

**CITY OF OAK GROVE  
ORDINANCE NO. 2001- 18**

**AN ORDINANCE BY THE CITY OF OAK GROVE,  
KENTUCKY RESTRICTING VICIOUS DOGS**

**WHEREAS**, the City Council has received numerous complaints from residents regarding vicious dogs; and,

**WHEREAS**, the City Council finds that vicious dogs, if not properly controlled, are so dangerous that they constitute a threat to children and others in the City; and,

**WHEREAS**, it is the policy of the City Council that children and others should not have to assume the risk of a vicious dog having an opportunity to present a danger to them; and,

**WHEREAS**, the City Council finds that the benefits to a dog owner in owning a vicious dog are outweighed by the dangers to the general public;

**WHEREFORE**, be it ordained by the City of Oak Grove, Kentucky, that:

**SECTION I – DEFINITIONS**

A vicious dog is defined to include:

1. Has, without provocation, caused physical injury to a person engaged in a 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 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 entry of young children and designed 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 a 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 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 any person or animal.

- B. Vicious 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 the 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 dog.

### **SECTION III - PENALTIES**

Any person violating any of the provisions of this section 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 have 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 violation 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.

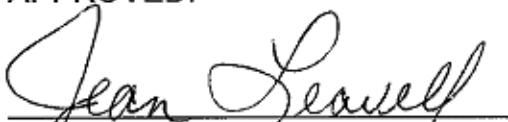
**SECTION V – UNCONSTITUTIONALITY**

Any and all existing ordinances inconsistent with this ordinance are hereby repealed. Should any part of this ordinance be void or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

Approved on First Reading this 4th day of September 2001.

Approved on Second Reading this 18th day of September 2001.

APPROVED:



Jean Leavell, Mayor  
City of Oak Grove, Kentucky

ATTEST:



Colleen Ochs, City Clerk  
City of Oak Grove, Kentucky

*PUBLISHED: In full in the Kentucky New Era this 25<sup>th</sup> day of September, 2001.*

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