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NATRONA CO. CLERK WY

MARY ANN COLLINS

Rules and Regulations

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The Board of County Commissioners

2003 NOV 26 AM 9 15

County of Natrona

I certify that the attached is a true and correct copy of The 2003 Natrona County Uniform Animal Control Act adopted in accordance with the Wyoming Administrative Procedures Act, § 16-3-101 to 115, and W.S. 11-31-101 *et seq.*, W.S. 1977. These are new rules superseding all other rules previously filed.

Prior to adoption, the rules were made available for public inspection, and notices of intended adoption were mailed to all persons requesting notice of proposed rules. The Rules were adopted on November 4, 2003 following a public hearing.

The attached rules are effective immediately upon filing with the County Clerk.

Signed this 25th day of November, 2003.

THE BOARD OF COUNTY COMMISSIONERS  
NATRONA COUNTY, WYOMING

  
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Jon Campbell, Chairman

RESOLUTION 95-03

2003 NATRONA COUNTY  
UNIFORM ANIMAL CONTROL  
ACT

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**RESOLUTION NO. 95-03**

**2003 NATRONA COUNTY  
UNIFORM ANIMAL CONTROL  
ACT**

**Section 1. Definitions.**

- a. **Abandon**-The act of relinquishing the care, custody and control of an animal without provisions for adequate food, water or shelter. An animal that is left in the Metro Animal Control and Welfare Shelter for (5) five working days shall be deemed abandoned.
- b. **Altered**-spayed (female) or neutered (male).
- c. **Animal**-Every living dumb creature, domestic or wild.
- d. **Animal Control District**-As it applies to this Act shall mean the County.  
**Animal Control Officer**-Any person designated by the Manager of Metro Animal Control and Welfare or the Joint Powers Board as a Law Enforcement Officer, who is qualified to perform such duties under the laws of this state.
- e. **Animal Control Shelter**-Any facility operated by a municipal agency, joint powers agency or its authorized agents for the purpose of impounding or caring for animals held under the authority of this Chapter or State law.
- f. **At Large**-Any animal is deemed "at large" if it is off the premises of the owner and the animal is not under restraint or is not under the control of the owner. "At large" shall also mean and shall also include any animal which:
- (1) Molests people or passing vehicles, including bicycles.
  - (2) When off the premises of the owner, attacks other domestic animals.
  - (3) Trespasses on school grounds or private property without prior permission of the property owners.
  - (4) Damages private or public property.
  - (5) Is an unrestrained female dog or cat in heat.
  - (6) Presents a traffic hazard.

g. Auctions-Any place or facility where animals are regularly bought, sold or traded, except for those facilities otherwise defined in this chapter. This section does not apply to individual sales of animals by owners.

h. Board - Metro Animal Control and Welfare Joint Powers Board.

i. Cage and aviary birds-Those exotic captive reared birds, such as parrots, exotic finches and canaries, which are adapted to live and breed in a cage. For the purpose of this chapter, the monk parakeet (*myiopsitta monachus*) is not a cage and aviary bird.

j. Cat-A domesticated feline.

k. Circus-A variety show featuring animal acts for public entertainment.

l. City-County Health Officer-A representative of the Natrona County-City of Casper Health Department.

m. Commercial Animal Establishment-Any pet shop, grooming shop, auction, riding school or stable, zoological park, circus, performing animal exhibition or kennel/cattery.

n. Control-The state of having an animal which:

(1) Is physically capable of hearing normal commands and is obedient to those commands.

(2) Is, at the time under consideration, within reasonable proximity to the controller, so that shouting or excessively loud commands are not necessary.

o. Dog-A domesticated canine.

p. Domesticated Animals-Means those individual animals, which have been made tractable or tame.

q. Entity-Shall mean County of Natrona.

r. Fowl-Any of the following but not limited to: chicken, turkey, goose, duck, emu, peacock, rhea, etc.

s. Grooming Shop-An establishment where animals are bathed, clipped, plucked or otherwise groomed.

t. Isolation Facility-Any place specified by an Animal Control Officer, Law Enforcement Officer or County Health Officer, which is equipped with a pen, or cage, which isolates an animal from contact with other animals.

u. Jurisdiction- Jurisdiction shall mean Natrona County.

v. Kennel or Cattery

(1) Commercial - Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs and or cats.

(2) Non-Commercial – More than 4 dogs or 4 cats being maintained by an owner in Urban Residential (UR), Urban Mixed Residential (UMR) and Mobile Home (MH) zones; provided that more than 4 dogs or 4 cats may be maintained on the premises until they attain the age of six months.

w. Licensing Authority-Metro Animal Control and Welfare.

x. Livestock-Any of the following but not limited to: horses, cattle, swine, sheep, mules, llamas, goats; etc.

y. Microchip Implant-Any implant of a computer chip placed under the skin of any animal for identification purposes.

z. Owner-Any person, partnership or corporation, or their agents, owning, keeping or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for (3) three consecutive days.

aa. Performing Animal Exhibition-Any spectacle, display, act or event, other than circuses, in which performing animals are used.

bb. Pet Shop-Any person, partnership, or corporation, whether operated separately or in connection with another business enterprise except for a licensed kennel, that buys, sells, or boards any species of animal for profit or in the ordinary course of business.

cc. Proper Shelter-A natural or artificial shelter with (3) three enclosed sides, a roof and floor, with sufficient ventilation and room for the animal to move about freely and lie down comfortably.

dd. Public Nuisance-Any dog or cat at large or any dog or cat which barks, whines, or howls in an excessive, continuous, or untimely fashion. Any fighting cocks, roosters or other poultry and other animals, which by their repeated or incessant crowing, cackling, howling, yelping, whining or other excessive noise disturbs the peace and quiet of the surrounding neighborhood.

ee. **Rabbitry**-Any location where more than (5) five rabbits older than (4) four months of age are kept, except any place for the slaughtering of rabbits for which a permit has been obtained, and other provisions or ordinances have been complied with.

ff. **Rabies Certificate**-A certificate signed by a licensed veterinarian verifying that an animal is vaccinated against rabies, and which includes the date that immunization expires and the type of vaccine used.

gg. **Restraint**-An animal shall be considered under "restraint" if it is within the real property limits of its owner. Or if off the property of the owner is secured by a leash no longer than (10) ten feet.

hh. **Tattoo**-A permanent mark placed on the skin of an animal. This mark must be composed of numerical or alphabetical symbols placed in the animal's hind legs, gums or ears. It is the owner's responsibility to keep the tattoo visible and readable, including shaving the tattooed area if necessary.

ii. **Veterinary Hospital**-Any establishment maintained and operated by a licensed veterinarian for the boarding of animals or the diagnosis and treatment of diseases and injuries of animals.

jj. **Vicious Animal**-Shall mean and include:

(1) Any animal which, without provocation, chases or approaches in an endangering or terrorizing manner, any person, upon the streets, sidewalks or any public ground or place; or

(2) Any animal with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or

(3) Any animal which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property; or

(4) Any animal owned or harbored primarily or in part for the purpose of vicious animal fighting or any vicious animal trained for vicious animal fighting; or

(5) Has while off the premises of its owner/keeper attacked a domestic animal without provocation; or

(6) Has been previously classified as a vicious and found in violation of the provisions of this Act as it relates to vicious animals.

No animal may be declared a vicious animal if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault. Any animal declared a vicious animal must bear a tattoo or microchip implant registered with Metro Animal Control and Welfare.

Wild Animal or Exotic Pet-Any live monkey (nonhuman primate), raccoon, skunk, fox, wolf, poisonous snake, leopard, panther, lion, lynx or other animal which can normally be found in the wild state.

kk. Working Day-Any day that the Metro Animal Control and Welfare Shelter is opened to the public.

ll. Zoological Garden-Any facility other than a pet shop or kennel, displaying or exhibiting one or more nondomesticated animals by a person, partnership, corporation or government agency.

## Section 2. Enforcement.

The provisions of this Act shall be enforced by sworn Law Enforcement Officers and/or Animal Control Officers acting under contract with or under approval of the jurisdiction. It is unlawful and a violation of this Act to interfere with an Animal Control Officer in the performance of his/her duties, or to fail to obey the lawful order of an Animal Control Officer.

## Section 3. License Requirements.

### a. Dogs and Cats:

(1) It shall be unlawful for any person to own, keep, harbor or have custody of any dog or cat over (6) six months of age, within the jurisdiction, unless such dog or cat is licensed in accordance with this Act. This requirement does not apply to dogs or cats whose owners are not residents, if such animals are not kept in the jurisdiction longer than (30) thirty days and while in the jurisdiction such animals are kept under restraint; or to seeing eye dogs properly trained to assist blind persons or to properly trained hearing ear dogs or other assistant type of dog.

(2) Dogs and cats must wear valid license tags at all times when off the premises of the owner(s). The owner(s) of a dog or cat not previously declared "vicious", may have their dog or cat tattooed or have a microchip implanted. Having a dog or cat tattooed or microchipped does not relieve an owner from the obligation to have the said animals display a valid license tag. This does not apply to show animals during competition or to hunting dogs when actively engaged in hunting activities or in training for those activities.

(3) Written application for licenses shall be made to the approved licensing authority. The application shall include the name address and phone number of the applicant, a description of the animal, payment of the appropriate fee, and proof of a rabies tag number, expiration date and Veterinarian information.

(4) The licensing period is the same as set out in subsection B3 of this section.

(5) Upon acceptance of the license application and fee, the licensing authority shall issue a durable tag, stamped with an identifying number and the calendar year of issuance.

(6) Metro Animal Control and Welfare shall maintain a public record of the applications for all tags issued.

(7) The license fees and costs shall be those established by Metro Animal Control and Welfare for all altered or unaltered dogs and cats. A duplicate tag may be obtained upon payment of such costs as established by Metro Animal Control and Welfare.

(8) No person shall use any license for any dog or cat other than the dog or cat for which it is issued.

b. Other animals and animal uses

(1) Upon showing compliance with the regulations promulgated by this Act, and upon inspection by Metro Animal Control and Welfare, a license shall be issued following payment of the applicable fees to the Entity, as follows:

(a) For each trained commercial guard dog, (\$50.00) fifty dollars.

(b) For each commercial kennel, cattery or pet shop, per year, (\$100.00) one hundred dollars.

(c) For any zoological garden or animal act, covering all animals, (\$100.00) one hundred dollars.

(2) No fee shall be required of any veterinary hospital/clinic, humane society or municipal animal control facility.

(3) The license fee shall cover one calendar year from the date of month in which the license is issued. A new license shall be obtained each year by every owner and a new fee paid. Upon change in ownership of an

animal or facility, the new owner may have the current license transferred to his/her name for (\$5.00) five dollars.

Section 4. Kennels and Catteries.

a. Restriction: No residence or other property in an Urban Residential (UR), Urban Mixed Residential (UMR) and Mobile Home (MH) Zone shall maintain more than (4) four dogs or cats; provided that more than (4) dogs or cats may be maintained on the premises until they shall attain the age of (6) six months.

b. Zoning: Commercial kennels and catteries will be allowed only in those areas properly zoned for this type of business (i.e. Ranching, Agricultural and Mining; Urban Agricultural; Rural Residential-1&2; Surban Residential-1&2; Commercial; Light Industrial).

c. Rabbitry Restrictions:

(1) Restrictions: Any person, as of the effective date hereof, owning in excess of (5) five rabbits older than (4) four months of age, may keep but not replace above the allotted number of (5) five. This restriction does not apply in the zones mentioned in Section 4(B) above.

(2) Location and Sanitation Requirements: It shall be unlawful for any person to maintain, establish, cause or permit to be maintained or established, any rabbitry within (100) one hundred feet of a school, church, hospital, residence or dwelling, except the residence or dwelling of the owner. Such rabbitry shall have a waste catch tray that shall be removed and cleaned daily. Exemptions may be granted by Zoning and Planning Departments of the individual Entities for organized youth group projects.

Section 5. Dog Exhibitions.

a. Any responsible person may apply in writing on a form provided by the Entity, for a dog exhibition, show and/or training permit. Applications shall be made to either the Parks Department or City Clerk of the individual Entity. Subject to the conditions provided in this Section, such permit authorizes the holder and those under his/her control and supervision, to utilize those parks within the legal boundaries of the Entity, which are otherwise off-limits to dogs not under physical restraint, for the purpose of exhibiting, showing and/or training dog(s) without physical restraint. The issuance of any such permit is conditioned upon the following:

(1) The applicant assumes responsibility for all handlers and dogs, which are present in the park pursuant to the authority of the permit.

(2) To be effective, a permit must be kept on the person of the applicant and the applicant shall remain in the park at all times during which dogs are present pursuant to the authority of the permit.

(3) An applicant shall submit with the permit application, an administrative fee of (\$25.00) twenty-five dollars for each event for which the permit is to be effective, together with a cleaning and damage deposit of (\$100.00) one hundred dollars. An "event" is defined as an activity lasting not more than (3) three consecutive days. The cleaning and damage deposit shall be refunded to the applicant only if the area used pursuant to the authority of the permit is cleaned as provided in subdivision (5) (iii) and not damaged as provided in subdivision (5) (ii).

(4) The applicant's recognition that such permit does not entitle the holder to the exclusive use of the park or any portion thereof.

(5) The applicant's agreement:

(a) Not to allow any dog which is unrestrained under authority of the permit to harass or molest any other animal or person.

(b) Not to allow any dog which is present under the authority of the permit, to damage or destroy any public or private property located in the park or the park itself.

(c) To clean up and properly dispose of any waste deposited in the park by the dogs, which are present pursuant to the authority of the permit, prior to leaving the park.

(d) To personally indemnify and hold the Entity harmless for any damage or destruction caused by the dogs which are present in the park pursuant to the authority of the permit.

(e) To maintain or ensure control over all dogs which are present in the park pursuant to the authority of the permit.

(6) The absence of any violations of this Act by the applicant during the twelve-month period immediately preceding the date of the application.

(7) The absence of any previously scheduled event in the park that could be incompatible with the use applied for by the applicant.

b. An applicant's failure to abide by any permit conditions, or the making of any false statement by an applicant on an application, is a violation of

this section and upon conviction is punishable as provided by the penalty section of this Act.

c. Exhibitions, shows and training events sponsored by the Entity shall not require a permit as provided by this section.

d. Permit applications shall be in substantially the following form:

(1) Dog Exhibition, Show and/or Training Permit Application

(a) The undersigned applicant applies for a Dog Exhibition, Show, and/or training permit as provided by the Uniform Animal Control Act. The applicant agrees to the conditions as set forth in said Act and represents the following information is accurate in all respects;

1. Date of application
2. Name and street address of applicant(s)
3. Date(s) for which the permit is sought
4. Approximate number of dogs expected at event.
5. Month and year of any violations of this Act by the applicant.

**WARNING: ANY FALSE INFORMATION PROVIDED ON THIS APPLICATION OR FAILURE TO ABIDE BY THE CONDITIONS SET FORTH IN THE UNIFORM ANIMAL CONTROL ACT IS PUNISHABLE AS PRESCRIBED BY THE ENTITY WHERE THE EVENT IS HELD.**

Section 6. Animals for Commercial Purposes.

a. Permit Required: It shall be a condition of the issuance of any permit to any owner of animals kept for commercial purposes that the Inspectors of the County Health Department shall be permitted to inspect all animals and the premises where animals are kept, during hours the business is opened. The Manager of Metro Animal Control and Welfare or his/her designee shall also be permitted to inspect the premises and/or animals during hours the business is open. No permit shall be required for livestock. (W.S. 11-20-10(a)(iv)).

b. Baby Animals and Fowl: No person shall sell, offer for sale, barter or give away baby chickens, ducklings or other fowl, or rabbits under (8) eight weeks of age, as pets, toys, premiums or novelties, or color, dye or transport the same into the animal control district.

c. Animals As Commercial Incentives: No person shall give away, offer for sale or barter any live animal, fish, reptile or bird as a prize for or as an inducement to enter any contest, game or competition, or as an inducement to enter a place of amusement or business, or offer such vertebrate as an incentive to enter any business agreement whereby the offer was the purpose of attracting

trade. This section shall not apply to Metro Animal Control and Welfare or to legitimate Humane Societies.

Section 7. Rabies Control.

a. Vaccination Required: The owner of a dog or cat shall have the dog or cat vaccinated against rabies within (30) thirty days after the dog or cat reaches (4) four months of age. If the owner acquires the dog or cat, after the dog or cat reaches (4) four months of age, the owner shall have the dog or cat vaccinated against rabies within (30) thirty days after acquisition or import. The owner of a dog or cat shall have the dog or cat revaccinated against rabies by a veterinarian before the date the immunization expires, as stated on the certificate of vaccination, or, if no date is specified, within one year after the previous vaccination. The owner shall pay the cost of the rabies vaccination.

(1) No person shall own, keep or harbor a dog or cat within the Entities as defined by this Act, unless the dog or cat has received a rabies vaccination administered by or under the direct supervision of a licensed Veterinarian.

(2) Rabies vaccination requirements shall not apply to wildlife, canidae hybrids or other animal hybrids unless and until a rabies vaccination is developed and approved for use with these animals.

b. Suspicion of Rabies, Quarantine:

(1) An Animal Control Officer, Law Enforcement Officer or a County Health Officer or designee, may order any animal quarantined if the Officer has reason to believe the animal bit a person, is infected with rabies or has been in contact with a rabid animal. If quarantine cannot be imposed because the animal cannot be captured, the Officer may kill the animal. The Officer shall attempt to kill the animal in a humane manner and in a manner which avoids damage to the animal's head. After the animal is dead, the head is to be severed from the body and sent to the State Laboratory for examination.

(2) An Officer who orders a dog or cat to be quarantined shall deliver the animal, or shall order the animal delivered, to an isolation facility as soon as possible, but no longer than (24) twenty four hours after the original order is issued. If the animal is currently immunized against rabies and was not off the premises of the owner at the time of the bite, the Officer may order the animal quarantined on the owner's premises. Any animal quarantined on the owner's premises shall have no contact with other animals or humans.

(3) The custodian of an isolation facility shall keep the quarantined dog or cat in strict isolation under the supervision of a veterinarian. If the observation period is not extended, and if the veterinarian certifies that the

dog or cat has not exhibited any symptoms of rabies, the animal may be released from quarantine at the end of a (10) ten-day observation period.

(4) If the veterinarian determines that a dog or cat exhibits symptoms of rabies during the original or extended observation period, the veterinarian shall notify the County Health Department and Officer who ordered the animal quarantined, and the Officer or veterinarian shall humanely kill the animal. If the dog or cat has bitten a person, the County Health Department shall notify the person's physician.

(5) The owner of an animal is responsible for any expenses incurred in connection with keeping the animal in an isolation facility, supervision and examination of the animal by a veterinarian, preparation of the carcass for laboratory examination and the fee for the laboratory examination. If the owner is unknown, Metro Animal Control and Welfare is responsible for these expenses.

c. **Animal Bites:** Any person having knowledge that an animal has bitten a human being shall immediately report that incident to Metro Animal Control and Welfare or the County Health Department, together with the name and address of the person or persons bitten, if known.

d. **Failure To Comply, Penalties:**

(1) It shall be unlawful for an owner of a dog or cat to refuse to have its animal vaccinated as required by this Act. If the owner is found guilty of violating this Section, he/she shall be punished as directed by the Court in the Entity in which the violation occurred.

(2) It shall be unlawful for an owner to refuse to comply with an order issued under this Section to deliver an animal to an Officer, isolation facility or veterinarian, or to comply with the conditions of an order that an animal be quarantined. If the owner is found guilty of violating this Section, he/she shall be punished as directed by the Court in the Entity in which the violation occurred.

e. Only an Animal Control Officer, City-County Health Officer or other authorized person may remove the carcass of any suspected or confirmed rabid animal from the location where the animal was killed or found.

**Section 8. Prohibited Animal Acts.**

a. **Livestock and Fowl:** No person shall keep any livestock or fowl within the Entity except as otherwise zoned.

b. **Dogs and Cats At Large:** It shall be unlawful for any dog or cat to be free, without restraint, at large upon the streets, alleys, sidewalks, public grounds or private property, other than the private property owned or occupied by

the owner of the dog or cat. If a dog or cat is at large, as defined by this Act, the owner shall be strictly liable and be punished as provided by this Act.

c. **Animal Wastes:**

(1) **Owner's Property:** It shall be the responsibility of the owner of an authorized animal to keep his/her property free and clear of animal waste so as not to present a potential danger to the public health, as determined by the County Health Officer or their designee. If a determination is made that a situation exists which is potentially dangerous to the public health, a citation or summons may be issued, and upon conviction, the owner shall be punished as provided by this Act.

(2) **Other's Property:** The owner of a dog or cat shall be responsible for the removal of any excreta deposited by his/her animal on public walks, recreation areas or private property other than that of the owner.

d. **Public Nuisance Dogs:** No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. Additionally, excessive, continuous or untimely barking, molesting passersby, chasing vehicles or bicycles, attacking other domestic animals, trespassing upon school grounds or trespassing upon private property shall be deemed a nuisance.

e. **Animals In Motor Vehicles:**

(1) No person shall leave an animal unattended in the bed of a pickup truck or in a vehicle with the windows rolled down, in a public parking area unless the animal is restrained in a such a manner as to prevent the animal from making physical contact with a pedestrian who is passing the vehicle in a place where that pedestrian is legally entitled to be.

(2) It is considered cruel and therefore unlawful for a person to leave a dog or cat unattended in a motor vehicle when the temperature is (70 F) seventy degrees Fahrenheit and above, unless adequate ventilation and water is provided.

(3) No person shall carry an animal in a motorized vehicle in a cruel or inhumane manner.

f. **Accidents Injuring Animals:** The driver of any motor vehicle involved in an accident resulting in injury to a domestic animal shall immediately stop and render such assistance as may be possible, and shall take reasonable steps to notify the owner of the injured animal and give notice of the accident to the appropriate Law Enforcement Agency for the area or Metro Animal Control and Welfare.

g. No owner or person in charge of any dog or cat, or group of dogs and/or cats shall fail to exercise proper care and control of said animal or animals to prevent them from becoming a public nuisance as defined by this Act.

h. No person shall, without the consent of the owner, release any animal from restraint except when necessary to preserve the life of the animal, prevent undue suffering or preserve the life of a human being. Any person releasing any animal from restraint pursuant to this section shall immediately notify Metro Animal Control and Welfare or the owner, if the owner is available.

Section 9. Cruelty to Animals.

a. Unlawful Acts:

(1) No person shall override, overload, drive when overloaded, overwork, torture or torment and animal, or deprive an animal of necessary sustenance.

(2) No person shall unnecessarily or cruelly beat, mutilate or kill an animal unless specifically authorized by law.

(3) No person shall own, possess, keep or train an animal with the intent that will be engaged in an exhibition of fighting, promote, attend or have a pecuniary interest in or cause, instigate, be a spectator at or permit a dogfight, cockfight, bullfight (bloodless or otherwise), or other combat involving animals.

(4) No person shall abandon any animal.

(5) No person shall fail to provide his/her animal with sufficient good and wholesome food and water, clean living conditions, proper shelter (as defined by this Act) to protect it from the weather (including sunlight), veterinary care when needed to prevent suffering and with humane care and treatment.

(6) It is unlawful to annoy, bait, harass, torment or tease any confined or chained animal.

(7) Unless specifically authorized by law, no person shall willfully maim, wound, injure, torment or otherwise physically abuse an animal, disfigure any domestic or wild animal, or administer poison to, or cause any animal to ingest any foreign object, or expose any poisonous substance with the intent that it shall be taken by any animal, except pests of a public health concern.

(a) The provisions of this Section and any other section of this Act, shall not in any way limit the right of a Law Enforcement Officer or Animal Control Officer to kill any wild or domestic animal if such Officer determines there is a reasonable danger to the public safety or to prevent undue suffering on the part of the animal.

b. Remedies Authorized:

(1) An Animal Control Officer may lawfully intervene in any situation where it appears an act of cruelty is being perpetrated upon any animal in the following manner:

(a) A Law Enforcement Officer or an Animal Control Officer may remove, shelter and care for any animal found to be cruelly exposed to the weather, starved or denied adequate water, neglected, abandoned or otherwise treated in a cruel manner, and may deliver such animal to another qualified person to be cared for and given medical attention if necessary. In all cases, the owner, if known, shall immediately be notified and the Officer or caretaker to whom the animal is delivered for care and keeping shall have a lien upon the animal for its care, keeping, medical attention and expense of notice. If the owner or custodian is unknown and cannot, within reasonable effort, be ascertained, or does not within (5) five days after notice, redeem the animal by paying the expenses incurred, it may be treated as abandoned and dealt with as provided for in this Act.

(b) Whenever, in the opinion of any Animal Control Officer, Law Enforcement Officer, or County Health Officer, any animal is suffering from distemper, Parvo virus, other serious disease, or is severely maimed and suffering from injury, it shall be lawful for such Officer to destroy such animal after consulting with a licensed veterinarian. If the animal is licensed tattooed or has a microchip implant, if possible, an attempt to notify its owner shall be made before the animal is destroyed. The above mentioned Officers or designees may destroy an animal without consulting with a licensed veterinarian or an owner if it is considered an emergency situation or to relieve the animal from undue suffering. The owner shall not recover damages for the destruction of the animal.

Section 10. Removal of Dead Animals.

a. Public Property: It shall be the duty of an Animal Control Officer to remove from the streets, alleys and public places within the Animal Control District, all dead dogs, cats and other animals. Upon removal of a dead animal, the Animal Control Officer shall notify the owner, if known.

b. Private Property: It shall be the duty of the owner to dispose of his/her own animals from his/her private property.

c. No person shall deposit any dead, sick or injured animal upon any public or private place or into any body of water.

Section 11. Trapping Restrictions.

a. Traps Permitted, Kind And Placement: No traps shall be used for the capture of a dog or cat by any person within the Animal Control District, other than humane live box traps owned, regulated and placed by Metro Animal Control and Welfare. Any individual may use live box traps to capture a dog or cat; subject however, to the condition that prior to such occurrence, the individual shall have the trap approved by Metro Animal Control and Welfare and otherwise uses the trap in accordance with all rules, regulations and procedures adopted and approved by Metro Animal Control and Welfare. No traps shall be set when trap temperatures exceed (90 F) ninety degrees Fahrenheit or fall below (32 F) thirty-two degrees Fahrenheit.

b. Captured Animals: Captured animals must be turned over to the Metro Animal Control Shelter as soon as reasonably possible, or returned to the owner, if known.

c. Checking Traps: Traps must be checked every (4) four hours unless the traps are set in such a manner as to provide proper shelter once the dog or cat is confined but no less than every (12) twelve hours, no matter what type or placement of the trap.

d. Authority of Officers:

(1) Enter Property To remove Trapped Animal: Animal Control Officers may go onto private property, exclusive of buildings, to remove a trapped animal which is not provided with proper shelter, food or water.

(2) Placement Of Traps: Metro Animal Control and Welfare, or its designee, shall have sole discretion concerning the placement of an animal trap.

Section 12. Wild Animal Restrictions.

a. It is unlawful for any person to own any wild animal or exotic pet within the jurisdiction of the Entity, except that this Section shall not apply to the keeping of small cage-birds or aquatic, amphibian or nonpoisonous reptilian animals, or such small rodents as hamsters, guinea pigs, gerbils, mice ferrets, etc., solely as pets, nor to any "zoological garden", "theatrical exhibit" or "circus", as defined by this Act, or to any legally incorporated college, university or school, or to any private or governmental research laboratories.

B. The Entity may authorize the possession of specific wild or exotic animal(s) to be kept within the jurisdiction of the Entity, subject to the following provisions:

(1) A Wild Animal Request Form provided by Metro Animal Control and Welfare must be completed and submitted to the Manager of Metro Animal Control and Welfare. A separate form shall be submitted for each species and animal.

(2) At the time the Wild Animal Request Form is submitted to the Manager of Metro Animal Control and Welfare, the applicant must attach a copy of any permits that are or may be required by the Wyoming Game and Fish Department.

(3) Within (30) thirty days following the submission of the completed Wild Animal Request Form to the Manager of Metro Animal Control and Welfare, he/she will issue a written determination that approves or denies the request. The Manager of Metro Animal Control and Welfare may issue an approval subject to reasonable conditions or requirements. The written determination shall be mailed to the applicant at the address listed on the Wild Animal Request Form.

(4) The owner and/or the caretaker of the animal(s) shall have at all times in their possession and available for inspection by any Animal Control Officer or Law Enforcement Officer, a copy of a valid letter of authorization.

(5) Appeal of the Metro Animal Control and Welfare Manager's determination shall be made to the Joint Powers Board. The appellant must provide written notice of the appeal to the Joint Powers Board and the Manager Metro Animal Control and Welfare within (10) ten days after the Metro Animal Control and Welfare Manager issues a written determination. The notice of appeal must include the reason(s) for the appeal, and any information that the appellant wishes the Joint Powers Board to consider in a review of the Metro Animal Control and Welfare Manager's determination. The Metro Animal Control and Welfare Manager shall provide a written response to the Joint Powers Board and appellant within (10) ten days after receipt of the notice of appeal. The Joint Powers Board may either set the appeal to be heard at the next regular scheduled meeting of the Joint Powers Board, or it may decide the appeal on the basis of the written information provided by the appellant and the Metro Animal Control and Welfare Manager. The Joint Powers Board shall issue a written determination to the appellant and the Metro Animal Control and Welfare Manager within (60) sixty days of receipt of the notice of appeal. The written determination of the Joint Powers Board shall be a final decision.

Section 13. Vicious Animals.

a. **Confinement Required:** No owner of a vicious animal shall suffer or permit the animal to go unconfined on his/her premises. A vicious animal is "unconfined", as the term is used in this Section, if the animal is not securely confined indoors or confined in a securely enclosed and locked pen, or a vicious-animal run area upon the premises of the owner, suitable to confine the animal and to prevent the entry of young children or persons other than the owners of the animal. The pen or vicious-animal run area must have all sides at least (6') six feet high and a secure top. If the pen or vicious-animal run structure has no bottom secured to the sides, the sides must be imbedded into the ground no less than (1') one foot.

b. **Control When Off Owner's Premises:** no owner of a vicious animal shall suffer or permit the vicious animal to go beyond the premises of such person unless the vicious animal is securely muzzled and/or caged and restrained by a secure collar and leash not exceeding (3') three feet in length. The leash shall be of sufficient strength to prevent escape and shall be under the direct control of the owner.

c. **Animal Fighting Prohibited:** No person shall own or harbor any vicious animal for the purpose of animal fighting, or train, torment, badger, bait or use any animal for the purpose of causing or encouraging unprovoked attacks upon human beings or domestic animals.

d. **Sales Prohibited:** No person shall possess with intent to sell, or offer for sale, breed, buy or attempt to buy within the Entity, any vicious animal.

e. **Animal To Be Neutered:** Any person owning a vicious animal shall have the animal spayed or neutered, at the owner's expense, within (15) fifteen days after the animal is found to be vicious by a court of competent jurisdiction, if the animal is currently not spayed or neutered.

f. **Escape:** the owner of a vicious animal shall notify Metro Animal Control and Welfare within (24) twenty four hours of the following circumstances: that the animal is loose, unconfined, has attacked another animal or a human being, has died or has been sold or given away. If the vicious animal has been sold or given away, immediately upon the sale or conveyance, the owner or keeper shall provide Metro Animal Control with the name, address and telephone number of the new owner. Upon sale or conveyance, the new owner will be obligated to comply with the requirements of this Act.

g. **Exception, Law Enforcement Canines:** This Section shall not apply to dogs owned by a Law Enforcement Agency.

h. **Seizure and Impoundment:**

(1) If an Animal Control Officer has probable cause to believe that a vicious animal is being kept, harbored or cared for in violation of subsections A, B, D, E, and F of this Section, the Animal Control Officer may seize and impound the animal. If an Animal Control Officer has probable cause to believe that a vicious animal is being kept, harbored or cared for in violation of subsection C of this Section, the Animal Control Officer shall seize and impound the animal.

(2) If a purported vicious animal is impounded, the animal shall be held pending trial and disposed of pursuant to court order. If the person owning the animal is unable to be determined or found, the animal shall be humanely euthanized within a reasonable time after impoundment. If the person owning the vicious animal does not redeem the impounded animal by payment of fees and charges set in other sections of this Act within a reasonable time, the animal shall be humanely euthanized. No vicious animal shall be euthanized within (5) five days after being impounded, exclusive of Sundays and holidays, except that an impounded vicious animal may be humanely euthanized at any time with the written consent of the person owning, harboring or having the care or custody of the animal.

(3) Any vicious animal found upon any property, public or private, not the premises of the owner may, if such animal cannot be safely taken up and impounded by reasonable means, be destroyed by an Animal Control Officer or any Law Enforcement Officer.

(4) Euthanization: Any vicious animal which attacks a human being or another domestic animal shall be ordered humanely euthanized when, in the Court's judgement, such vicious animal represents a continuing threat of serious harm to human beings or other domestic animals.

#### Section 14. Impoundment of Animals.

##### a. Dogs And Cats At Large:

(1) Animal Control Officers have the authority to take possession of and impound any dog or cat at large. When in pursuit of any dog or cat at large, the Officer may go onto private property, exclusive of buildings, and take the animal into their possession for impoundment.

(2) No person may capture, restrain, harbor or take possession of dog or cat not owned by them, unless the person shall notify or deliver the animal to the Metro Animal Control and Welfare Shelter within (24) twenty four hours. This does not apply to persons who take possession of a dog or cat at the owner's request.

(3) If a dog or cat wearing a valid license, having a registered tattoo or having a microchip implant is impounded at the Metro Animal Control and Welfare Shelter, the Metro Animal Control and Welfare Staff will make a reasonable effort to notify the owner by phone or by mail to the address currently listed with Metro Animal Control and Welfare or to any phone number listed with the Microchip Company and to inform the owner of the conditions under which the animal may be reclaimed.

(4) Dogs and cats impounded at the Metro Animal Control and Welfare Shelter shall be held no less than (5) five working days from the date of impoundment.

b. Metro Animal Control and Welfare Shelter Duties And Records:

(1) When an animal is delivered to the Metro Animal Control and Welfare Shelter for impoundment, the Shelter shall keep a record of each animal giving the description, date of impoundment and the disposition of the animal.

(2) Metro Animal Control and Welfare is not required to release the names of adopters of unclaimed stray or owner released animals.

c. Animals Surrendered For Adoption: Any dog or cat surrendered by its owner to Metro Animal Control and Welfare may be put up for adoption, providing the animal is healthy, adoptable and adequate space is available, or humanely euthanized. Adoptable as used here is defined as having no known aggressive tendencies or other serious behavioral problems.

d. Time For Reclaiming:

(1) In the event the owner does not claim a dog or cat within the time period prescribed in this Act, the owner will lose all rights of ownership to such dog or cat.

(2) Any dog or cat not reclaimed by its owner within the time period prescribed in this Act shall be deemed abandoned, and shall be placed for adoption in a suitable home or humanely euthanized.

(3) No animals surrendered to Metro Animal Control and Welfare or Humane Society will be released for research purposes.

e. Release Conditions:

(1) The owner of an impounded dog or cat shall pay Metro Animal Control and Welfare Shelter an impound fee as well as a boarding fee, as set by Metro Animal Control and Welfare Policy as amended from time to time, for each day or fraction of a day that the animal was impounded.

(2) Metro Animal Control and Welfare may release an impounded dog or cat to its owner, or a representative of the owner if:

(a) The owner or representative presents a valid form of identification;

(b) The owner or representative presents evidence that the dog or cat is licensed. If the animal is not licensed, the owner must obtain a license for the animal prior to the release of the animal;

(c) The owner or representative pays the boarding fees and impoundment fees for the animal;

(3) Metro Animal Control and Welfare may release a dog or cat to a person other than the owner if:

(a) The owner does not claim the impounded dog or cat with the time periods as prescribed in this Act;

(b) The person to whom the dog or cat is released presents a valid form of identification, including name, address and phone number;

(c) The person to whom the dog or cat is released signs a statement agreeing to license the dog or cat, vaccinate the dog or cat against rabies (unless evidence is present that proves the animal is currently vaccinated against rabies), and to alter the animal within (1) one month of adopting or by the time the dog or cat reaches (6) six months of age.

(d) The person to whom the dog or cat is released, if required by Metro Animal Control and Welfare, pays any required adoption fee or boarding charges.

(4) In the event an adopter does not abide by the signed adoption agreement, Metro Animal Control and Welfare Officers may reclaim the dog or cat, and the adopter will forfeit any fee paid for the animal. When reclaiming a dog or cat, Animal Control Officers may go onto private property exclusive of buildings.

f. Violations; Citation: In addition to, or in lieu of impounding a dog or cat in violation of this Act, the Animal Control Officer or Law Enforcement Officer may issue to the known owner (or his agent) of such animal a citation or notice of violation. A criminal warrant may be initiated before the Municipal or Circuit Court Judge in the event the owner or his agent fails to appear as stated in the citation or notice, or fails to post an appropriate bond in lieu thereof.

Section 15. Breaking Into Animal Control Shelter.

It is unlawful for any person to break into Metro Animal Control and Welfare Shelter or vehicle, or turn loose or otherwise release any animal impounded therein, or hinder, obstruct or prevent the Animal Control Officer from impounding any animal liable to be impounded.

Section 16. Fees, Disposition and Use.

All license fees, impoundment fees, boarding fees, adoption fees and other revenue received by Metro Animal Control and Welfare shall be deposited in a fund for the sole purpose of defraying the expenses associated with the operation of the Metro Animal Control and Welfare Shelter.

Section 17. Police Canine Exclusions/Exemptions.

Police canines working on duty with Law Enforcement Personnel are excluded from Section 1-At Large definition and are exempted from Section 7-B, 1 to 3, and 5, C and D and Section 13.

Section 18. Violation and Penalty.

a. Citation And Notice To Appear: Whenever an Animal Control Officer observes or has reasonable cause to believe a person has violated the provisions of this Act, such Officer is authorized to prepare a written citation containing a notice to appear in the Court in the Entity in which the violation occurred. The citation, at a minimum, shall be written on a form which notifies the person of the offense with which he/she is charged, and the time and place where the person must appear to answer the charge.

b. Citation Deemed Complaint; Disposition: Every Animal Control Officer upon issuing a citation herein authorized, shall deposit the original of the citation with the Court in the Entity in which the violation occurred, and shall issue a copy of the same to person against whom the violation is charged. Upon deposit of the original citation with the Court, the citation may be disposed of only by trial in court or other official action by the Judge of the Court or the prosecuting attorney, and the citation when filed with the Court shall be deemed a lawful complaint for the purpose of prosecution under this Act.

c. In lieu of a citation, any charging document authorized by law, may be issued for a violation of this Act

d. Penalty; Revocation And Replacement:

(1) Any person convicted of violating any provisions of this act shall be punished by the Court having jurisdiction in the Entity in which the violation occurred, consistent with the Wyoming Statutes, to wit:

(a) Cruelty to animals: W.S. 6-3-203—is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than \$750.00, or both, except that a subsequent offense or aggravated cruelty to animals, (6-3-203c, is a high misdemeanor punishable by not more than one year imprisonment, a fine of not more than five thousand dollars, or both.

(a) Running at large: W.S. 11-31-301c—is punishable by a fine of not more than \$50.00 for the first offense and not more than \$100.00 for each subsequent offense.

(b) Vicious dogs: W.S. 11-31-301e—The animal may be impounded for at least 15 day, but not more than 20 days after the attack to determine whether the dog has any disease which may be communicated to humans, except that no dog shall be quarantined if the dog's owner or custodian presents a valid rabies vaccination certificate showing the has been vaccinated against rabies impoundment, quarantine and testing shall be paid, be the owner or custodian of the dog. Any dog, which attacks any person in a vicious manner, may be destroyed or the owner or custodian of the dog may be fined not more than (\$200.00), or both

(c) The fines for all other nuisances shall be \$50.00 for the first offense and \$100.00 for any subsequent offense.

(2) In addition of any other penalty authorized by law, any person owning an animal which violates Sections 7, 8-D, 9-A and Section 13 of this Act, resulting in convictions of the individual on (3) three separate occasions for violating the same section within (3) three years of the first conviction, shall be required to have the animal destroyed or relocated. The owner shall have (10) ten calendar days from the date of the notification to relocate the said animal outside of the corporate limits of Entity in which the violation occurred. At the end of this period, if the animal is not relocated, it shall be humanely disposed of by Metro Animal Control and Welfare at the expense of the owner.

(3) In addition to any other penalty authorized by law, in the event the animal owner is required to relocate an animal or one of its animals is destroyed in accordance with the provisions of the Section 18-C; or in the event an animal owner receives a conviction for a violation of Section 9, the said owner shall be prohibited from owning any animal within the corporate limits of the Entity having jurisdiction for a term of not less than (12) twelve months following the date of conviction, relocation or destruction.