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12/1/22

ORDINANCE NO. 2022 - 15

AN ORDINANCE AMENDING ARTICLE 3-5 OF THE ORDINANCES OF THE CITY OF ROCK SPRINGS ENTITLED "HUMANE CONTROL AND REGULATION OF ANIMALS".

WHEREAS, the Governing Body of the City of Rock Springs recognizes that trained service animals are necessary for the health, safety, and well-being of their owners; and,

WHEREAS, the Ordinances of the City of Rock Springs presently exclude seeing-eye dogs trained to assist the blind from the licensing provisions thereof, but do not recognize service animals trained to assist their owners with other recognized disabilities; and,

WHEREAS, the Governing body of Rock Springs finds that the owners of service animals trained to assist their owners for a variety of recognized disabilities should be equally protected the law, and that service animals should be excluded from the number of animals a person can own without being required to obtain a kennel license; and,

WHEREAS, the Governing Body of the City of Rock Springs finds that it is in the best interests of the City of Rock Springs and its disabled citizens to amend its ordinances relative to the ownership and possession of service animals.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROCK SPRINGS, STATE OF WYOMING:

Section 1. That Article 3-5 of the Rock Springs City Ordinances entitled "HUMANE CONTROL AND REGULATION OF ANIMALS", is hereby amended to read as follows:

**Section 1. 3-537 Kennel License.**

(a) Any person maintaining a kennel or any person owning, renting, leasing or otherwise occupying premises where five (5) or more dogs and/or cats, or other animals combined, over twelve (12) weeks of age are kept must be licensed as a kennel and shall purchase a kennel license in lieu of individual licenses. All city zoning laws must be complied with; and, proof of current rabies vaccination must be presented for each dog or cat over six (6) months of age. The annual fee for a kennel license shall be according to the following schedule:

- \$ 100.00 -- Up to and including five animals.
- \$ 200.00 -- Up to and including ten animals.
- \$500.00 -- Over ten animals.

No kennel fee shall be required of any veterinary hospital, Humane Society or Municipal Animal Control Facility. Persons owning less than 5 animals may at their option obtain a kennel license in lieu of individual licenses. (Ord. No. 93-28, 1-18-94; Ord. No.

2006-06, 3/7/06). **Service animals used to perform tasks directly related to a person's disability shall not count towards the total number of dogs and/or cats or other animals for the purposes of a kennel license.**

(1) It shall be a condition of issuance of a kennel license that the appropriate City Officials are permitted to inspect all animals and the premises where animals are kept. Such inspections shall be upon twenty-four (24) hour written notice delivered to the owner or posted on the premises. If permission for an inspection is refused, the license shall be revoked and all animals impounded.

(2) All kennels, as defined in this Article, shall, in addition to the other requirements of this Article, comply with the minimum standards of this section. Failure to meet these standards shall be grounds to deny or revoke the kennel license; and, such failure shall be unlawful.

(i) Secure enclosures must be provided which shall allow adequate protection against weather extremes. All kennel buildings must be adequately heated and ventilated. Cage or run floors, unless radiantly heated, shall have a resting board or suitable bedding.

(ii) All animal quarters and runs are to be kept clean, dry and in sanitary condition. All food and water shall be free from contamination, wholesome, palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the conditions and size of the animal. All animals shall have fresh water available at all times.

(iii) Each animal shall have a sufficient and reasonable amount of space onto itself to stand up, lie down and turn around without touching the sides or tops of enclosures. Runs shall provide an adequate exercise area and protection from the weather. (Ord. No. 2270, 12-2-74; Ord. No. 85-7, 6-85).

### **3-538 Licensing of Dogs and Cats.**

(a) It shall be unlawful to own or keep any dog or cat over six (6) months of age within the City which has not been licensed. The owner of a dog or cat shall, immediately after such animal has attained the age of six (6) months, license the animal with the City of Rock Springs. Said license shall be effective for one year. Each owner must relicense said dog or cat on or before the expiration of one year from the issuance date, and shall pay a fee according to the following fee schedule:

(1) \$20.00 (Twenty Dollars) for each dog.

(2) \$ 10.00 (Ten Dollars) for each cat.

(3) \$ 7.00 (Seven Dollars) for each altered dog or cat provided that the owner produces at the time of licensing evidence of the animal's altered state acceptable to the City Clerk. (Ord. No. 93-25, 1-4-94).

(4) \$2.00 (Two Dollars) for each altered dog or cat who's owner is over age sixty (60). (Ord. 2015-03, 5-5-15)

(b) No license is required of:

(1) Dogs whose owners are non-residents if such animals are not kept in the City more than thirty (30) days, provided such animals are kept under proper restraint and other applicable provisions of this Article are met.

(2) ~~Seeing eye dogs properly trained to assist blind persons when such dogs are actually being used as guide dogs.~~ **A Service animal, when the animal has been trained to do work or perform tasks for an individual with a disability and the tasks performed are**

directly related to the person's disability. Such ~~dogs~~ animals may be licensed at no charge if the owner desires to do so.

(3) Governmentally owned police or guard dogs. Such dogs may be licensed at no charge if the owner desires to do so.

(c) The City Clerk shall keep a permanent record of all licenses issued. Said record shall show the name and address of the person issued a license, the number of the license and tag, the type, sex, breed and color of the animal, the date issued, and the fee paid.

(d) Vaccination for rabies and distemper is a condition precedent to issuance of a license. A current certificate of vaccination shall accompany an application for licensing of any dog or cat. Without such proof no license shall be issued. Each owner of a dog or cat shall at all times maintain a current vaccination for rabies and distemper for each dog or cat over six (6) months of age. (Ord. No. 93-26, 1-4-94).

(e) Upon payment of the required license fee, the City shall deliver to the owner of the animal a substantial tag, stamped with a number corresponding to the number of the entry made by the City in a book kept for the recording of information relative to the licensing of animals. The tag may be either collar type or ear type. Tags shall be worn by all dogs when not confined upon the owner's property, provided that owners of show dogs or AKC registered dogs may have them tattooed with an identifying number, which number must be endorsed upon the license certificate and records of the City Clerk. Animals tattooed need not wear tags.

(1) Licensed Veterinarians doing business within the City of Rock Springs may apply for permission to license dogs and/or cats on behalf of the City pursuant to the provisions set forth above. Such Veterinarians shall keep records related to license sales and shall deliver records and fees collected to the City as required by the Department of Finance and Administration. The City shall thereafter remit to such Veterinarians one dollar (\$1.00) from each license sold for administrative expense. (Ord. No. 2006-27, 11-7-06).

(f) In the event a license tag is lost, the owner may obtain a duplicate tag upon payment to the City of three dollars (\$3.00). If there is a change in ownership of the dog during the license year, the new owner may have the current license transferred to his name upon payment of one dollar (\$1.00). A licensing tag shall be used only for the animal licensed. No person other than the owner shall remove a collar or license tag from a licensed animal. (Ord. No. 2270, 12-2-74; Ord. No. 80-17, 6-30-80; Ord. No. 85-7, 6-85).

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
President of the Council

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

1<sup>st</sup> Reading \_\_\_\_\_

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_