

ORDINANCE NO. 250.

AN ORDINANCE PROHIBITING ANIMALS FROM RUNNING AT LARGE WITHIN CERTAIN LIMITS OF THE CITY OF WARRENTON, AND PROHIBITING ANIMALS FROM BEING TIED OR STAKED CLOSE ENOUGH TO SIDEWALKS OR STREETS SO AS TO INTERFERE WITH PROPERTY OR TRAFFIC, AND FOR THE TAKING UP AND IMPOUNDING OF SUCH ANIMALS AND THE SELLING THEREOF, AND PROVIDING A PENALTY, AND REPEALING OF ALL ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS.

Section 1. That no horses, 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, or staked or tied in any manner so that the same may interfere or go upon any sidewalk, street or other public property, except such streets as are now inclosed, and not in public use, and said stock shall not be permitted upon any street in any manner, either by being tied or otherwise, where they can walk about or trample upon any sidewalk or interfere in any manner with property, traffic or destruction of any public property.

Section 2. Any of the animals described in Section 1 of this ordinance found running at large within the corporate limits of the City of Warrenton, as hereinbefore described, or tied to any sidewalk or staked, whereby the same may go upon the sidewalk or street or destroy any public property or interfere in any manner with public traffic, 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 running at large or tied to any sidewalk or staked, whereby

the same can go upon the sidewalk or destroy any public property within the limits described in Section 1 of this Ordinance, and turn the same over to the City Marshal, who shall 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 the description thereof, to the owner, if he is known or can be found within the corporate limits of the City of Warrenton, in writing by delivering the same to the said owner or owners, and if the said owner is not known and cannot be found within the corporate limits of the City of Warrenton, then the City Marshal shall give notice of the taking up of such animal, with the description thereof, by the publication of one (1) 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 (3) days from the date ^{of} such notice either in person or by publication, shall remain in 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, the description thereof, the fact that the notice of the taking up of the same was given, either in person or by publication; the affidavit of either the City Marshal or the publisher shall be final proof of the giving of such notice, 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, 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 of sale, either by serving said notice personally, if the owner or owners are known and can be found within the corporate limits of the City of Warrenton, or by publication in one (1) issue of a newspaper printed in the City of Warrenton at least five (5) days before the time of the sale; if the owner of the impounded animal is known and resides within the City limits, a copy of said Complaint with a 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 resides 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, one dollar fifty cents (\$1.50) as a fee for taking up the animal, besides the sum of one (\$1.00) dollar per day for each day that the animal shall be impounded, as expenses of keeping the same, and the cost 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 (5) days from the time of the 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 one dollar fifty cents (\$1.50) for taking the same up, and the sum of one dollar (\$1.00) per day for each day that such animal shall be impounded, and the expense of advertising, provided that such animal shall be taken before the 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 to go at or otherwise, large, ^{or otherwise,} 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 five (\$5.00) nor more than fifty (\$50.00) dollars, or by imprisonment in the City Jail not to exceed twenty (20) days, or by both, at the discretion of the Auditor and Police Judge.

Section 7. No person shall interfere with the City Marshal, or any other person, with 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, 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 five (\$5.00) dollars nor more than fifty (\$50.00) dollars, or by imprisonment in the City Jail not less

than two (2) nor more than twenty (20) 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 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, an emergency is hereby declared to exist, and this section shall therefore 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 10th day of June, 1919.

Submitted to the Mayor this 10th day of June, 1919.

Attest:

John Evenden
Auditor and Police Judge

Approved this 10th day of June, 1919.

J. M. Wilson
Mayor.

