

**MADISON FISCAL COURT
MADISON COUNTY, KENTUCKY
ORDINANCE 2025-005**

**AN ORDINANCE RELATING TO THE CONTROL AND REGULATION
OF THE ANIMAL POPULATION IN MADISON COUNTY
REPEALING ORDINANCE 19-09**

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. Chapter 258; and

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

WHEREAS, the Madison County Fiscal Court wishes to update its Animal Control Ordinance (19-09) to ensure consistency with current Kentucky law;

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

SECTION 1. DEFINITIONS

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

ABANDON(ED). The following definitions shall apply to the term “abandon(ed)” as it is used herein:

1. Any animal meeting the criteria set forth in KRS 257.010(1);
2. Any dog left more than 24 hours without a person checking on the condition of the dog and providing food and potable water; or

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

ANIMAL CONTROL OFFICER. Any person designated by the Department for Animal Care & Control 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 interlocal agreement for enforcement of the local Animal Control Ordinances. An animal control officer shall be a law enforcement officer for the purposes of animal control only as established in KRS §436.605 and KRS §258.195.

ANIMAL SHELTER. The Madison County, Kentucky Animal Shelter.

ATTACK. Any act by a canine that meets the definition set forth in KRS 258.095.

DOG LICENSE. A license that is issued by the Madison County Department for Animal Care & Control or its representatives for all Dogs owned or harbored within Madison County.

CAT. means any feline three (3) months of age or older for which there exists a United States Department of Agriculture approved rabies vaccine, as set forth in KRS §258.005;

COMMERCIAL ANIMAL FACILITY. Any individual or entity selling, boarding or breeding canines or felines for a fee.

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

DAY. For purposes of this Ordinance, and specifically for purposes of measuring required holding periods, a “day” refers to a business day, and non-business days are not included in such calculations.

DOG. means any canine three (3) months of age or older for which there exists a United States Department of Agriculture approved rabies vaccine, as set forth in KRS §258.005;

DEPARTMENT FOR ANIMAL CARE & CONTROL. A department of the Madison County Fiscal Court, which is designated by the Fiscal Court to be responsible for the operation of the Madison County Animal Shelter and the enforcement of the provisions of this Ordinance, Kentucky Revised Statutes Chapter 258, and Kentucky Revised Statutes relating to animal cruelty.

DIRECTOR OF ANIMAL CARE & CONTROL. The person approved by the Madison County Fiscal Court as the Chief Officer of the Department of Animal Care & Control.

DOMESTIC ANIMAL. Any animal converted to domestic habitat, as defined in KRS §446.010.

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

FEE SCHEDULE. List of all fees and fines approved by the Madison County Fiscal Court and charged by the Department for Animal Care & Control, as set forth herein, and as updated annually by resolution of the Madison County Fiscal Court

FERRET. means any musteline three (3) months of age or older for which there exists a United States Department of Agriculture approved rabies vaccine, as defined in KRS §258.005.

LIVESTOCK. Any animal identified in KRS §151.100.

MINIMUM CARE STANDARDS. All animals shall be provided “Minimum Care.” This means care sufficient to preserve the health and well-being of an animal and includes, but is not limited to, the following requirements:

1. Food of sufficient quantity and quality to allow for average growth or maintenance of body weight;
2. Open or adequate access to potable water of a drinkable temperature in sufficient quantity to satisfy the animal’s needs;
3. Access to a barn, house or other enclosed structure sufficient to protect the animal from wind, rain, snow or sun and adequate bedding to protect against cold and dampness;
4. Veterinary care deemed necessary by a reasonably prudent person to relieve distress from injury, neglect, or disease; and
5. Continuous access to an area:
 - a. With adequate space for exercise as necessary for the health of the animal. Indications of inadequate space include evidence of debility, stress, or abnormal behavior patterns.
 - b. With air temperature suitable for the health of the animal.
 - c. With adequate ventilation.
 - d. With regular diurnal lighting cycles of either natural or artificial light.
 - e. Kept reasonably clean and free from excess waste or other contaminants that could create a substantial risk of the animal becoming diseased or affected with life-threatening parasites.

OWNER. Any person who meets the definition contained in KRS §258.005.

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

REGULATED DOMESTIC ANIMAL. Any domestic animal subject to the provisions of this Ordinance, which shall include dogs, cats and ferrets.

RUNNING AT LARGE. Any animal, other than a hunting dog released for the purpose of hunting, that is off the property of the owner, possessor or harbinger, and is not restrained.

SHELTER. A structure that provides protection to an animal from the elements and weather conditions.

STRAY ANIMAL. Any animal, other than a hunting dog that is used for hunting, is found running at large.

STRAY CATTLE. Any animal of the bovine, ovine, porcine, or caprine species for which the owner is no longer claiming ownership or for which the owner cannot be determined, but not including any member of the equine species, as defined in KRS §259.105; and

STRAY EQUINE. Any animal of the equine species for which the owner is no longer claiming ownership or for which the owner cannot be determined, as defined in KRS §259.105.

VICIOUS DOG. means any individual dog declared by a court to be a vicious dog, as defined in KRS §258.095.

SECTION 2. POWERS OF ANIMAL CONTROL OFFICERS

1. The director and all sworn officers of the Department for Animal Care & Control 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 KRS §258.195, KRS §258.225 and KRS §436.605. All animal control officers shall comply with KRS §61.300.

2. Animal control officers shall have the authority to issue uniform citations, local citations, or local notices for the enforcement of the provisions of the Kentucky Revised Statutes relating to cruelty, mistreatment, or torture of animals, for the enforcement of the provisions of this Animal Control Ordinance, as well as any other powers conferred upon them by Kentucky Revised Statutes.

SECTION 3. RUNNING AT LARGE

1. No person who is the owner of any animal shall permit it to run at large in any public road, highway, street, lane or alley, or upon unenclosed land, or permit it to go on any private yard, lot or enclosure without the consent of the owner of the yard, lot or enclosure.

2. 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 or handler shall not be deemed to be in violation of the provisions of this section as a result of the dog's having become temporarily lost or having wandered from immediate control or sight of the owner or handler.

3. In addition to the provisions of KRS § 285.235, the owner of an animal who permits it to run at large in violation of this section shall be liable for all damages caused by the animal upon the premises of another and shall make restitution for same.

4. Peace officers or animal control officers may seize canines of any age running at large, as defined in this Ordinance, and found within Madison County. Such animals may be impounded in the Animal Shelter. In the event the canine is impounded, the owner shall be charged a return to owner fee, pursuant to the Fee Schedule, set forth herein.

5. Prior to the release of any canine from the Animal Shelter for a violation of this Section, 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 required to obtain a valid Madison County Canine License and shall be responsible for any cost associated with obtaining same.

6. If the Department for Animal Care & Control can reasonably return the canine they may do so and issue a warning or citation to the owner.

SECTION 4. SEIZURE AND IMPOUNDMENT OF DOGS

1. Peace officers or animal control officers shall seize and impound any dog which does not bear a valid rabies tag or other legible identification which is found running at large. Any dog which an officer or animal control officer seizes shall be impounded in the designated Animal Shelter of the county and confined in a humane manner. If, after a reasonable effort, the seizure of an unrestrained dog cannot be made, or the dog presents a hazard to public safety or property or has an injury or physical condition which causes the dog to suffer, the animal control officer or peace officer may immediately destroy the dog by the most reasonable and humane means then available.

2. Impounded dogs shall be kept for not less than five (5) days, unless reclaimed by their owners. Dogs not reclaimed and those not placed in suitable new homes may be humanely euthanized after the five (5) day holding period, unless the dog has an injury or physical condition which causes it to suffer. In those cases, the Animal Shelter may immediately euthanize the dog, and if a human being has been bitten by the dog, the dog shall be tested for rabies.

3. If an owner is identified, the impounding agency shall immediately notify the owner of the impoundment by the most expedient means available, including posting a notice on the owner's residence, if known.

4. Upon reclaiming an impounded dog, cat, or ferret, the owner shall show proof of a valid rabies vaccination. If proof of the vaccination cannot be provided, the owner shall purchase a vaccination voucher from the Animal Shelter pursuant to KRS §258.215(3). The voucher shall be valid for ten (10) days from the date of issuance and shall be used in the prescribed time period. The Animal Shelter shall reimburse the veterinarian for the amount of the voucher upon presentation to the shelter by the administering veterinarian.

5. The owner of an impounded animal is responsible for all fees associated with the impoundment of the animal. If the owner can be identified, the fees are due even if the owner does not reclaim the animal.

6. All animals which are alleged to have bitten a human being, or are alleged to have violated KRS §525.125, KRS §525.130, KRS §525.135 may be picked up by the Department for Animal Care & Control and impounded in the Animal Shelter in a humane manner for any applicable quarantine period imposed by the Madison County Health Department or the Department for Animal Care & Control, as authorized by KRS § 258.087. In the event an animal is impounded for a quarantine period, the owner shall be responsible for a return to owner fee.

7. Upon taking custody of an animal pursuant to Court order in connection with KRS §525.125, KRS §525.130, KRS §525.135, or violations of this Ordinance or other applicable law, the Department for Animal Care & Control 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 custody of the Department of Animal Care & Control until further Orders of the Court.

8. Dogs, cats, or ferrets which have bitten a person, and who are not being held by the Department of Animal Care & Control, shall be maintained in quarantine by the owner for ten (10) days from the date of the bite. Owners who fail to properly quarantine their animals shall be subject to a citation for violation of this subsection and the dog, cat, or ferret shall be removed to the Animal Shelter for the remainder of the quarantine period. The owner shall be responsible for all associated fees of the quarantine and impoundment.

SECTION 5. DOG LICENSING

1. The purpose of the Dog Licensing Program is to provide informational data to assist the Madison County Department for Animal Care & Control personnel with the following: identifying stray dogs, controlling overpopulation of unwanted dogs, and to ensure the safe return of pets to their owners. This is done by the creation of a computerized database with detailed information about the ownership, age, breed, marking, and sex of dogs.

2. Effective July 1, 2025, the owners of all Dogs, or those who harbor or maintain Dogs in Madison County, shall have every dog licensed with the Madison County Animal Shelter in accordance with the provisions of this Ordinance. Licenses may be purchased at the Madison County Animal Shelter or by requesting a license online through the Madison County webpage.

3. The initial license fees and renewal fees for each dog shall be set forth in the Fee Schedule set forth herein. The license fee period shall begin on July 1st of each calendar year and shall expire on June 30th of the subsequent year. Licenses obtained during the calendar year, at any time after January 1st, shall only be valid for the remainder of the calendar year in which it was obtained. Failure to license, or failure to renew a license, will result in a penalty outlined in

the Fee Schedule. At the time of licensing, 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 dog to be licensed. Upon payment of the license fee, the owner shall be issued a receipt of registration and proof of licensure. Proof of licensure shall be affixed to the dog's collar at all times.

4. There shall be no fee for dogs that are current on licensing and have transferred ownership.

5. 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 Animal Care & Control pursuant to KRS §258.215(3).

6. Failure to register a dog and to obtain the license set forth herein within thirty (30) days of acquiring or possessing the animal, or failure to renew by July 1st of each year shall result in a fine as set forth in the Fee Schedule.

7. In lieu of obtaining an animal license, owners of all Dogs, or those who harbor or maintain Dogs in Madison County, may elect to have their dog microchipped, to register said microchip with, and provide proof of microchipping and registration to the Department of Animal Care & Control. Microchips may be purchased from the Madison County Animal Shelter for a fee, as set forth in the Fee Schedule herein.

8. In the event that the Madison County Department for Animal Care & Control administers an online program for the purchase and distribution of dog licenses, citizens may obtain same through said program.

SECTION 6. MICROCHIPPING ANIMALS

All animals released from the County Animal Shelter are subject to being microchipped prior to release, after the expiration of any holding period required by this Ordinance or Kentucky Revised Statutes. Canines released from the shelter by return to owner shall also be subject to dog licensing. The cost of microchipping shall be assessed against the owner or person adopting the animal, at a rate to be set forth in the Fee Schedule.

SECTION 7. HARBORING A VICIOUS DOG

1. Any person who has been attacked by a canine, or anyone acting on behalf of that person, may make a complaint before the District Court, charging the owner or keeper of the dog with harboring a vicious dog.

2. While the matter is pending before the District Court, and until such time as a ruling is issued by same, the owner of the subject 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. Any such owner shall also comply with any quarantine requirements imposed by the Madison County Health Department, Kentucky Revised Statutes, and any applicable Court orders.

3. An owner of a dog that has been found to be a "vicious dog" by a court of competent jurisdiction shall be deemed to have violated this Ordinance, in addition to any penalties imposed by the Kentucky Revised Statutes and the District Court.

SECTION 8. ABANDONED ANIMALS AND LIVESTOCK

1. No person shall abandon any domestic animal or livestock as defined in KRS §257.010, and such violation shall also constitute a violation of this Ordinance.

2. It shall constitute a violation of this Ordinance to abandon any regulated domestic animal or livestock. The Department for Animal Care & Control shall follow those procedures set forth in KRS §258.215 when dealing with abandoned animals.

3. Any dog found not under restraint without a rabies vaccination tag or up to date with a Madison County Dog License, or any canine found in a condition that requires immediate veterinary care, shall be presumed to be abandoned.

SECTION 9. WILD AND EXOTIC ANIMALS

No person shall sell, own, harbor or keep as a pet, any wild or exotic animal in violation of 301 KAR Chapter 200, and any other applicable state or federal law, and any violation of said regulation shall also constitute a violation of this Ordinance.

SECTION 10. HUMANE TREATMENT OF ANIMALS

1. The owner of any canine, feline or livestock shall be required to meet Minimum Care Standards, as defined herein.

2. Any canine which is chained, tied or otherwise restrained shall be provided no less than ten (10) feet of chain or cable and the like with a swivel attached to prevent entanglement. The tether shall be secure 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 a 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. Canines shall only be tethered in an area that is free of objects which could become tangled in the tether.

3. No person shall 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 any 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.

4. No person shall stage, cause, instigate, permit, observe or attend any dog fight or other combat between canines and humans. Canines altered for fighting purposes and animals with scarring from previous fighting may be considered evidence of unlawful canine combat.

5. No person shall own, harbor, or be in possession of any canine fighting paraphernalia.

6. It shall be unlawful for any person to set free any hare, rabbit, gerbil, domesticated rat, guinea pig, other pet rodent, snake, lizard, turtle or pet reptile or other animal, and same shall constitute a violation of this Ordinance.

7. 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.

8. No person shall allow canines to remain outdoors during extreme weather, as determined by Madison County Emergency Management Agency.

9. No owner or handler that has direct visual control of a canine on or off leash shall allow said animal to intimidate, harass or worry another canine that is on its own owner's property.

10. Violations of the animal cruelty laws set forth in KRS §525.125, KRS §525.130 and KRS §525.135 shall also constitute a violation of this Ordinance.

SECTION 11. ADOPTIONS AND 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. Such persons must provide proof that they are able to meet Minimum Care Standards with regard to said animal. Any person wishing to

adopt an animal who has been convicted of a violation of KRS Chapter 525, or Section 8 of this Ordinance will not be qualified to adopt.

2. In the event that the Madison County Animal Shelter administers a spay & neuter program, and upon establishment of same, all dogs and cats adopted from the Animal Shelter shall be surgically altered to prevent breeding.

3. The fee for adoption of animals shall be set forth in the Fee Schedule.

SECTION 12. RABIES VACCINATIONS

1. Every owner shall have his dog, cat, or ferret initially vaccinated against rabies by the age of four (4) months and revaccinated at the expiration of the immunization period as certified by the veterinarian, in compliance with KRS §258.015.

2. Every owner of a dog, cat or ferret shall show proof of a valid rabies vaccination upon request of an animal control officer or peace officer.

SECTION 13. STRAY CATTLE AND STRAY EQUINE

1. Stray cattle and equine shall be dealt with in conformity with KRS §259.110, KRS §259.120, KRS §259.200 and KRS §259.990.

2. Any person who violates KRS §259.200 or KRS §259.210 shall be fined in accordance with KRS §259.990, and such violation shall also constitute a violation of this Ordinance.

SECTION 14. CATTLE RUNNING AT LARGE

No person shall permit their cattle to run at large as set forth in KRS §259.210, and any violation of said statute shall also constitute a violation of this Ordinance.

SECTION 15. COMMERCIAL ANIMAL FACILITIES

1. All Commercial Animal Facilities shall maintain a business license issued by the Madison County Fiscal Court.

2. All Commercial Animal Facilities shall ensure that they meet the Minimum Care Standards, as defined herein.

3. All Commercial Animal Facilities shall be subject to inspection by an animal control officer upon his or her request during reasonable hours.

4. The provisions of this Section shall not apply to any office of veterinary medicine, and nothing herein shall be construed as granting authority to an animal control officer to inspect, license or regulate any aspect of veterinary medicine. Nevertheless, the provisions of this Section shall apply to and govern services offered or advertised by an office of veterinary medicine without relation to the medical diagnosis or treatment of an animal.

SECTION 16. DECLARATION OF EMERGENCY

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

SECTION 17. INTERLOCAL AGREEMENT

Except for those duties mandated by statute, enforcement of Madison County Animal Control Ordinances within incorporated areas of the County will only be enforced by the Department for Animal Care & Control upon execution of an interlocal agreement between the County and the governmental entity.

SECTION 18. PENALTIES

In addition to those penalties set forth in KRS §258.990 and other applicable law, any person failing to comply with the requirements set forth in this Ordinance may be fined in an

amount not less than \$25.00 nor more than \$250 for each violation. Each day a violation continues constitutes a new and separate offense.

SECTION 19. EFFECTIVE DATE

All provisions of this Ordinance shall take effect upon passage and publication as required by KRS §424.120 and KRS §67.077.

SECTION 20. FEE SCHEDULE

Fees imposed by this Ordinance shall be set forth in the attached Exhibit A and shall be subject to modification by subsequent action of the Madison County Fiscal Court.

SECTION 21. COUNTY WIDE ENFORCEMENT

In accordance with the pertinent provisions of KRS 67.083(7), this Ordinance shall be enforceable throughout the entirety of the County of Madison.

SECTION 22. REPEAL OF PRIOR ORDINANCE

Madison County Ordinance No. 19-09 is hereby repealed in its entirety.

THIS ORDINANCE SHALL BECOME EFFECTIVE ON THE DATE OF THE SECOND READING AND ADOPTION.

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 13TH day of MAY 2025.

THIS DOCUMENT WAS GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Fiscal Court of Madison County, Kentucky, held on the 27th day of May 2025.

MOTION BY:

Combs

SECONDED BY:

Lochmueller

VOTE:

YES

NO

ABSTAIN

Magistrate James Brian Combs
Magistrate Stephen Lochmueller
Magistrate Billy Ray Hughes
Magistrate Tom Botkin
Judge/Executive Reagan Taylor

	YES	NO	ABSTAIN
Magistrate James Brian Combs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Magistrate Stephen Lochmueller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Magistrate Billy Ray Hughes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Magistrate Tom Botkin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judge/Executive Reagan Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Signed:

R-79
Madison County Judge/Executive

Attested:

Kenny Barger
Madison County Clerk, Kenny Barger

“EXHIBIT A”

MADISON COUNTY ANIMAL SHELTER FEE SCHEDULE

**All fees are subject to Kentucky State Tax.

Adoption Fees	
Dogs	\$108
Cats	\$84
Madison County Employees (limit 2/year)	\$40
Re-Claiming Fees	
Impound First Offense	\$25
Impound Second Offense	\$50
Impound Third Offense	\$75
Impound Fourth Offense	\$100
Impound (following fourth)	\$200
Administered Vaccine Fees	
Rabies Voucher	\$15
DAPPv/HCP	\$10
Bordetella	\$10
Flea	\$10
Dewormer	\$5
Additional Fees and/or Fines	
Owner Surrender – Unaltered/Intact Female	\$125
Owner Surrender – Unaltered/Intact Male	\$85
Owner Surrender – Spayed/Neutered	\$40
Owner Surrender – Euthanasia intended	\$25
Microchipping/Licensing (non-shelter)	\$25
Commercial Animal Facility	\$250
Failure to License	\$50