

Proposed by:	Police Department
First Reading:	05/07/2009
Second Reading:	05/21/2009
Vote:	5 Aye 0 Nay 1 Absent

MUNICIPALITY OF SKAGWAY, ALASKA

ORDINANCE NO. 09-10

AN ORDINANCE OF THE MUNICIPALITY OF SKAGWAY, ALASKA AMENDING CHAPTER 6.08.050, BITING DOGS.

WHEREAS, it is a hindrance to have to convey a dog that has bitten a person to the nearest veterinarian; and

WHEREAS, it is an unreasonable cost to confine such dog with a licensed veterinarian during observation;

BE IT ORDAINED AND ENACTED BY THE MUNICIPALITY OF SKAGWAY, ALASKA AS FOLLOWS:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Skagway Municipal Code.

Section 2. Purpose. To amend Chapter 6.08.050, Biting Dogs to address containment during observation. The Skagway Municipal Code is hereby amended (~~strike through~~) indicates text to be deleted from, and (**bold underscore**) indicates text added to the current code.

Section 3. Amendment. Chapter 6.08.050, Biting Dogs is hereby amended as follows:

6.08.050 Biting dogs.

- A. Any dog which has twice engaged in biting a person is hereby declared to be a nuisance, and shall not be kept within the city ~~city~~ **borough**. If any such dog is found within the ~~city~~ **borough**, it shall be impounded and disposed of as an unredeemed dog, and the owner/~~owner~~ **keeper** shall have no right to redeem such dog. The method of disposal shall be the same as that in Section 6.04.~~020(B)060~~ **020(B)060** above, ~~for dogs impounded over three (3) times in any calendar year.~~
- B. **Any animal that bites a human being and which does not have a valid rabies certificate shall be quarantined for a period of not less than ten (10) days. At the discretion of the chief of police, or his designee, the quarantine location may be on the premises of the owner/keeper, or at the animal shelter at the expense of the owner/keeper. The animal may be reclaimed by the owner/keeper if determined to be free of rabies upon payment of any expenses incurred for the quarantine, unless the animal is a dog that has been classified as potentially dangerous. The dog will then be sent to the closest veterinarian for further evaluation at the expense of the owner/keeper.** ~~Upon taking possession of a dog known to have bitten a person or displayed symptoms of rabies, any policeman or authorized city employee shall forthwith convey the dog to the nearest veterinarian, where the dog shall be securely chained or confined for a period of at least fifteen (15) days. When the dog is delivered to a veterinarian, the city **borough** shall give notice to the dog's owner/**keeper** concerning the dog's confinement, including the name and location of the veterinarian. Upon receipt of such dog, the veterinarian shall submit to the chief of police a certificate stating that such dog either shows no symptoms of rabies or does show symptoms of rabies. At the expiration of fifteen ~~fifteen~~ **ten** (~~105~~) days of confinement and upon release of such dog, the~~

veterinarian shall submit to the chief of police a second certificate stating that the dog does not have rabies and has been released. The cost of maintaining the dog in the veterinarian's care shall be borne by the dog's owner/keeper, except where the owner cannot be ascertained, and then the city borough shall pay for such observation and care.

- C. It is unlawful for the owner/keeper of any dog, when notified that such dog has bitten any person or has so injured any person as to cause an abrasion of the skin, to sell or give away such dog or permit such dog to be taken beyond the limits of the city borough except to a veterinarian, and it shall be the duty of the dog's owner/keeper, upon receiving notice of such biting event, to immediately place such dog in quarantine with a duly licensed veterinarian where such animal shall be confined for a period of at least fifteen ten (105) days, ~~or to deliver such animal to any police officer for such placement.~~ **At the discretion of the chief of police, or his designee, the quarantine location may be on the premises of the owner/keeper, or at the animal shelter at the expense of the owner/keeper.** Upon authorization of a licensed veterinarian, with the consent of the police chief, such dog may be released to the custody of its owner upon the owner's undertaking **It shall be the owner/keeper's responsibility** to keep the same securely chained and confined to the owner's premises and segregated from any other animals during such observation period. The cost of **transporting and** maintaining the dog in the veterinarian's care shall be borne by the dog's owner/keeper.
- D. Any dog which has been determined by a veterinarian to have rabies shall be destroyed, by any humane method approved by a veterinarian.
- E. **The fine for violations of Chapter 6.08, Dangerous Animals shall be \$100 per citation. The violation will be cited each day and continues until the violation is remedied.**


Section 4. Severability. If any provision of this ordinance or any application of the ordinance to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 5. Effective Date. This ordinance shall become effective upon adoption of the Borough Assembly.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 21st day of May, 2009.


Thomas D. Cochran, Mayor

ATTEST:


Marjorie D. Harris, Borough Clerk

(SEAL)

