

INTRODUCED BY COMMISSIONER Geo. W. Kelly

AN ORDINANCE PROVIDING FOR THE MANNER OF KEEPING AND USING FOR SERVICING PURPOSES ANY MALE SPECIES OF DOMESTIC CATTLE OF THE GENUS BOS, COMMONLY CALLED A BULL, AND FOR TAKING UP AND IMPOUNDING SUCH ANIMALS; PROVIDING FOR THE PENALTY FOR A VIOLATION OF THIS ORDINANCE; AND REPEALING ORDINANCE NO. 134-A

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That no male species of domestic cattle of the genus Bos, commonly known as a bull, shall be kept within the corporate limits of the City of Warrenton unless the same is kept within an inclosure fenced in such a manner as to prevent said animal from being able to escape from said inclosure.

Section 2. The fence used for the purpose of keeping said animal within said inclosure shall not abut nor be within twenty-five feet of the inner boundary line of any public street of the city.

Section 3. The use of any male species of domestic cattle of the genus Bos, commonly called and known as a bull, for the purpose of servicing any female species of domestic cattle of the genus Bos, commonly known as a cow, shall be within a barn, house or shelter, such as will not permit nor allow any person or persons to see the same from the exterior of said barn, house or shelter.

Section 4. If the animal described in Section 1 of this ordinance is found within the corporate limits of the City of Warrenton not properly kept within an inclosure fenced as herein provided, the same may be taken up by the Chief of Police or any other duly authorized officer appointed by him or by any person and delivered to the Chief of Police and impounded or enclosed in a pound or inclosure provided for

that purpose, and such animal shall be provided with proper care, food and water while so impounded.

Section 5. 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 animals with a description thereof either by publication of one notice in a newspaper printed and published in the City of Warrenton and of general circulation therein, or by posting notices thereof in three public places within the city limits of the City of Warrenton, and if any animal or animals so taken up, at the expiration of forty-eight hours from the time of the publication of said notice in the newspaper or forty-eight hours after the notices have been posted, shall remain in the pound, the Chief of Police shall file a complaint with the Auditor and Police Judge stating the place where the animal or animals were found running at large, a description thereof, the fact that notices of taking of the same have been given as required by this section, and that the animal or animals still remain in the pound, and if, upon hearing the complaint the Auditor and Police Judge shall find the facts stated therein to be true and the animal or animals were taken up within the pound limits, he shall order the same sold by the Chief of Police upon public auction upon giving notice of the time and place of said sale by publication in one issue of a newspaper printed in the City of Warrenton at least ~~forty-eight hours~~ <sup>five days</sup> before the time of the sale, or in lieu thereof by posting notices in three public places, giving notice of the time and place of sale, the said notices to be posted at least ~~forty-eight hours~~ <sup>five days</sup> before the time set for said sale. If the owner of the impounded animal or animals is known and resides within the city limits, a copy of said complaint with the notice of the time and place of hearing of the same shall be served upon said owner at

least twenty-four hours prior to the hearing of the complaint, and if the owner or owners be unknown or residing without the city limits the complaint shall set forth that fact, and thereafter there shall be no necessity of any requirement of the complaint or notice of the time and place of the hearing to be served upon any one. Upon the sale of any animal or animals the Chief of Police shall deduct from the proceeds of the sale \$1.50 as a fee for taking up each animal, and the further sum of 75¢ per day for each day each animal shall be impounded as expenses of keeping said animal, and the cost of advertising, if any, 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 or animals. The Chief of Police within forty-eight hours from the time of the sale or any animal or animals shall make return and file the same with the Auditor and Police Judge, showing that due notice of the sale was given, and that the animal or animals were sold at public auction, and that he give the name or names of the purchasers and the amount paid for each animal.

Section 6. The owner of any animal impounded may take the same from the pound by paying the Chief of Police the sum of \$1.50 for taking the same up and the further sum of 75¢ 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 7. That any owner or person having charge of any animal described in Section 1 of this ordinance who shall suffer or allow the same to remain within the corporate limits of the City of Warrenton without being kept within an enclosure such as provided in Section 2 and contrary to the provisions of this ordinance, and/or any owner or person having

charge of any animal described in Section 3 of this ordinance and who shall permit said animal to be used contrary to the provisions contained in Section 3 of this Ordinance shall upon conviction before the auditor and police judge be punished by a fine of not less than \$25.00 nor more than \$100.00, or by imprisonment in the city jail not to exceed thirty (30) days, or by both such fine and imprisonment, at the discretion of the Auditor and Police Judge.

Section 8. Ordinance No. 134-A and any and all other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Passed by the Commissioners of the City of Warrenton this 15<sup>th</sup> day of ~~February~~ <sup>May</sup>, 1934.

Approved by the Mayor of the City of Warrenton this 15 day of ~~February~~ <sup>May</sup>, 1934.

W. J. Francis  
Mayor

Attest:

G. Clifford Barlow  
Auditor and Police Judge