

ORDINANCE NO. 549

**AN ORDINANCE TO MODIFY THE PROVISIONS OF CHAPTER 8.04 OF THE MUNICIPAL CODE OF THE CITY OF POLSON AS NECESSARY TO REGULATE CATS TO THE SAME EXTENT AS DOGS:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:**

WHEREAS, The City has, from time to time, addressed the regulation of ownership and control of dogs within the City limits by several ordinances requiring, among other things, licensing, impoundment, leashing, and fines; and,

WHEREAS, Said Ordinances have been codified into the Polson City Code at Title 8.04 thereof; and,

WHEREAS, The City find that cats should be subject to regulation in many of the same areas as dogs; and,

WHEREAS, The City finds that Polson City Code Sections 8.04.010, 8.04.020, 8.04.030, 8.04.060, 8.04.070, 8.04.080, 8.04.100, 8.04.110, 8.04.120, 8.04.140, 8.04.150, 8.04.160, and 8.04.180, should be amended to read "dogs or cats" at each and every place therein in which the word, "dogs," now appears, the original ordinances from which the Sections derive being at one and the same time similarly amended.

WHEREAS, The City find that Sections 8.04.130 and 8.40.170 should be amended to read as follows:

8.04:130 Fines for dogs and cats running at large. The impounding fees and fines for dogs and cats running at large shall be as follows:

Licensed dogs and cats as follows:

1 <sup>st</sup> offense in a 1 year period	\$ 25.00
(Fines for dogs and cats running at large on first offense will be waived or refunded if unspayed or non-neutered animal is spayed or neutered within 7 days of impoundment. The cost of keeping the animals during impoundment will be paid by the owner.)	
2 <sup>nd</sup> offense within 1 year of first offense	\$ 50.00
3 <sup>rd</sup> offense within 1 year of first offense	\$ 75.00

Unlicensed dogs and cats as follows:

1 <sup>st</sup> offense in a 1 year period	\$ 35.00
(Fines for dogs and cats running at large on first offense will be waived or refunded if unspayed or non-neutered animal is spayed or neutered within 7 days of impoundment. The cost of keeping the animals during impoundment will be paid by the owner.)	
2 <sup>nd</sup> offense in a 1 year period	\$ 70.00
3 <sup>rd</sup> offense in a 1 year period	\$100.00

Upon the fourth offense for either a licensed or unlicensed dog or cat within a one year period, the dog or cat shall be declared a public nuisance and its disposal ordered by the judge at the expense of the owner.

The above fees do not include the cost of keeping the animals impounded.

An offense shall occur each time an individual party has a dog or cat impounded or the owner receives a citation for violations. (Ord. 497; Ord. 442; Ord. 361)

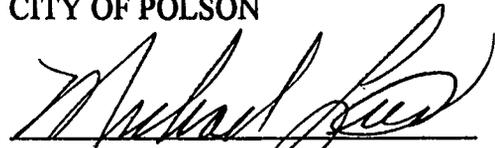
**REPEALING CLAUSE:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**FIRST READING:** March 16, 1998.  
**SECOND READING:** April 6, 1998

NOW THEREFORE, it is resolved that the subject Ordinance shall become effective on May 6, 1998.

PASSED AND ADOPTED THIS 6th day of April, 1998.

CITY OF POLSON

  
Mike Lies, Mayor

ATTEST:

  
Aggi Loeser, City Clerk