

**ORIGINAL**

ORDINANCE NO.

206

An Ordinance prohibiting animals from 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 ordinances in conflict herewith, and declaring an emergency.

THE CITY OF WARRENTON DOES ORDAIN 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 herded within or upon any of the improved streets of the City of Warrenton, <sup>*\* except such streets as are now enclosed*</sup> 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 City Marshal or any duly authorized officer appointed by him, or by any person and delivered to the City Marshal 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 City Marshal may, with the approval and consent of the Common Council, 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 City Marshal 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 City Marshal 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 City Marshal 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 City Marshal 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 City Marshal shall deduct from the proceeds of the sale \$3.00 as a fee for ~~the~~ 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 City Marshal, 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 City Marshal 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 City Marshal 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 City Marshal 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/<sup>nor</sup> 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 <sup>or parts of ordinances</sup> in conflict with this ordinance are hereby repealed.

Section 9. Inasmuch as the objects to be obtained by this ordinance will be of great benefit to the people of the City of Warrenton and there exists and is an urgent necessity that this ordinance should take effect as soon as possible, so that the health, peace and safety of the people of the City of Warrenton may be preserved, an emergency is hereby declared to exist, and this section therefore, shall take effect when approved by the affirmative vote of two-thirds of all the members of the Common Council, and this ordinance shall then be in full force and operative immediately after its approval by the Mayor of the City of Warrenton.

Passed the Common Council this 20<sup>th</sup> day of August 1917.

Submitted to the Mayor this 20<sup>th</sup> day of August 1917.

Attest:

John Evenden  
Auditor and Police Judge.

Approved this 4<sup>th</sup> day of Sept  
1917.

J. M. Mann  
Mayor.