

CITY OF GLENVIEW

ORDINANCE NO. 3, SERIES 1995

AN ORDINANCE PROVIDING FOR THE CONTROL AND LICENSING OF DOGS AND ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY OF GLENVIEW, KENTUCKY:

SECTION 1: It shall be unlawful for any person within the City of Glenview to permit any dog which is under the ownership, control, custody or possession of such person to engage in the following: excessive, continuous or untimely barking or howling; molesting of passersby; chasing of vehicles; attacking of domestic animals; trespassing upon private property; or damaging of property of any nature. A dog found on the property of any property owner or resident of the City of Glenview shall be deemed to be a dog under the custody of such person. For purposes of this Section 1, excessive, continuous or untimely barking shall be conclusively presumed to occur when any dog or dogs bark repeatedly for a period of ten (10) minutes or more between the hours of 9:00 p.m. and 7:00 a.m., and such barking can be heard at the property line of the subject property. The foregoing shall not limit the determination of excess, continuous or untimely barking in other circumstances.

SECTION 2: The determination of a violation of Section 1 shall be made only upon the personal observation of the Mayor, any Commission member, or the City Attorney of such violation, or upon receipt by any city official of a notarized affidavit stating the place, time and a brief description of the violation and a statement that the affiant personally observed such violation.

SECTION 3: Upon determination that a violation has occurred, and in the event that the violation is a first violation or if no such violation has occurred within the previous ninety (90) days, then any person who allows such violation shall be served by the Mayor, any Commission Member or the City Attorney with a written Warning of such violation. The Warning may be personally delivered to the person, or to the owner, resident, occupant, or other person responsible for the property on which the violation has occurred. The Warning may also be served by posting a notice of such violation on the property in a conspicuous location. Such Warning shall describe the violation and shall demand that such violation cease and desist.

SECTION 4: In the event that the violation is the second within the last ninety (90) days, then any person who allows such violation shall be served by the Mayor, any Commission Member or the City Attorney with written Notice of a violation of this Ordinance. The Notice may be personally delivered to the person or to the owner, resident, occupant, or other person responsible for the property on which there exists a violation of this ordinance. Notice may also be served by posting a notice of such violation on the property in a conspicuous location. Such Notice shall describe the violation and shall demand immediate abatement.

SECTION 5: It shall be unlawful for any person within the City of Glenview to have in their possession on their property four (4) or more adult dogs without first obtaining a City of Glenview Kennel License. This license is in addition to any others which may be required by state or county law. For purposes of this Ordinance, "possession" shall mean under the ownership, apparent control and/or apparent custody of that person, and "adult dog" shall mean a dog in excess of six (6) months of age. The issuance of a City of Glenview Kennel License shall not grant the right or privilege to conduct for profit or commercial use Kennel activities. The fee for such annual license shall be \$50.00 per annum, which fee may be used for the administration of this Ordinance.

As a condition for issuance of such license each person agrees to comply with the following:

- A. To adhere to all applicable state, county and city laws pertaining to animal control;
- B. To allow reasonable physical inspections of their property by city officials in the enforcement of this and other animal control ordinances subsequent to reasonable verbal notice;