

**CITY OF BRIARWOOD
ORDINANCE NO. 4
SERIES 2010**

AN ORDINANCE prohibiting dogs, cats and/or other domesticated animals within the city limits of the City of Briarwood from running at large, regulating the number of animals per residence and mandating the removal of animal feces.

WHEREAS, the City, by and through its elected Officers, are desirous of passing this Ordinance prohibiting dogs, cats and other domesticated animals from running at large and for the safety and general well being of its residents.

NOW THEREFORE, be it ordained by the Commission of the City of Briarwood, Kentucky;

(1) It shall be unlawful for any resident or occupier of property within Briarwood to own and/or possess a total of more than four (4) dogs and /or other domesticated animals. In addition, all animals shall be properly licensed and shall have received all shots and other requirements mandated by State and Metro Louisville law.

(2) It shall be unlawful for any owner or person in charge of a dog, cat or other domesticated animal, to permit or allow such animal to run at large in the City and/or onto the private property of other residents within the city limits of the City of Briarwood.

(3) It shall be unlawful for any owner in charge of a dog, cat or other domesticated animal to permit such animal to be on the public roadways of the City unless said animal is on leash and under absolute control of the owner or his agent.

(4) **Pooper Scooper.** It shall be unlawful for any owner or person in charge of a dog, cat or other animal to permit such animal to be on public property or property belonging to the city, or on any private property other than that of the owner or person in charge or control of such animal without the permission of the owner of said property, or on any streets, sidewalks, or rights-of-way in the city, without the owner or person in charge of such animals to have in his or her possession, a suitable device for picking up, collection and property sanitary disposal of the animal feces or manure.

(a) It shall be unlawful for the owner or person in charge of a dog, cat or other animal to permit or allow such animal to excrete manure or feces on public property or property belonging to the city, or on any private property other than that of the owner or person in charge or control of such animal without the permission of the owner of said property, or on any streets, sidewalks, or rights-of-way in the city, **unless** the owner or person in control of such animal immediately removes all feces deposited by such animal and disposes of same in a sanitary manner.

(b) **EXCEPTION:** This section shall not apply to blind or visually impaired persons accompanied by a "seeing eye" dog used for this assistance.

(5) No person shall keep, harbor, possess or own any dog, cat or other animal which does any one of the following objectionable actions;

(a) Incessantly barks, howls, yelps, or whines loud enough to be heard beyond the premises where it is kept or harbored.

(b) Habitually goes on any property or premises not owned or occupied by the persons who keeps, harbors or owns the dog, cat or other animal.

(c) Habitually turns over or gets into garbage cans or milk containers, or damages shrubbery and items of personal property, located on any premises other than those owned by the person who keeps, harbors or owns the dog, cat or other animal.

(d) When not on the property of its owner or keeper, habitually runs at, jumps on, chases, barks at, bites at, or in any way frightens, molests, or scares any person other than the one who keeps, harbors or owns the dog, cat or other animal.

(e) Chases, attacks, or kills any dog or other animal besides those owned by the person who keeps harbors or owns the dog, cat or other animal.

(f) Bites any person on sidewalks, streets or any property other than that of its owner or keeper.

(g) Chases motor vehicles, bicycles or scooters.

PENALTIES:

Violation of **Paragraphs 1-3** shall result in a fine of \$100.00 in addition to court and all other cost(s).

Violation of **Paragraph 4 and 4(a)** shall result in a fine of \$25.00 for an initial violation and \$250.00 for each subsequent offense in addition to court and other cost(s) associated with the violation.

Violation of **Paragraph 5 (A-G)** shall carry a fine of \$150.00 for each violation. All fines are in addition to court and other cost(s) relating to the prosecution of this offense.

FURTHER, this Ordinance shall take effect upon approval, passage and publication as required by law.

FIRST READING the 6th day of July, 2009.

SECOND READING the 1st day of March, 2010

PASSED AND APPROVED the 1st day of March, 2010

Published in the Courier Journal Neighborhood section in summary form on March 31, 2010

/Si

ATTEST: */Si*

Mayor, City of Briarwood, Kentucky

Clerk

Those voting Aye: William
H. Vaughan, Mayor Liz
McGrath, Commissioner
Carl Cavallaro, Commissioner
Mike McGrath, Commissioner
Bill Zapp, Commissioner

Those voting Nay: