dangerous animal

- Establishes fee for registration of convicted potentially dangerous animal
- Requires registration annually for potentially and dangerous animal

# Complaint Statistics

- 2009
- 244 Bites
- 436 Complaints

- 2010
- 247 Bites
- 428 Complaints

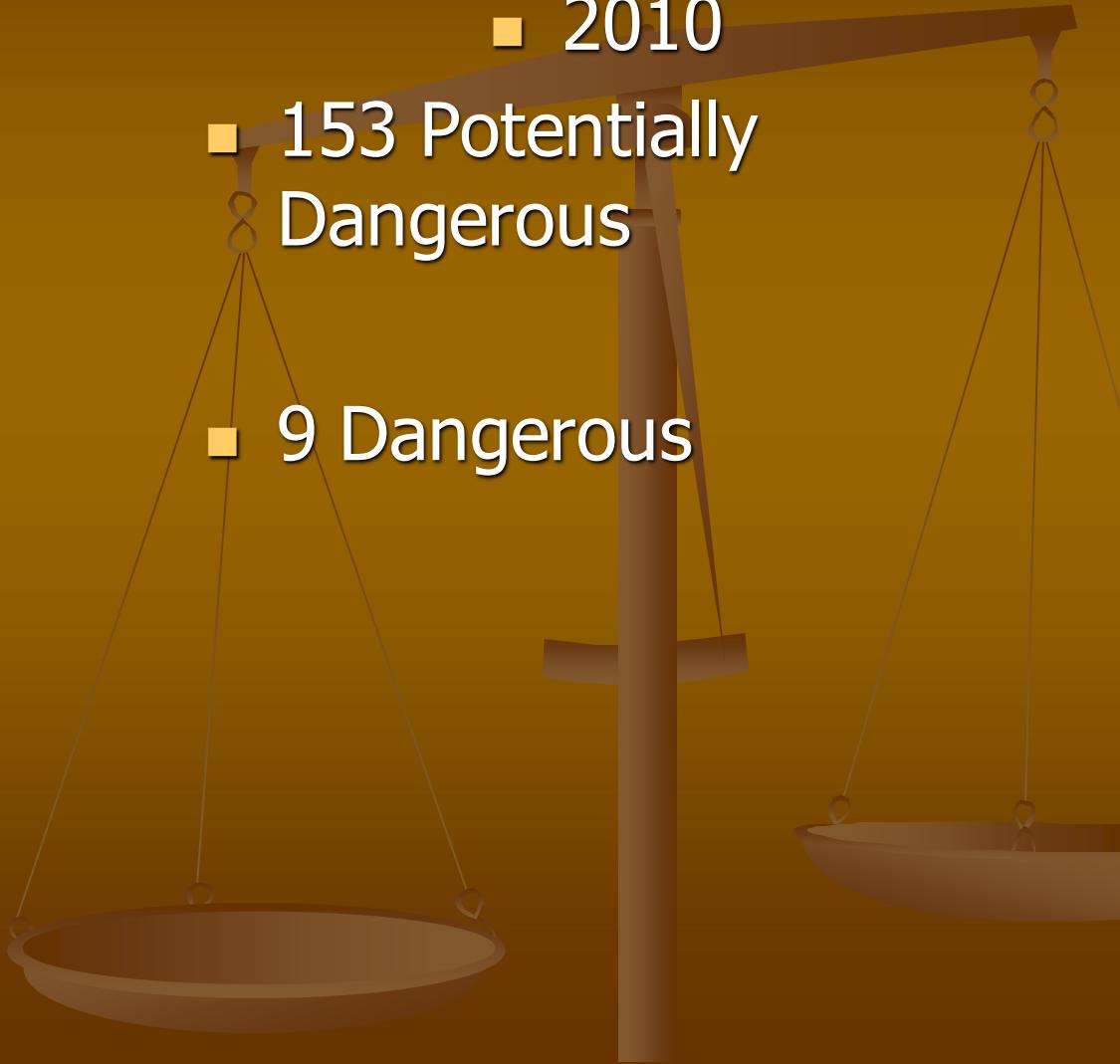


# Offenses Cited

- 2009
- 167 Potentially Dangerous
- 18 Dangerous

- 2010
- 153 Potentially Dangerous
- 9 Dangerous



# 4-406 Small animal at large

- Allows trained under positive voice control or command to participate in sanctioned obedience training
- Would require dogs on leash when off property unless participating in sanctioned obedience training

# 4-407 Small animals in city parks or public lands

- Includes public lands are part of this section
- Establishes exceptions for future dog park plans
- Allows Council by resolution to place restrictions on animals at public events on public lands
- Establishes civil penalties for violations

# 4-408 Loosing of animal(s)

- Removes strays from title and replaces with animal(s)
- More clearly defines what is a violation of this section
- Establishes violations as a civil infraction

# 4-410 Small animal owner's promise to appear

- Removes failure to appear as a misdemeanor and replaces as punishable by penalties as authorized by law.

# 4-431 Required

- Establishes requirement that animals placed in a home as a foster will require registration once in the home over (6) six months

# 4-432 Application

- As an application is no longer required to be filled out wording has been changed to reflect what the owner/licensee must provide at time of purchase

# 4-433 Proof of vaccination prerequisite

- Allows for proof of vaccination to be provided to the City or it's registration authority – in this case Yellowstone Valley Animal Shelter

# 4-434 Issuance

- As per contract, Yellowstone Valley Animal Shelter is responsible for administering registration of pets – changes reflect duties and authority of registration authority

# 4-435 Fees

- Changes allow authority to registration agents, registration authority, or City to be shown proof of age for senior citizen discount when purchasing are registration

# 4-437 Tags and collars

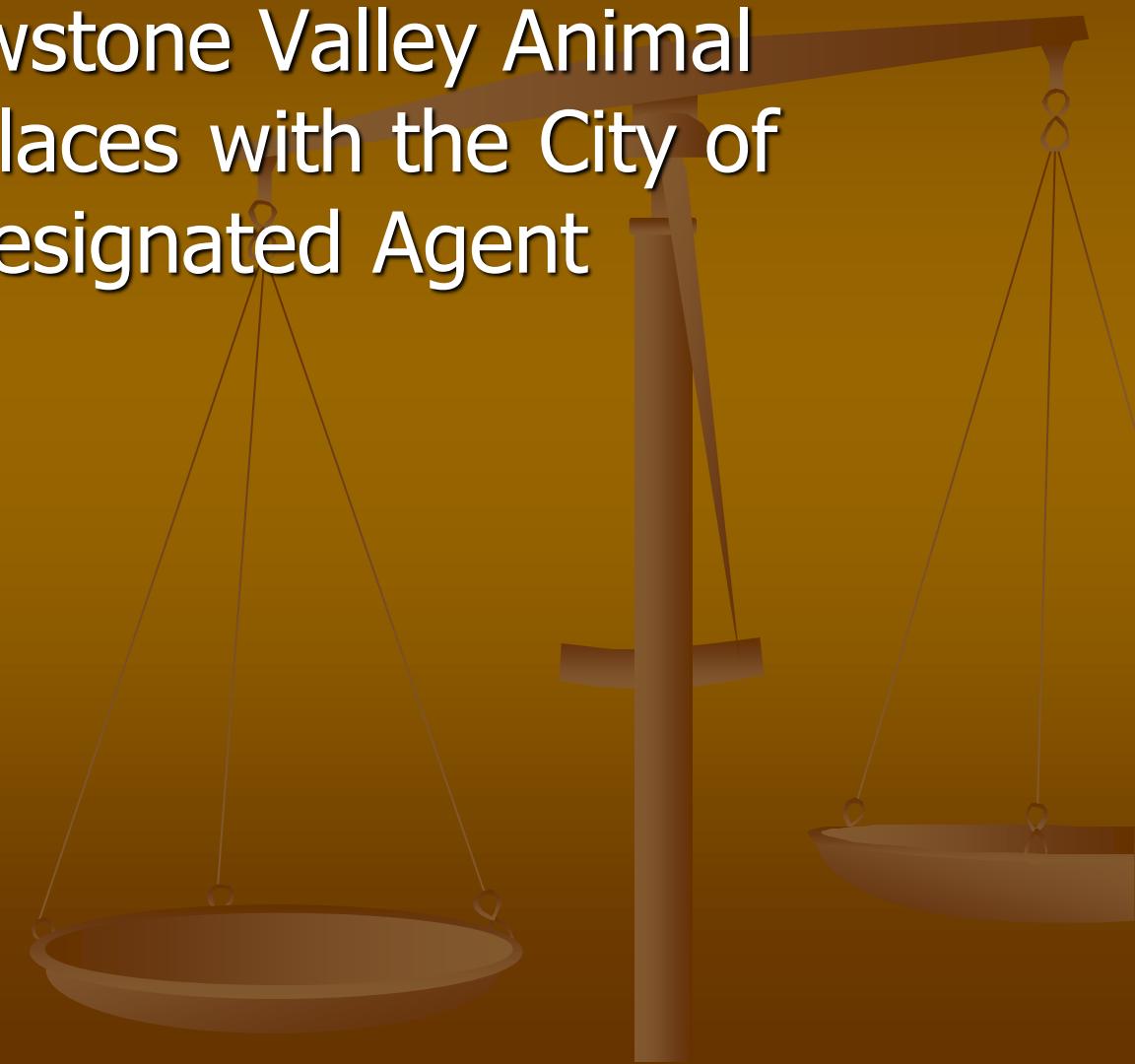
- Establishes authority of registration agents and registration authority to issue tags at time of purchase to those registering their animal

# 4-446 Animal Control Officer

- Clearly defines pay received as Animal Control Officer when or while working in that function

# 4-450 Disposition of unclaimed animals

- Removes Yellowstone Valley Animal Shelter and replaces with the City of Billings or it's designated Agent



# 4-454 Penalties

- Establishes violations of Sections 4-402 and 4-408 as Municipal infractions
- Establishes violations of Sections 4-405, 4-405.1, and 4-405.5 as misdemeanor infractions and subject to penalties specified in City Code 1-110
- Gives authority to court to place conditions on pet ownership including up to prohibition of ownership/custody for violations

# 4-500 Livestock

- 4-502 Penalties
- Establishes violations of Section 4-501  
Loose Livestock as a Municipal Infraction  
subject to civil penalties