

CITY OF OAK GROVE
ORDINANCE NO. 2021-05

AN ORDINANCE BY THE CITY OF OAK GROVE,
KENTUCKY AMENDING ORDINANCE NO. 2001-18 RESTRICTING VICIOUS/DANGEROUS DOGS

WHEREAS, the City Council has received numerous complaints from residents regarding dogs attacking other animal while off the property of its owner, and,

WHEREAS, the City Council finds that the current ordinance regarding vicious or dangerous dogs has failed to deter owners from properly controlling dangerous or vicious dogs,

NOW THEREFORE, be it ordained by the City of Oak Grove, Kentucky that Ordinance No. 2001-08 shall be amended to read as follows::

SECTION I - Definitions

A ~~[vicious]~~ dangerous dog is defined as a dog who has:

1. ~~{Has,}~~ without provocation, caused physical injury to a person engaged in lawful activity.
2. ~~{Has, on two or more occasions within a 12-month period,}~~ while off the property of its owner and without provocation, killed or seriously injured another animal; or
3. ~~Has,~~ been trained for dog fighting or is owned or kept for the purpose of dog fighting.

SECTION II - Restrictions

- A. It shall be unlawful for any person to keep or harbor within the city a dog known to be ~~[vicious]~~ dangerous unless it is at all times kept on the owner's or harborer's property securely confined indoors or in a securely enclosed and locked outdoor pen or shelter suitable to prevent the dog from escaping. Such pen or structure must have minimum dimensions of five (5) feet by ten (10) fee and must have secure sides and secure top. If it has no concrete, cement or asphalt bottom, the sides must be imbedded into the ground no less that two (2) feet. The enclosure must also provide protection from the elements for the dog. A ~~[vicious]~~ dangerous dog shall be transported to or from the indoors and securely enclosed and locked outdoor pen or shelter only if such dog is muzzled and restrained by a suitable chain or leash not exceeding six (6) feet in length and under the control of a responsible adult. The muzzle must be made in a manner that it will not cause injury to the dog or interfere with its vision or respiration but will prevent the dog from biting a person or animal.
- B. ~~{Vicious}~~ Dangerous dogs shall be permitted off the owner's or harborer's property only if such dogs are muzzle and restrained by a substantial chain or leash not exceeding six (6) feet in length and under control of a responsible adult, and only if said animal is walked in a non-residential area. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but must prevent the dog from biting any person or animal.

- C. When any dog is required by this section to be confined, it shall also be required that a conspicuous notice be posted at the place of confinement of such a nature as to warn the public of the nature of the dog therein confined.
- D. No person under the age of eighteen (18) years shall be permitted to own, harbor, or handle a ~~[vicious]~~ dangerous dog.

SECTION III -Penalties

Violations of this ordinance shall be a civil offence. Each day's continued violation shall constitute a separate offense. Any person violating any of the provisions of this ~~[section]~~ ordinance shall be fined in accordance with the following schedule:

First Offense:	\$200.00	
Second Offense:	\$350.00	
Third Offense and all Offenses thereafter:	\$500.00	

~~{Any person choosing not to contest the charge to the Code Enforcement Board instead wishing to pre-pay their fine shall be allowed to pay an amount equal to fifty percent (50%) of the fine for the applicable offense with which they has been charged. For example, a person charge with a first offense of violating this ordinance shall prepay his or her find in the amount of \$100.00; a person charged with a second offense of this ordinance shall be allowed to prepay his or her fine in the amount of \$175.00; and a person charged with violating this offense the third time or after shall be allowed to prepay his or her fine in the amount of \$250.00}~~

SETION IV – ENFORCEMENT

~~{All enforcement of this ordinance shall be handled by the Code Enforcement Officer. Any violations shall be submitted to the Code Enforcement Board.}~~

The Animal Control Officer of the city, and any Police Officer of the city is authorized and empowered to issue citations for violations of this ordinance, but this section is not to be construed to empower the Animal Control Officer to make physical arrest or to give him the general arrest power of a Police Officer.


The provisions of this chapter may be enforced by the Oak Grove Code and Nuisance Board, or in the alternative, the Christian County District Court as a civil offense. The decision on where the ordinance will be enforced shall be at the city's discretion.

This ordinance shall become effective upon passage and publication.

Approved on First Reading this 20th day of April, 2021.


Approved on Second Reading this 4th day of May, 2021.

Approved:



Theresa Jarvis, Mayor
City of Oak Grove, Kentucky

Attest:



Angela Comperry, City Clerk
City of Oak Grove, Kentucky

Published in full in the Kentucky New Era on the 25th day of May, 2021.

AFFP

Ordinance No. 2021-05

Affidavit of Publication

STATE OF KY }
COUNTY OF CHRISTIAN } SS

Alicia Chambers, being duly sworn, says:

That she is Accounting Clerk of the Kentucky New Era, a newspaper of general circulation, printed and published in Hopkinsville, Christian County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

May 25, 2021

Publisher's Fee? \$ 266.20

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Alicia Chambers

Subscribed to and sworn to me this 25th day of May 2021.

Melanie S. Miller



0007747 70062893

Angela Comperry
City of Oak Grove
8505 Pembroke Oak Grove Rd
Oak Grove, KY 42262

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NOW THEREFORE, be it ordained by the City of Oak Grove, Kentucky that Ordinance No. 2001- 08 shall be amended to read as follows::

SECTION I - Definitions

A [vicious] dangerous dog is defined as a dog who has:

1. [Has,] without provocation, caused physical injury to a person engaged in lawful activity.
2. [Has, on two or more occasions within a 12 month period,] while off the property of its owner and without provocation, killed or seriously injured another animal; or
3. Has, been trained for dog fighting or is owned or kept for the purpose of dog fighting.

SECTION II - Restrictions

A. It shall be unlawful for any person to keep or harbor within the city a dog known to be [vicious] dangerous unless it is at all times kept on the owner's or harborer's property securely confined indoors or in a securely enclosed and locked outdoor pen or shelter suitable to prevent the dog from escaping. Such pen or structure must have minimum dimensions of five (5) feet by ten (10) feet and must have secure sides and secure top. If it has no concrete, cement or asphalt bottom, the sides must be imbedded into the ground no less than two (2) feet. The enclosure must also provide protection from the elements for the dog. A [vicious] dangerous dog shall be transported to or from the indoors and securely enclosed and locked outdoor pen or shelter only if such dog is muzzled and restrained by a suitable chain or leash not exceeding six (6) feet in length and under the control of a responsible adult. The muzzle must be made in a manner that it will not cause injury to the dog or interfere with its vision or respiration but will prevent the dog from biting a person or animal.

B. [Vicious] Dangerous dogs shall be permitted off the owner's or harborer's property only if such dogs are muzzled and restrained by a substantial chain or leash not exceeding six

(6) feet in length and under control of a responsible adult, and only if said animal is walked in a non-residential area. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but must prevent the dog from biting any person or animal.

C. When any dog is required by this section to be confined, it shall also be required that a conspicuous notice be posted at the place of confinement of such a nature as to warn the public of the nature of the dog therein confined.

D. No person under the age of eighteen (18) years shall be permitted to own, harbor, or handle a [vicious] dangerous dog.

SECTION III - Penalties

Violations of this ordinance shall be a civil offense. Each day's continued violation shall constitute a separate offense. Any person violating any of the provisions of this [section] ordinance shall be fined in accordance with the following schedule:

First Offense: \$200.00

Second Offense: \$350.00

Third Offense and all Offenses thereafter: \$500.00

[Any person choosing not to contest the charge to the Code enforcement Board instead wishing to pre pay their fine shall be allowed to pay an amount equal to fifty percent (50%) of the fine for the applicable offense with which they has been charged. For example, a person charged with a first offense of violating this ordinance shall prepay his or her fine in the amount of \$100.00; a person charged with a second offense of this ordinance shall be allowed to prepay his or her fine in the amount of \$175.00; and a person charged with violating this offense the third time or after shall be allowed to prepay his or her fine in the amount of \$250.00]

SECTION IV- ENFORCEMENT

[All enforcement of this ordinance shall be handled by the Code enforcement Officer.

Any violations shall be submitted to the Code enforcement Board.]
The Animal Control Officer of the city, and any Police Officer of the city is authorized and empowered to issue citations for violations of this ordinance, but this section is not to be construed to empower the Animal Control Officer to make physical arrest or to give him the general arrest power of a Police Officer.
The provisions of this chapter may be enforced by the Oak Grove Code and Nuisance Board, or in the alternative, the Christian County District Court as a civil offense. The decision on where the ordinance will be enforced shall be at the city's discretion.

This ordinance shall become effective upon passage and publication.

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Approved on Second Reading this 4th day of May, 2021.

Approved:

/s/Theresa Jarvis

Theresa Jarvis, Mayor

City of Oak Grove, Kentucky

Attest:

/s/Angela Comperry

Angela Comperry, City Clerk

City of Oak Grove, Kentucky

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Approved:

/s/Theresa Jarvis

Theresa Jarvis, Mayor

City of Oak Grove, Kentucky

Attes
/s/Angela Comperr
Angela Comperry, City Cler
City of Oak Grove, Kentuck

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B4 KENTUCKY NEW ERA Tuesday, May 25, 2021