

ORDINANCE NO. 88-7

AN ORDINANCE REGULATING THE OWNERSHIP OF  
VICIOUS DOGS AND REQUIRING CONFINEMENT,  
SIGNS AND INSURANCE AND RESTRICTING  
FIGHTING OF SUCH ANIMALS; PROVIDING FOR  
PENALTIES FOR THE VIOLATION; AND CONTAINING  
SEVERABILITY AND REPEALER CLAUSES WITH AN  
EFFECTIVE DATE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RUSSELLVILLE, KENTUCKY:

Section One: Definition of Terms. As used in this ordinance:

- A. "Owner" mean any person, firm, corporation, organization or department possessing of harboring or having the care or custody of a dog.
- B. "Vicious dog" means:
  - 1. Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals; or
  - 2. Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.
- C. A vicious dog is "unconfined" if the dog is not securely confined indoors or confined in a securely enclosed and locked pen or structure upon the premises of the owner of the dog. The pen or structure must have secure sides and a secure top attached to the sides. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot. All such pens or structures must be adequately lighted and kept in a clean and sanitary condition.

Section Two: Confinement. The owner of a vicious dog shall not suffer or permit the dog to go unconfined.

Section Three: Leash and Muzzle. The owner of a vicious dog shall not suffer or permit the dog to go beyond the premises of the owner unless the dog is securely muzzled and restrained by a chain or leash and a muzzle, and under the physical restraint of a person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

Section Four: Signs. The owner of a vicious dog shall display in a prominent place on his or her premises a clearly visible warning sign indicating that there is a vicious dog on the premises. A similar sign is required to be posted on the pen or kennel of the animal.

Section Five: Dog Fighting. No person, firm, corporation, organization or department shall possess or harbor or maintain care or custody of any dog for the purpose of dog fighting, or train, torment, badger, bait or use any dog for the purpose of causing or encouraging the dog to attack human beings or domestic animals.

Section Six: Insurance. Owners of vicious dogs must within thirty (30) days of the effective date of this ordinance provide proof to the City Clerk of public liability insurance in the amount of at least \$100,000, insuring the owner for any personal injuries inflicted by his or her vicious dog.

Section Seven: Penalties. Whoever violates any provision of this ordinance shall be guilty of a misdemeanor and may be punished by a fine of not less than \$100 and not more than \$500, or imprisonment of not more than thirty (30) days in jail, or by both fine and imprisonment.

Section Eight: Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court, such a decision shall not affect the validity of the remaining portions of this ordinance.

Section Nine: Repealer. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section Ten: Effective Date. This ordinance shall be effective upon its passing and publication according to law.

FIRST READING conducted this 14th day of June, 1988.

AYES: Everett Daniel, Jean Hankins, Russell Jones, Richard Simmons, Willie Hampton

NAYES: None

ABSENT: Howard Wren

ABSTAINING: None

SECOND READING passed by roll call vote, this 27th day of  
June, 1988.

AYES: Everett Daniel, Jean Hankins, Russell Jones, Howard Wren, Richard  
Simmons

NAYES: None

ABSENT: Willie Hampton

ABSTAINING: None

CITY OF RUSSELLVILLE

BY:   
KEN SMITH, MAYOR

ATTEST:

BY:   
PEGGY S. JENKINS, CITY CLERK