

ORDINANCE NO. 10-2000

TITLE 2, CHAPTER 1, SECTION 2-114

ORDINANCE AMENDING SECTION 2-114 OF CHAPTER 1, TITLE 1 OF THE CODE OF THE TOWN OF MOORCROFT, WHOMING 1979, AS AMENDED BY ORDINANCE NO 3, 1985, PROHIBITING VICIOUS DOGS WITHIN THE TOWN; PROVIDING FOR EXCEPTIONS; PROVIDING OFR DESTRUCTION OF VISIOUS DOGS; AND PROVIDING FOR EMERGENCY PASSAGE

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MOORCROFT, CROOK COUNTY, WYOMING, that:

SECTION 1: The provisions of Section 2-114 of Chapter 1, Title 2 of the Code of the Town of Moorcroft, Wyoming, 1979, as amended by Ordinance No. 3, 1985, shall be and the same hereby are amended to read in complete form as follows:

“2-114 – VICIOUS DOGS –

(a) Any owner or other person exercising care, custody or control over a dog commits a misdemeanor if said dog bites or attempts to bite, or growls, snarls or barks at, or otherwise behaves in a vicious or aggressive manner toward another person within the Town, regardless of whether said dog was under restraint at such time and regardless as to whether said dog was on the property of the owner or the person exercising care, custody or control over said dog at such time; provided, however, that it is a defense to a violation of this Section if at such time:

(1) The dog was confined in a cage or securely muzzled.

(2) The dog was tied to a stationary object on private property restricting the dog to such private property or confined within a fenced enclosure on private property, and whether tied or confined in a fenced enclosure the property was marked with signs clearly visible to the public warning that the dog may be vicious, such as “beware of dog”, “vicious dog”, “guard dog” or similar words.

(3) The dog was confined within the cab or passenger compartment of a vehicle in such a manner that the dog could not extend its head outside the cab or passenger compartment of the vehicle.

(4) The dog was inside a private home or other building privately owned.

(5) The person attacked was engaged in the commission of a criminal cast under the laws of the State or the Town at the time of the attack.

(b) The Town Municipal Judge may order any dog adjudged to be vicious pursuant to this Section to be destroyed or removed permanently from the municipal limits of the Town by the owner within any reasonable time; provided, however, that said destruction or removal order shall not interfere with a rabies quarantine period. If the dog owner fails to comply with the destruction order, the Town Municipal Judge may direct any Town police officer or animal control officer to take such dog into custody forthwith and destroy it as soon as possible. In carrying out such order, the Town police officer or animal control officer may enter upon any property, public or private, within the Town to take custody and possession of the dog without warrant.”

SECTION 2: It is hereby declared that an emergency exists, and that passage of this Ordinance is necessary to preserve the public health, peace, safety or welfare, and that the required three (3) public readings shall be suspended in accordance with Wyoming Statute Section 15-1-115, and that this Ordinance shall be in full force and effect after its passage and upon proclamation of the Mayor pursuant to Wyoming Statute Section 15-1-116.

PASSED, ADOPTED AND APPROVED this 13th day of March, 2000.

TOWN OF MOORCROFT

s/Barbara A. Jeffres
Barbara A. Jeffres
Mayor

Attest:

s/Carolyn M. Holberg
Carolyn M. Holberg
Town Clerk/Treasurer

PROCLAMATION

I, Barbara A. Jeffres, Mayor of the Town of Moorcroft, Wyoming, proclaim that Ordinance No. 10-2000, passed on the 13th day of March, 2000, on emergency basis in accordance with Wyoming Statute Section 15-1-115, operates for the immediate preservation of the public peace, health, safety or welfare, and pursuant to Wyoming Statute Section 15-1-116, it shall be effective immediately and thereafter it shall be published as soon as possible according to law.

DATED this 13th day of March, 2000.

s/Barbara A. Jeffres
Barbara A. Jeffres
Mayor

Attest:

s/Carolyn M. Holberg
Carolyn M. Holberg
Town Clerk/Treasurer

CERTIFICATE OF PUBLICATION

I, Carolyn M. Holberg, Town Clerk/Treasurer of the Town of Moorcroft, Wyoming, hereby certify that Ordinance No. 10-2000 was published in the Moorcroft Leader, Moorcroft, Wyoming on this 16th day of March, 2000.

s/Carolyn M. Holberg
Carolyn M. Holberg
Town Clerk/Treasurer