

ORDINANCE NO. 135^a

INTRODUCED BY COMMISSIONER Geo. W. Kelly.

AN ORDINANCE TO AMEND ORDINANCE NUMBER 206 RELATING TO ANIMALS RUNNING AT LARGE WITHIN CERTAIN LIMITS OF THE CITY OF WARRENTON, AND FOR THE TAKING UP AND IMPOUNDING OF SUCH ANIMALS, AND THE SALE THEREOF, AND REPEALING ALL OTHER ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH AND PROVIDING THAT SECTIONS 3, 4, & 5 OF SAID ORDINANCE NUMBER 206 AS HEREIN AMENDED SHALL HEREAFTER APPLY TO ORDINANCE NUMBER 134A.

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That ordinance No. 206 of the City of Warrenton be and the same hereby is amended so as to read as follows:

Section 1. That no horse, mule, cow, cattle, sheep, swine, or goat, or other stock shall be allowed to run at large or to be hearded within or upon any of the improved streets of the City of Warrenton except such streets as are now inclosed or upon any street where any sidewalk has been laid.

Section 2. Any of the animals described in Section 1 of this ordinance found running at large within the limits of the City of Warrenton as hereinbefore described, may be taken up by the Chief of Police or any duly authorized officer appointed by him, or by any person and delivered to the Chief of Police and impounded or inclosed in a pound or inclosure to be provided for that purpose, and such animal shall be provided with proper care, food, and water while so impounded.

Section 3. The Chief of Police may, with the approval and consent of the City Commissioners, appoint a Pound Master whose duty it shall be to take all animals found running at large within the limits described in Section 1 of this ordinance and turn the same over to the Chief of Police and impound the same within the pound.

Section 4. That whenever any of the animals mentioned in Section 1 of this ordinance shall be taken up and impounded the Chief of Police shall give immediate notice of the taking up of such animal, with a description thereof, by the publication of one notice in a newspaper printed and published in the City

of Warrenton and of general circulation therein, and if any animal so taken up at the expiration of three days from the date of such notice still remain in the pound, the Chief of Police shall file a complaint with the Auditor and Police Judge, stating the place where the animal was found running at large, a description thereof, the fact that the notice of the taking of the same up has been given by publication, and that the animal still remains in the pound, and if, upon hearing the complaint, the Auditor and Police Judge shall find the facts stated therein to be true, and that the animal was taken up within the pound limits, he shall order the same sold by the Chief of Police at public auction upon giving notice of the time and place of the same by publication in one issue of a newspaper printed in the City of Warrenton, at least five days before the date of the sale. If the owner of the impounded animal is known and resides within the city limits, a copy of said complaint, with the notice of the time and place of hearing the same, shall be served upon the said owner prior to the hearing of the complaint, and if the owner be unknown or reside out of the city limits, the complaint shall state that fact. Upon the sale of any animal the Chief of Police shall deduct from the proceeds of the sale \$3.00 as a fee for taking up the animal and the further sum of \$1.50 per day for each day that the animal shall be impounded as expenses of keeping the same, and the costs of advertising, and shall pay the remainder to the Auditor and Police Judge to be held by him for the benefit of the owner of such animal. The Chief of Police, within five days from the time of sale of any animal, shall make a return and file the same with the Auditor and Police Judge, showing that due notice of the sale was given, that the animal was sold at public auction, the name of the purchaser and the amount paid therefor.

Section 5. The owner of any animal impounded may

take the same from the pound by paying the Chief of Police the sum of \$3.00 for taking the same up and the further sum of \$1.50 per day for each day that such animal shall be impounded, and the expense of advertising, PROVIDED, that such animal must be taken before sale thereof, as in this ordinance provided.

Section 6. The owner or person having charge of any animal described in Section 1 of this ordinance who shall suffer or allow the same to go at large, contrary to the provisions of this ordinance, shall upon conviction before the Auditor and Police Judge, be punished by a fine of not less than \$5.00 nor more than \$50.00, or by imprisonment in the City jail not to exceed twenty days, or both, at the discretion of the Police Judge.

Section 7. No person shall interfere with the Chief of Police or any other person when taking up an animal mentioned in Section 1 of this ordinance, within the limits therein mentioned, nor shall any person rescue or take any animal from the custody of the Chief of Police or Pound Master, or out of the pound, and any person violating the provisions of this section, upon conviction thereof before the Auditor and Police Judge, shall be punished by a fine of not less than \$5.00 nor more than \$50.00 or by imprisonment in the City jail not less than two or more than twenty days or by both such fine and imprisonment, at the discretion of the Auditor and Police Judge.

Section 8. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 2. Nothing herein shall be construed to repeal Ordinance Number 134A or any part thereof, and after the passage of this ordinance amending Ordinance Number 206, Sections 3, 4, & 5 of Ordinance Number 206 as herein amended shall hereafter apply to Ordinance Number 134A in so far as Sections 3, 4, & 5 of Ordinance Number 206 has been made a part of said Ordinance Number 134A.

Passed by the City Commissioners this 6th day of
August 1929.

Approved by the Mayor this 6th day of August 1929.

Sam G. Maloney
Mayor

Attest:

G. Clifford Barlow
Auditor and Police Judge