
PART FIVE — GENERAL OFFENSES CODE

ARTICLE 507 Dogs

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CROSS REFERENCES

Authority to regulate the keeping of animals—see WV Code 8-12-5(26)
Domestic animal tax—see WV Code 8-13-10
Dogs generally—see WV Code 19-20
Cruelty to dogs and cats—see Ord. 505.02
Barking or howling dogs—see Ord. 505.04

507.01 Registration; head tax; registration tag; assessor record.

- (a) Every person owning, harboring or keeping any dog or dogs above the age of six months within the corporate Town limits shall at the time of the annual assessment of personal property register with and to the Assessor of Jefferson County an animal head tax of three dollars (\$3.00) on each dog so kept, harbored or owned.
- (b) Every person who shall become the owner or possessor of any dog or dogs subject to registration and taxation after the time of the annual assessment shall register the same with the Office of the Assessor and pay the head tax required by this article within ten days after acquiring such ownership and possession, or meeting the age provision.
- (c) Every registered dog shall at all times wear and display a valid registration tag. The failure by any owner, harbinger or keeper to have displayed or worn on any dog in his possession at any time of such valid tag shall be prima facie evidence that such dog is not registered.
- (d) It shall be the duty of the Assessor of Jefferson County to prepare and deliver to the Mayor and Council, together with his annual assessment, an accurate list of all persons owning, harboring or keeping any dog or dogs within the Town, showing the number of such dogs kept by each person. (Ord. 85-1. Passed 6-11-1985.)

507.02 Leashing; running at large; liability of owner.

- (a) Every person owning, harboring or keeping any dog or dogs within the corporate Town limits shall be responsible for keeping such dog or dogs leashed at all times when such dog or dogs are off the property of such owner, harbinger or keeper.
- (b) Whenever any dog is found running at large unleashed within the corporate Town limits, it shall be the duty of the Mayor, or his designee, to see that such animal is taken into custody and impounded for a period of five days and notice of such impoundment given to the dog's owner or possessor, if known. At the end of the five day impoundment period, if no offer has been made by an animal's owner or possessor to redeem such animal so impounded, or to pay the full amount of any assessed fines and / or unpaid head taxes, with costs of impoundment, it shall be the duty of the Mayor, or his designee, to destroy such animal by an effective method of his discretion.
- (c) Any owner, harbinger or keeper of any dog or dogs who permits such dog or dogs to run at large shall be liable for any damages inflicted upon the person or property of another

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by such dog or dogs while so running large. (Ord. 85-1. Passed 6-11-1985.)

507.03 Vaccination; vaccination tag; rabies observation; rabies quarantine; penalties.

- (a) Whoever owns, keeps or harbors a dog or dogs above the age of five months, or temporarily keeps or maintains a dog or dogs for a period of more than thirty days within the corporate Town limits, shall have such dog or dogs properly vaccinated or immunized against rabies, and shall every second year thereafter have such dog or dogs revaccinated. Whoever owns, keeps or harbors a dog or dogs and fails to have such dog or dogs vaccinated or revaccinated against rabies is guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00).
- (b) Every vaccinated dog shall at all times wear and display a valid vaccination tag. The failure by any owner, harborer or keeper to have displayed or worn on any dog in his possession at any time of such valid tag shall be prima facie evidence that such dog has not been vaccinated.
- (c) Any person who owns, keeps or harbors a dog, whether licensed or unlicensed, which bites any person shall forthwith confine and quarantine the dog for a period of fourteen days for rabies observation. If such dog is not confined and quarantined, such dog may be placed in the custody and care of a licensed veterinarian for such purpose at the owner's expense. The penalty for any violation of this subsection shall be a fine of fifty dollars (\$50.00).
- (d) After the establishment of an officially declared quarantine to prevent the spreading of rabies or hydrophobia, and the posting of required notices, it shall be unlawful, during the continuance of such quarantine, for the owner, harborer or keeper of any dog or dogs to permit such dog or dogs to run at large in any such quarantined locality, or for any person to remove, or permit to be removed, any dog from such quarantined area. Any dog found running at large in such quarantined area, known to have been removed from, or to have escaped from such area, as aforesaid, may be secured and confined, or may be shot or otherwise destroyed by any person, without liability therefore. Any person who shall violate any of the provisions of this subsection, or who shall obstruct or hinder a duly authorized official, in the performance of his duties under this subsection, shall be guilty of a misdemeanor, and, upon conviction thereof, shall, for the first offense, be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), and upon conviction for each subsequent offense fined not less than one hundred dollars (\$100.00) nor more than five-hundred dollars (\$500.00). (Ord. 85-1. Passed 6-11-1985.)

507.04 Nuisance.

- (a) No person shall harbor or keep any dog or dogs which by loud and frequent or habitual barking, yelping, whining or howling shall cause serious annoyance to the neighborhood or to people passing upon the street.
- (b) No owner, harborer, keeper or walker of any dog shall permit such dog to discharge such animal's excreta upon any public or private property, other than the property of the owner, keeper, harborer or walker of any dog, within the corporate Town limits, if such owner does not immediately thereafter remove and clean up such dog's excreta from the public or private property. (Ord. 85-1. Passed 6-11-1985.)

507.05 Female dogs.

Every person owning, harboring or keeping a female dog, whether licensed or unlicensed,

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shall keep such dog confined in a building or secure enclosure for twenty-five days during the period of estrus. (Ord. 85-1. Passed 6-11-1985.)

507.06 Injunctive relief from violations.

The Mayor, or such person as the Mayor may designate, is hereby expressly authorized and empowered to maintain civil actions before any court of competent jurisdiction to restrain by injunction violations of this article, or to compel compliance with the provisions of this article. (Ord. 85-1. Passed 6-11-1985.)

507.99 Penalty.

Any person who violates any of the provisions of this article for which no specific penalty is prescribed is guilty of a misdemeanor, and, upon conviction thereof, shall, for the first offense, be fined twenty-five dollars (\$25.00); upon conviction for the second offense, be fined forty dollars (\$40.00); and upon conviction for the third and subsequent offenses, be fined one hundred dollars (\$100.00).