

**ORDINANCE NO. \_\_\_\_\_ - 2008**

**AN ORDINANCE OF THE CITY OF WORTHINGTON, KENTUCKY PROHIBITING THE KEEPING, HARBORING, OR OWNERSHIP OF VICIOUS DOG; A DOG WITH A KNOWN PROPENSITY, TENDENCY, OR DISPOSITION TO ATTACK; OR ANY DOG WHICH HAS ATTACKED A HUMAN BEING OR DOMESTIC ANIMAL WITHOUT PROVOCATION; DEFINITION OF A POTENTIALLY VICIOUS DOG; REQUIREMENT OF LICENSING OF A POTENTIALLY VICIOUS DOG; PENALTIES FOR VIOLATION; AND OTHER MATTERS.**

**WHEREAS**, the City Council of the City of Worthington, Kentucky recognizes that in their jurisdiction certain dogs that may be vicious and/or dangerous; and

**WHEREAS**, the City Council of the City of Worthington, Kentucky has already legislated for the confinement of such animals for the safety and welfare of its citizens; and

**WHEREAS**, the city now desires to ban such animals; and

**WHEREAS**, the City Council of the City of Worthington, Kentucky desires regulate the possession of all potentially vicious dogs for better control and for the protection of its residents;

**NOW THEREFORE BE IT HEREBY ORDAINED** by the City Council of the City of Worthington, Kentucky as follows:

**SECTION 1: VICIOUS DOGS**

It shall be prohibited and shall be unlawful to keep, harbor, own, or in any way possess within the corporate limits of the City of Worthington, Kentucky, a Vicious Dog.

A Vicious Dog shall be defined as follows:

1. Any vicious dog as defined by Kentucky Law, this Ordinance or prior Ordinance;

2. Any dog within the city that has attacked or attempted to attack a human being or other domestic animal without provocation.

3. Any dog with a known propensity or tendency, or disposition to attack unprovoked, a human being or other domestic animal; or cause injury to property or person; or otherwise endanger the safety of humans or other domestic animals;

## **SECTION 2: POTENTIALLY VICIOUS DOGS**

A. A Potentially Vicious Dog Shall be defined to mean:

1. The bull terrier breed of dog;
2. The Staffordshire bull terrier breed of dog;
3. The American pit bull terrier breed of dog;
4. The American Staffordshire breed of dog;
5. The Rottweiler breed of dog;
6. The Chow Chow breed of dog;
7. The dog of mixed breed or other breeds than the above listed which breed or mixed breed are known as pit bulls, pit bull dogs, pit bull terriers, or any other commonly accepted derivative names or the other above listed; and
8. Any dog which has the appearance and/or characteristics of being predominantly of any of the breeds of dogs listed above or a combination of any of those.

B. The possession or ownership of any Potentially Vicious Dogs shall be subject to the following standards:

1. Potentially Vicious Dogs shall be registered with the City Building within thirty days of entry into the City. Any Potentially Vicious Dogs in the City at the time of

this Ordinance shall be registered within thirty days from the effective date of this Ordinance.

2. Registration shall include the address of the dog; picture and breed.

3. The keeping of registered potentially vicious dogs:

a. **Leash.** No person shall permit a registered **potentially vicious dog** to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a **potentially vicious dog** to be kept on a chain, rope or other type of leash outside its kennel or pen unless person is in physical control of the leash. Such dogs shall not be leashed to inanimate objects such as trees, posts buildings, etc. In addition, no person under the age of sixteen (16) years shall physically control a **potentially vicious dog**.

b. **Confinement.** All registered **potentially vicious dogs** shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed as above provided. Such pen, kennel or structure shall have secure sides and a secure top attached to the sides. All pens or kennels shall be at least 42 inches in height unless enclosed. All structures used to confine registered **potentially vicious dogs** shall be locked with a key or combination lock when such animals are within the structure. Such structure shall have a secure bottom or floor attached to the sides of the pen or the sides of the pen. All structures erected to house **potentially vicious dogs** shall comply with all zoning and buildings regulations of the Town. All such structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

**c. Confinement indoors.** No **potentially vicious dog** may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows or screen doors are the only obstacle preventing the dog from exiting the structure.

**d. Signs.** All owners, keepers, or harborers of registered **potentially vicious dogs** within the Town shall within thirty (30) days of the effective date of this section display in a prominent place on their premises a sign easily readable by the public using the words “**Beware of Dog.**” In addition, a similar sign is required to be posted on the kennel or pen of such animal.

**e. Identification photographs.** All owners, keepers or harborers of registered **potentially vicious dogs** must within (30) days of the effective dates of this section provide to the Town Clerk two (2) color photographs of the registered animal clearly showing the color and approximate size of the animal.

**f. Reporting requirements.** All owners, keepers or harborers of registered potentially vicious dogs must within ten (10) days of the incident, report the following information in writing to the Town Clerk as required hereinafter:

1. The removal from the Town or death of a registered **potentially vicious dog**;
2. The birth or offspring of a registered **potentially vicious dog**;

3. The new address of a registered **potentially vicious dog** owner should the owner move within the Town corporate limits.

*g. Animals born of registered dogs.* There shall be an irrebuttable presumption that any dog registered with the Town as a **potentially vicious dog** or any of those breeds prohibited by Section 2(A) of the section is in fact a dog subject to the requirements of this section.

*h. Irrebuttable presumption.* There shall be an irrebuttable presumption that any dog registered with the Town as a potentially vicious dog or any of those breeds prohibited by Section 2(A) of the section is in fact a dog subject to the requirements of this section. Any registered **potentially vicious dog** listed in Section 2(A) that has been certified as “seeing eye dog” or other human handicapped assistance dog, shall be exempt from the standards of Section 2(B) as long as the dog is being used for the purpose of such certification.

### **SECTION 3: PENALTIES**

Any party in violation of this Ordinance shall be subject to the following penalties:

- b. For first offense - up to a \$500.00 fine;
- c. For second offense impoundment of the animal; its permanent removal from the City; and up to a \$500.00 fine; and
- d. For third offense – the person violating shall be guilty of a Class A misdemeanor and up to a \$500.00 fine.

**SECTION 4:** That all Ordinances in conflict herewith are specifically hereby repealed to the extent of said conflict only.

**SECTION 5:** That each section and each sentence of this Ordinance is enacted separately and the invalidity and/or unconstitutionality of any one particular sentence and/or section shall not effect the validity and/or constitutionality of any other sentence and/or section.

**SECTION 56:** That this Ordinance shall be in full force and effect from and after its passage, approval and publication according to law and the increase in compensation shall be effective as set forth in this Ordinance.

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**MAYOR, CITY OF WORTHINGTON, KENTUCKY**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK-TREASURER**

**FIRST READING:** \_\_\_\_\_

**SECOND READING:** \_\_\_\_\_