

**MADISON COUNTY FISCAL COURT  
ORDINANCE 16-02**

**AN ORDINANCE RELATING TO THE CONTROL AND REGULATION OF THE  
ANIMAL POPULATION IN MADISON COUNTY**

**REPEALING ORDINANCE 09-09, ORDINANCE 05-11, ORDINANCE 01-04,  
ORDINANCE 84-7, AND ORDINANCE 82-18.**

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**WHEREAS**, the Madison County Fiscal Court has determined it is beneficial to the residents of Madison County to regulate the animal population and animal establishments within the County to ensure that animals are treated humanely, controlled by their owners and custodians, and subject to the authority of Animal Control as established in K.R.S. 258; and

**WHEREAS**, the Madison County Animal Shelter plans to utilize technology to improve the tracking of canines in Madison County; and

**WHEREAS**, the Madison County Fiscal Court wishes to streamline Ordinances 09-09, 05-11, 01-04, 84-7, and 82-18 into one ordinance; and

**WHEREAS**, the Madison County Fiscal Court has not substantially updated the Animal Control Ordinance since 1982;

**NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF THE  
COUNTY OF MADISON, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:**

**SECTION I DEFINITIONS**

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ABANDON.** The following terms identify abandonment:

1. Any canine left more than 24 hours without a person checking on the condition of the canine and providing food and potable water; or
2. Any livestock left more than 48 hours without a person checking on the condition of the livestock and providing adequate food and potable water; or
3. Any canine or livestock left on private property without the owner's consent or deserted or dumped on public property or roadways.

**ADEQUATE FOOD.** Wholesome food suitable for the species provided at suitable intervals in a sanitary manner in quantities sufficient to maintain good health in an animal, considering its age and condition.

**ADEQUATE SHELTER.** Shall be provided to any canine(s) that remains outside. The shelter must be suitable for the species, age, and condition of the animal. The shelter shall:

- 1) The shelter shall be sanitary and weather/waterproof, be structurally sound with enclosed sides or walls. Suitable drainage must be provided so that water is not standing in or around the structure;
- 2) be small enough to allow the animal's body heat to warm the interior of the structure but be large enough to allow the animal to stand up, turn around, and lie down without touching the walls;
- 3) be made from suitable, appropriate, materials to prevent harm or injury to the animal(s);
- 4) provide access to shade from direct sunlight and regress from exposure to inclement weather conditions, hot or cold, but which does not exacerbate existing weather conditions; and
- 5) be placed in an area offering the best available protection from inclement weather, hot or cold.

**ADEQUATE VENTILIATION.** Proper air flow and circulation by mechanical, natural, or other means that provide a constant exchange of air, with fresh, clean, oxygenated air replacing the contaminated, dirty, un-oxygenated air within a confined space.

**ADEQUATE VETERINARY CARE.** an appropriate level of professional medical care and treatment by a veterinarian licensed by the Kentucky Board of Veterinary Examiners to maintain the proper health and condition of an animal as determined by its breed and age.

**ADEQUATE WATER.** A supply of clean, fresh, potable water provided on a continual basis in a sanitary manner suitable for the condition, and age of the animal. The supply shall be in sufficient amounts to maintain good health in the animal, and in a suitable container secured to prevent turnover.

**ANIMAL.** Any live domesticated vertebrate creature

**THE DEPARTMENT FOR ANIMAL AND ENVIRONMENTAL CARE.** The department of the Madison County Fiscal Court which is designated by the Fiscal Court that is responsible for the operation the Madison County Animal Shelter and the enforcement of the provisions of this ordinance, Kentucky Revised Statutes Chapter 258, and Kentucky Revised Statutes pertaining to animal cruelty.

**ANIMAL CONTROL OFFICER.** Any person designated by the Director of the Department for Environmental and Animal Care who is qualified to perform the duties under the laws and ordinances of the Commonwealth of Kentucky and the County and all peace officers with jurisdiction in unincorporated areas of Madison County or any incorporated area of Madison County where there is an inter-local agreement for enforcement of local animal control ordinances. An Animal Control Officer shall be a law enforcement officer for the purposes of animal control only as established in K.R.S. 436.605 and K.R.S. 258.195

**ANIMAL SHELTER.** The facility used to house or contain animals, operated or maintained by the Madison County Fiscal Court.

**ANIMAL WELFARE GROUP.** Any non-profit organization incorporated in Kentucky as a humane society, animal welfare society, society for the prevention of cruelty to animals, or other non-profit organization established for the purposes of caring for, housing and adopting stray or unwanted animals.

**ATTACK.** An act by a canine that without provocation causes bodily injury to a human being, livestock, and domestic animal by attempting to bite or biting. This definition shall not apply to an attack by a dog that is protecting the property or life of its owner(s) or the attack of a person who has illegally entered or is trespassing on the dog owner's property in violation of KRS 511.060 through 511.090.

**BEATING.** To strike an animal repeatedly and injuriously.

**BITE.** A wound caused by the bite of an animal which causes puncture wounds.

**CANINE.** In its singular or plural form shall refer to a domesticated carnivorous animal identified as *canis familiaris*.

**CHAIN.** A chain or tether shall weigh no more than one-eighth (1/8) of the canine's weight.

**CONTROL.** The ability to manage and direct the behavior of a dog, either by leash or by observation and voice command.

**CANINE LICENSE.** A license that is issued by Madison County Department for Environmental and Animal Care or its representatives for all canines owned or harbored within the unincorporated area of Madison County or any incorporated area of Madison County. The license identifier may be a microchip or identifying integrated circuit placed under the skin of a canine which is implanted into the canine's skin. The microchip shall use passive radio frequency identification

technology. At the time of licensure the owner of any canine shall have the option to not have their canine implanted with a microchip and shall instead be issued a serial numbered tag that shall be affixed to the canines collar at all times.

**DAY.** For the purposes of this ordinance, a 24 hour period shall constitute a day.

**DIRECTOR OF ANIMAL AND ENVIRONMENTAL CARE.** The person approved by the Fiscal Court as the Chief Officer of the Department for Environmental and Animal Care.

**DOMESTIC ANIMAL.** Animals that are habituated to live in or about the habitations of human beings, and which are kept, cared for, sheltered, fed, or harbored for use as a pet.

**DWELLING.** The house or other structure in which a human being lives.

**EXOTIC ANIMAL.** Any animal identified as exotic by the Kentucky Department for Fish and Wildlife or the Federal Government of the United States.

**EXTREME WEATHER CONDITIONS.** Periods of time when weather conditions are such that a Heat Warning or Wind Chill Warning is issued by the National Weather Service.

**FEE SCHEDULE.** List of all fees and fines approved by the Madison County Fiscal Court and charged by the Department for Environmental and Animal Care.

**FELINE.** (Animals) of, relating to, or belonging to the Felidae, a family of predatory mammals, including cats

**HABITUALLY.** Habitually means three or more times during a one month period.

**LIVESTOCK.** Cattle, sheep, swine, goats, horses or any other animals of the bovine, ovine, porcine, caprine, or equine species.

**LOT.** Any parcel or tract of real estate in Madison County of which there is a deed or plat recorded in the County Clerk's office.

**KILLING.** To cause the death of an animal unless as authorized by the Kentucky Revised Statutes.

**MUTILATING.** To inflict a violent and disfiguring injury upon an animal.

**NECESSITIES.** Food, water, space, healthcare and shelter.

**OVERLOAD.** To load to excess; overburden

**OVERWORK.** To cause to work too hard, too much, or too long; weary or exhaust with work.

**OWNER.** In its singular or plural form shall be defined as any person owning or harboring a canine through license, evidence of vaccination, breeding, selling, feeding or sheltering a dog or dogs on a regular basis. Knowledge of such evidence of ownership by members of the owner's community or neighborhood shall be admissible in any court proceeding regarding guilt or innocence as to a violation of this ordinance.

**PARAPHERNALIA, ANIMAL FIGHTING.** Any weighted collars, slat mills, carpet mills, fighting pens, permanent or temporary, injectable or ingestible drugs and supplements used to enhance fighting, spring poles, or weight pull harnesses and equipment that is discovered by probable cause or search warrant during the investigation of a cruelty complaint.

**PERSON.** All natural persons, acting solely as an individual or part of corporations, partnerships, firms, associations, governmental bodies, agencies, and other entities.

**PROPERTY.** Real estate, residential lot, dwelling or farm owned, rented or occupied by a person owning or harboring a canine.

**PUBLIC NUISANCE.** Any at-large canine or canine under direct control of its owner or a handler which:

- 1) is repeatedly molesting passers-by and/or passing vehicles;
- 2) attacks people or other animals;
- 3) damages public or private property;
- 4) is repeatedly running at large; or
- 5) creates unsanitary conditions including but not limited to a home, residence, building, shed, yard, property, or other establishment that contains excessive amounts of feces and/or urine, or exudes a foul odor.

**STRAY.** Any animal found running at large and not under the control of its owner or person that is harboring the animal within the unincorporated area of Madison County or any incorporated area of Madison County where there is an interlocal agreement for enforcement of animal control ordinances. A hound or other hunting dog which has been released from confinement for hunting purposes shall be deemed to be under reasonable control of its owner or handler while engaged in or returning from hunting, and, if a hunting dog becomes temporarily lost from a pack or wanders from actual control or sight of its owner or handler, the owner shall not be deemed to be in violation of the provisions of this ordinance as a result of the dog's having become temporarily lost or having wandered from immediate control or sight of the owner or handler as established in K.R.S. 258.215.

**TORTURING.** The act of inflicting excruciating pain upon an animal, as punishment or revenge.

**VETERINARIAN.** One licensed by the Kentucky Board of Veterinary Examiners and qualified to treat diseases and injuries of animals.

**VETERINARY HOSPITAL CLINIC.** Any establishment maintained and operated by a Veterinarian licensed by the Kentucky Board of Veterinary Examiners for surgery, diagnosis, and treatment of diseases and injuries of animals.

**VICIOUS CANINE.** The following actions may be used as part of a criminal complaint and/or evidentiary hearing before a District Judge for a finding of fact that a canine is a danger to the public health and safety of the residents incorporated and unincorporated areas of Madison County.

- 1) Any canine which constitutes a physical threat to human beings or domestic animals which, due to a known propensity to endanger life, by an unprovoked assault or bite which has resulted in bodily harm;
  - 2) Any canine which, when unprovoked, approaches in a terrorizing manner, any person in an attitude of attack upon streets, sidewalks or any public grounds or places;
  - 3) Any canine with a known propensity, tendency or disposition to unprovoked attacks which cause injury or endanger the safety of human beings or domestic animals;
  - 4) Any canine which bites multiple times to the extent of causing injury and assaults or otherwise attacks human beings or domestic animals;
    - a. Any canine owned or harbored primarily or in part for the purpose of fighting with animals.
    - b. It shall be considered evidence that a canine is vicious if the animal bites a human being or domestic animal more than once in the same attack.
1. Exceptions: A canine shall not be deemed vicious solely because: It bites, attacks, or menaces:
- a. Any person assaulting its owner;
  - b. Any person or animal who has tormented or abused it;

- c. Any person that has illegally entered or is trespassing on the canine owner's property in violation of KRS 511.060 through 511.090
- 2. Any person who has been invited or entered the canine owner's property for legal reasons
  - a. It is otherwise acting in defense of any attack from a person or other animal upon its owner or another person;
  - b. It is protecting or defending its young or the young of any other animal; or
  - c. Its breed or assumed/known component of its breed.

**WILD ANIMAL.** Any species of animal not normally domesticated by human beings, including but not limited to all bears, lions, tigers, cougars, leopards, coyote, wolves, hybrid wolves, wolverines, badgers elephants and rhinoceros.

## **SECTION 2 POWERS OF ANIMAL CONTROL.**

- 1) The Director and all sworn officers of the Department for Environmental and Animal Care shall have the powers of a peace officer with the exception of arrest for the purposes of enforcing animal control laws or ordinances in Madison County if they otherwise qualify as a peace officer under the laws of the Commonwealth of Kentucky as established in K.R.S. 258.195 and K.R.S. 436.605
- 2) All Animal Control Officers shall comply with KRS 61.300.
- 3) Whenever it is necessary for Animal Control Officers to make an inspection or investigation in order to enforce any provision of this ordinance or any other applicable state statute, they are hereby empowered to enter property when consent of the owner or occupant of the property is freely given, a search warrant is obtained or such exigent circumstances exist that a warrantless, non-consensual search is required.

- 4) All canines of any age running at large, as defined in this ordinance, and found within Madison County, may be picked up by Animal Control Officers and impounded in the animal shelter. In the event the canine is impounded the owner shall be charged a return to owner fee set by the Fiscal Court. Prior to the release of any canine from the animal shelter for a violation of the canine running at large, the owner of the canine shall show proof that the canine has a Madison County Canine License. If the owner cannot provide proof of licensure, they shall be responsible for the associated fees. All canines shall be injected with a microchip before release from the animal shelter. If the Department for Environmental and Animal Care can reasonably return the canine they may do so and issue a warning or citation to the owner.
- 5) All animals of any age which have bitten a human being may be picked up by the Department for Environmental and Animal Care and impounded in the animal shelter for any applicable quarantine period. In the event an animal is impounded for a quarantine period, the owner shall be responsible for a return to owner fee. Prior to the release of any animal from the animal shelter the owner of the canine shall show proof that the canine has a Madison County Canine License. If the owner cannot provide proof of licensure they shall be responsible for the associated fees and the canine shall be injected with a microchip before release from the animal shelter.
- 6) Any animal involved in an alleged violation of KRS 525.125, 525.130, 525.135 or any violation of Section 8 of this ordinance may be confiscated and held by any Animal Control or peace officer in a humane manner. Upon taking custody of an animal pursuant to KRS 525.125 or KRS 525.130, 525.135 or Section 8 of this ordinance, the Department for Environmental and Animal Care shall give notice of the seized animal by posting a notice at the location where the animal is taken into custody or by delivering notice to a person residing at the property. The animal shall remain in the custody of the Fiscal Court until the accused is given a hearing before a District Court Judge. Should that judge find probable cause for a charge under KRS 525.125, 525.130, 525.135 or Section 8 of this ordinance, the

court may order temporary or permanent forfeiture of the animal to Madison County Department for Environmental and Animal Care.

- (1) Upon a plea or finding of guilt, the animal may become the property of the Madison County Fiscal Court. The person convicted for violating KRS 525.125, 525.130, 525.135 or Section 8 of this ordinance shall pay all expenses related to the incidents of cruelty, including investigation, disposition, veterinary costs, and all costs of maintaining or disposing of the animal incurred from the date of confiscation up to and including the date of permanent forfeiture to the Madison County Fiscal Court.
  - (2) Upon a dismissal of the charge or a finding of innocence, the animal may be immediately returned to the owner. If the owner does not re-claim the dog within 5 days of the dismissal or acquittal, the animal shall become the property of the Madison County Fiscal Court and may be offered for adoption, sale or may be euthanized at the discretion of the Director of the Department for Environmental and Animal Care.
- 7) Animal Control Officers are authorized to place, upon request of property owners, live-capture animal traps on public or private property for the purpose of trapping and removal of stray, at large, unwanted, or nuisance domestic canines. It shall be unlawful for any person other than an Animal Control Officer or his designee to remove a canine from the trap or to damage, destroy, move or otherwise tamper with the trap.

### **SECTION 3 PUBLIC NUISANCE**

No person shall keep, harbor, or own any dog that shall do any one or more of the following objectionable actions, each of which is hereby declared to be a public nuisance.

- 1) Habitually goes upon any property or premises not owned or occupied by the person who keeps, harbors or owns said dog.

- 2) Habitually turns over or gets into garbage cans, or damages shrubbery, lawns and item of personal property, located on any premises other than those owned by the person who keeps, harbors or owns said dog.
- 3) When not on the property of its owner, habitually runs at, jumps upon, chases, barks at, bites at or in any way frightens, molests or scares any child or adult other than the one who keeps, harbors or owns said dog and members of the immediate family.

#### **SECTION 4 CANINE LICENSING.**

The purpose of the Canine Licensing Program is to provide informational data that will help Madison County Department for Environmental and Animal Care personnel to have the ability to identify stray dogs, control over population of unwanted dogs, and insure the safe return of pets to their owners. This is done by the creation of a computerized database with detailed information of owners, age, breed, marking, sex, and electronic ID of their pets. The key component of this program is the insertion of a microchip for identification of dogs found running at large that may have been picked up an animal control officer or turned into the shelter by private individuals. It is not intended in any way to violate the constitutional rights of the owner. An owner is free at the time of initial licensing to request that the chip not be included. Upon payment of the license fee, renewal fee, or transfer fee if the owner chooses to not have their animal implanted with a microchip the owner shall be issued a receipt of registration and a serial numbered license tag for each canine. The license tag shall be affixed to the canine's collar and worn by the canine at all times.

- 1) Effective July 1, 2016, the owners of all canines four (4) months of age or older or those who harbor or maintain canines in the unincorporated or incorporated areas of Madison County shall have each and every canine licensed with the Madison County Animal Shelter in accordance with the provisions of this ordinance.

- 2) The initial license fees and renewal fees for each canine shall be as set forth in the Fee Schedule. The license fee period shall begin from date of purchase. Each license shall expire at the end of calendar month in which the license was purchased of the following year. Each license must be renewed each year unless lifetime license is purchased as outlined in said Fee Schedule. Failure to license, or to renew a license, will result in a penalty outlined in the Fee Schedule. At the time of licensing and registration, the owner shall provide his or her name, address, driver's license number or Kentucky Identification Card and telephone number, as well as the name, breed, color and sex of each canine to be licensed. Upon payment of the license fee, the owner shall be issued a receipt of registration and a serial numbered microchip that shall be implanted in each canine or serial numbered tag that shall be affixed to the canines collar at all times. Owners that request their canine to not be implanted with a microchip shall be required to affix the issued serial numbered tag to the collar of the canine at all times.
- 3) A canine that has previously been implanted with a microchip prior to the adoption of this ordinance it shall be subject to the license fees as set forth in the Fee Schedule. There shall be no fee for canines that are current on licensing and have transferred ownership.
- 4) Proof of Rabies Vaccination shall be required prior to being licensed. If proof cannot be provided the owner may purchase a voucher from the Department of Environmental and Animal Care.
- 5) Failure to register a dog and to obtain the license set forth herein within 30 days of acquiring or possessing the animal, or failure to renew by end of calendar month of purchase each year thereafter shall result in a fine as set forth in the Fee Schedule.
- 6) Owners of canines four (4) months of age or older or those who harbor or maintain canines in the unincorporated or incorporated areas of Madison County may purchase their license at the Madison County Animal Shelter or at participating veterinarian offices. Participating veterinarians that issue a license that requires a microchip may at their discretion use microchips provided by

Madison County Department for Environmental and Animal Care or a microchip of their choice. Participating veterinarians shall receive a portion of the sales of microchips sold at their facility as outlined the Fee Schedule.

#### **SECTION 5 HARBORING A VICIOUS CANINE**

- 1) Any person owning, leasing, renting, occupying or having control of a lot, parcel or tract of land within the unincorporated area of Madison County or any incorporated area of Madison County shall be subject to the following provisions:
  - (A) Any person who is attacked by a canine without provocation may file a criminal complaint against the canine's owner in district court for the purpose of declaring the canine as vicious.
  - (B) Any owner of a vicious canine shall keep the canine securely confined 24 hours a day in an enclosed pen of sufficient height and strength to prevent escape or under the owner's personal control by leash when outside of its confined area.
- 2) Any vicious canine found upon public or private property outside the premises of its owner, that is not restrained or controlled, may be impounded or destroyed by an Animal Control Officer or the owner upon whose property the canine is found running at large.

#### **SECTION 6 LIABILITY OF OWNER.**

An owner shall be liable under this ordinance for damages caused when a canine not under control leaves the property of the owner, whether or not the canine enters or remains upon the property of a public or private property owner.

#### **SECTION 7 WILD AND EXOTIC ANIMALS**

It shall be unlawful to sell, own, harbor or keep as a pet, a wild or exotic animal, not indigenous to the United States, unless the animal has been approved for sale or retention by appropriate state and federal governmental agencies and any required permits have been obtained.

## **SECTION 8 HUMANE TREATMENT OF ANIMALS.**

- 1) It shall be unlawful to abandon any canine or livestock.
- 2) In the event that a canine or livestock is found abandoned, such canine or livestock may be seized by an Animal Control Officer or peace officer, and impounded at the Animal Shelter or at an alternate location designated by the Director of Department for Environmental and Animal Care. Such canine or livestock, if taken from private property shall be kept for not less than the prescribed period in accordance with the procedures set forth in Kentucky Revised Statutes 258.215 or in this ordinance, or for any longer period required by law, regulation, or medical necessity. In the event a canine or livestock is so abandoned, the owner or person, if any, who he/she has charged with the canine's or livestock's care, shall be subject to a criminal prosecution for any violation of this section.
- 3) Any canine found not under restraint without a rabies vaccination tag or up to date with a county license, or any canine found in a condition that requires immediate veterinary care, shall be presumed to be abandoned, and shall be seized and held at the Madison County Animal Shelter for a five day period.
- 4) Notice of seizure of an abandoned canine or livestock from private property shall be posted on the premises from which the canine or livestock was seized, which notice shall clearly state the agency name and telephone number for the Animal Shelter.
- 5) The owner of any canine shall be required to provide adequate food, water, space, health care and shelter.
- 6) The owner of any livestock shall be required to provide adequate food, water, space, and health care.
- 7) The owner of any feline shall be required to provide adequate food, water, space and health care.
- 8) It shall be unlawful for any person to inhumanely treat any canine or feline, including, but not limited to, the deprivation of necessities, beating, mutilating,

torturing, killing, overloading, overworking, or otherwise abusing any canine or feline. Nothing herein shall prevent the Department for Environmental and Animal Care from humanely euthanizing any canine or feline to prevent the prolonged suffering of the canine or feline.

- 9) Any canine which is chained, tied or otherwise restrained shall be provided no less than ten feet of chain or cable and the like with a swivel attached to prevent entanglement. The tether shall be secured to a fixed immobile point that allows freedom of movement while withstanding the force necessary to restrain the canine. Canines shall not be tethered by use of a training collar or on any collar too small for the size and age of the canine, or of such unreasonable weight as to prevent the canine from moving about freely. The chain or cable shall be attached to the canine using a collar ~~constructed of nylon or leather~~. Canines shall only be tethered in an area that is free of objects which could become tangled in the tether.
- 10) It shall be unlawful for any person to keep a canine or feline within the passenger compartment of an automobile without adequate ventilation in the summer or adequate warmth in the winter. No person shall enclose any canine or feline in the trunk of an automobile. An Animal Control Officer or peace officer has authority to enter such motor vehicle by any reasonable means under the circumstances after making a reasonable effort to locate the owner or other person responsible. No person shall use any automobile as a permanent shelter for canines or felines.
- 11) It shall be unlawful for any person to stage, cause, instigate, permit, observe, or attend any dog-fight or other combat between canines or between canines and humans. Canines altered for fighting purposes and animals with scarring from previous fighting may be considered evidence of unlawful canine combat.
- 12) It shall be unlawful for any person(s) to own, harbor, or be in possession of any canine fighting paraphernalia.
- 13) It shall be unlawful for any person to set free any hare, rabbit, gerbil, domesticated rat, guinea pig, other pet rodent, snake, lizard, turtle, other pet

reptile, or other animal for the purpose of violating any provision of this ordinance.

- 14) Any person, who as the operator of a motor vehicle, strikes a domestic animal, shall stop at once and render assistance as may be possible and shall immediately report such injury or death to the animal's owner, if known, or to Animal Control Officer or any peace officer.
- 15) No person shall expose any toxic, poisonous or illegal substance, whether mixed with food or not, so that the same shall be likely to be eaten by a domestic animal.
- 16) It shall be unlawful to allow canines to remain outdoors during extreme weather conditions. Canines, must be moved indoors or to an area that provides protection from the extreme weather condition.
- 17) It shall be unlawful for any owner or handler that has direct visual control of a canine on or off leash to allow said animal to intimidate, harass or worry another canine that is on its own owner's property.

#### **SECTION 9 ADOPTIONS AND MANDATORY SPAY/NEUTER.**

- 1) Prior to the adoption of any animal from the Animal Shelter an application must be completed by the person wishing to adopt the animal. Any person wishing to adopt an animal who has been convicted of a violation of KRS 525.125, KRS 525.130, KRS 525.135, or Section 8 will not be qualified to adopt.
- 2) The Department for Environmental and Animal Care are not obligated to sell or transfer possession of any animal in their custody.
- 3) All canines and felines adopted from the Animal Shelter shall be surgically altered to prevent breeding.
- 4) The fee for adoption of animals shall be set forth in the Fee Schedule.

#### **SECTION 10 MICROCHIPPING ANIMALS**

All animals released from the County animal shelter whether by return to owner or adoption shall be implanted with a microchip prior to release. Canines released from

the shelter by return to owner shall also be subject to canine licensing. A hound or other hunting dog which is impounded at the shelter as a result of the canine having become temporarily lost or having wandered from immediate control or sight of the owner or handler while engaged in hunting as established in K.R.S. 258.215 will be exempt from the microchipping requirement of this section.

#### **SECTION 11 RABIES VACCINATIONS.**

- 1) All canines and felines, four months of age and older, shall be vaccinated for rabies and revaccinated for rabies at the expiration of the immunization period as certified by a veterinarian.
- 2) Any canine or feline reclaimed or adopted from the Animal Shelter must have a valid rabies vaccination.
- 3) Upon reclaiming an animal impounded at the Animal Shelter the owner shall show proof of a valid rabies vaccination. If proof of the vaccination cannot be provided, the owner shall have the canine vaccinated and provide the animal shelter with proof of vaccination.

#### **SECTION 12 LIVESTOCK RUNNING AT LARGE.**

- 1) It shall be unlawful for any person to permit any livestock owned or harbored by him, to run at large. When livestock are running at large, the Department for Environmental and Animal Care or a peace officer shall make reasonable efforts to notify the owner as soon as possible. If reasonably possible and feasible, the owner of the livestock shall be notified prior to the actual capture and impoundment of the livestock.
- 2) If the owner of livestock that is running at large is unable to be located, the Department for Environmental and Animal Care or a peace officer shall have the power to impound the livestock and hold it at a location designated by the Director of the Department for Environmental and Animal Care. The livestock shall be held for a minimum of 15 days after being advertised in the local newspaper publication to give the owner sufficient time to claim the livestock.

After impoundment the Director of the Department for Environmental and Animal Care shall advertise in the legal section of the local newspaper publication where and when the livestock was impounded. If after the 15 day period the owner of the livestock has not come forward to claim it, the livestock will become the property of the Madison County Fiscal Court and may be offered for adoption, sale or may be euthanized at the discretion of the Director of the Department for Environmental and Animal Care. If the owner of the livestock comes forward to claim such livestock the owner shall be responsible for paying a reasonable fee for transportation, board, administration, and medical attention during the impoundment.

#### **SECTION 14 PENALTIES**

With expectation of penalties outlined under Kentucky Revised Statute or within a different County Ordinance, any person failing to comply with the requirements set forth in this ordinance may be fined not less than \$25 nor more than \$250. Each day constitutes a new and separate offense.

#### **SECTION 15 SALE, BOARDING OR BREEDING OF CANINES**

Any individual selling, boarding or breeding canines for a fee shall maintain a business license issued by the Madison County Fiscal Court.

#### **SECTION 16 DECLARATION OF EMERGENCY**

In the event of a Declaration of Emergency, the Madison County Judge Executive may suspend on call operations, with exception of feeding animals being held at the Madison County Animal Shelter.

## **SECTION 17 INTERLOCAL AGREEMENT**

Enforcement of Madison County Animal Control Ordinances within municipal limits will only be enforced by the Department of Environmental and Animal Care upon the execution of an interlocal agreement between the County and the municipality.

## **SECTION 18 EFFECTIVE DATE**

All provisions of this ordinance which shall take full force and effective upon passage upon publication as required by KRS 424.120 and KRS 67.077.

**THIS DOCUMENT WAS FIRST INTRODUCED AND GIVEN FIRST READING IN SUMMARY** at a duly convened meeting of the Fiscal Court of Madison County, Kentucky held on the 23<sup>RD</sup> day of February, 2016.

**GIVEN SECOND READING AND ADOPTED** at a duly convened meeting of the Fiscal Court of Madison County, Kentucky held on the 22<sup>nd</sup> day of March, 2016, and of record in Fiscal Court Order Book \_\_\_\_, page \_\_\_\_.

DATE OF FIRST READING: February 23, 2016

MOTION BY: Roger Barger

SECONDED BY: Tom Botkin

VOTE: YES NO

JUDGE REAGAN TAYLOR ✓  
MAGISTRATE LARRY COMBS ✓  
MAGISTRATE ROGER BARGER ✓  
MAGISTRATE TOM BOTKIN ✓  
MAGISTRATE JOHN TUDOR ✓

DATE OF SECOND READING: March 22, 2016

MOTION BY: John Tudor

SECONDED BY: Tom Botkin

VOTE: YES NO

JUDGE REAGAN TAYLOR ✓  
MAGISTRATE LARRY COMBS absent  
MAGISTRATE ROGER BARGER ✓  
MAGISTRATE TOM BOTKIN ✓  
MAGISTRATE JOHN TUDOR ✓

Reagan Taylor  
Madison County Judge Executive

Attested by  
Kenny Barger  
Kenny Barger  
Madison County Clerk