

**OAK GROVE, KENTUCKY
ORDINANCE NO. 2021-04**

AN ORDINANCE AMENDING ORDINANCE NO. 2020-05 PROVIDING FOR THE
CONTROL OF ANIMALS WITHIN THE CITY OF OAK GROVE.

WHEREAS, Ordinance 2020-05 provides for the control of animals within the City of Oak Grove,

WHEREAS, the City Council has determined that certain amendments to the ordinance are necessary to properly control domesticated animals within the city limits,

NOW, THEREFORE, be it ordained by the City Council of the City of Oak Grove, Kentucky that Ordinance No. 2020-05 is amended as follows:

SECTION 1.

City of Oak Grove Ordinance No. 2020-05, Section 4(1) shall be amended to read as follows:

(1) Every person who owns a dog or cat that is four months old or older and resides within the city limits shall apply to City Hall for a license for each dog or cat owned or kept by him for the first three animals they possess. see KRS 258.135. For any animal over the limit of three, the owners shall apply for an excess animal license. In no event shall a person possess more than eight animals, unless operating a kennel as defined by the City of Oak Grove zoning ordinance in a properly zoned district. City tags and excess animal tags are renewable annually from July 1st to June 30th upon payment of a license fee of \$5 for the first three animals and the excess animal tags of \$10.00 for the fourth through eighth animal. Penalty: A first offense under this chapter shall result in a fine of not greater than \$50. A second offense shall result in a fine of not greater than \$100. All other offenses shall result in a fine of not greater than \$200. Each day's continued violation shall constitute a separate offense.

SECTION 2.

City of Oak Grove Ordinance No. 2020-05, Section 5 shall be amended to read as follows:

- (A) Every female dog in heat shall be confined in a building or secure enclosure in such a manner that the female dog cannot come in contact with a male dog except for a planned breeding. See KRS 258.255
- (B) Fostering of a stray dog or cat found in the city limits shall be allowed if the stray has been reported to and logged by the Animal Control Officer and may be licensed after 30 days. All efforts must be made to find the owner regardless of the condition of the animal. If the owner is found, a welfare check may be requested.
- (C) No owner shall possess more than three (3) animals unless they have paid the excess animal license for the fourth or greater animal, up to the limit of eight (8) animals.

Penalty: A first offense under this chapter shall result in a fine of not greater than \$50. A second

offense shall result in a fine of not greater than \$100. All other offenses shall result in a fine of not greater than \$200. Each day's continued violation shall constitute a separate offense.

SECTION 3.

City of Oak Grove Ordinance No. 2020-05, Section 12 shall be amended to read as follows:

Section 12 – ~~[Vicious]~~ Dangerous Animals.

It shall be unlawful for an owner or possessor of an animal to permit or cause the animal to be off the premises of the owner resulting in an attack on a person or domestic animal. Any dog which attacks or bites or has attacked or bitten a human or domesticated animal and meets the definition of a dangerous animal as defined by city of Oak Grove Ordinance No. 2001-08 shall be seized by the Oak Grove Animal Control Officer or Oak Grove Police Officer and housed at the Christian County Animal Shelter.

~~[Penalty: A first offense under this chapter shall result in a fine of not greater than \$50. A second offense shall result in a fine of not greater than \$100. All other offenses shall result in a fine of not greater than \$200. Each day's continued violation shall constitute a separate offense.]~~

Penalty: A first offense under this chapter shall result in a fine of not greater than \$250. A second offense shall result in a fine of not greater than \$350. All other offenses shall result in a fine of not greater than \$500. Each day's continued violation shall constitute a separate offense.

SECTION 4.

City of Oak Grove Ordinance No. 2020-05, Section 13(A)(1) shall be amended to read as follows:

(A) Exceptions pertaining to poultry. The keeping of poultry may be permitted subject to the following restrictions, prohibitions, and conditions.

1. The keeping of domesticated hens (female chickens) shall be allowed in residentially zoned districts. No person shall be allowed more than 6 permitted domesticated hens, nor shall any property be permitted to house more than 6 domesticated hens in residentially zoned districts.

SECTION 5.

City of Oak Grove Ordinance No. No. 2020-05, Section 15 shall be amended to read as follows:

- (A) Any person convicted of a violation of section two (2) shall be guilty of a misdemeanor and shall be punished with a fine not to exceed (five hundred dollars) \$500.00 and/or imprisonment of up to twelve (12) months.
- (B) Violations of section three (3) through ~~[twelve (12)]~~, eleven (11) and sections thirteen (13) through fourteen (14) shall be deemed a ~~[violation]~~ civil offense, and any person, firm or corporation violating any of the provisions of section three (3) through ~~[twelve~~

~~(12)~~ eleven (11) and sections thirteen (13) through fourteen (14), upon conviction thereof, shall be subject to a fine. A first offense under this chapter shall result in a fine of not greater than \$50 plus court costs incurred in the Christian County District Court. A second offense shall result in a fine of not greater than \$100 plus court costs. All other offenses shall result in a fine of not greater than \$200 plus court costs. Each day's continued violation shall constitute a separate offense.

- (C) ~~[Any person, firm or corporation receiving a citation for violations of sections three (3) through fourteen (14) from the Animal Control Officer, or any Police Officer of the city may at the option of the person, firm, or corporation receiving the citation, for the first offense pay a fine of twenty five dollars (\$25.00), provided the fine is paid within the time specified on the citation; for the second offense the fine shall be fifty dollars (\$50.00), and for the third and any subsequent offense, the minimum fine shall be one hundred dollars (\$100.00). In the event a person, firm or corporation receiving the citation from the Animal Control Officer does not make a payment within the time limit specified on the citation, then the citation shall be prosecuted in the Christian District Court.]~~ Violations of section 12 shall be deemed a civil offense, and any person, firm or corporation violating any of the provisions of section 12 upon conviction thereof, shall be subject to a fine. A first offense under this chapter shall result in a fine of not greater than \$250 plus court costs incurred in the Christian County District Court. A second offense shall result in a fine of not greater than \$350 plus court costs. All other offenses shall result in a fine of not greater than \$500 plus court costs. Each day's continued violation shall constitute a separate offense.
- (D) 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. All misdemeanors shall be brought before the Christian County District Court, but in all other cases the decision on where the ordinance will be enforced shall be at the city's discretion.
- (E) An appeal from a final order of the Oak Grove Code and Nuisance Board finding a violation of this ordinance may be made to the Christian County District Court within 30 calendar days of the date the order is issued. The appeal shall be initiated by the filing of a complaint and a copy of the final order in the same manner as any civil action under the Kentucky Rules of Civil Procedure. If no appeal from a final order of the Code of Ordinance Enforcement Board is filed within the 30 day time period, the Code and Nuisance Board's order shall be deemed final for all purposes.

This ordinance shall become effective upon passage and publication.

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

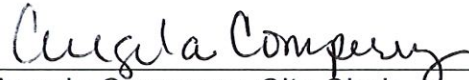
Approved on Second Reading this 4th day of May, 2021.

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. 2021-04

Affidavit of Publication

STATE OF KY }
COUNTY OF CHRISTIAN } SS

Alicia Chambers, being duly sworn, says:

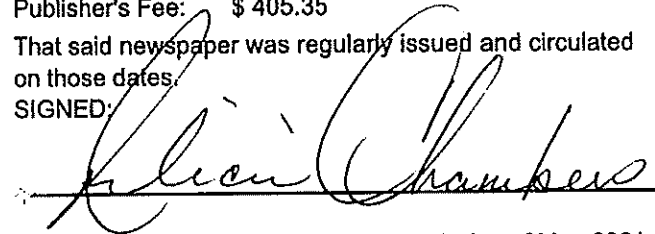
That she is Accounting Clerk of the Kentucky New Era, a newspaper of general circulation, printed and published in Hopkinsville, Christian County, KY; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

May 25, 2021

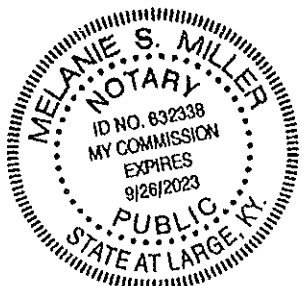
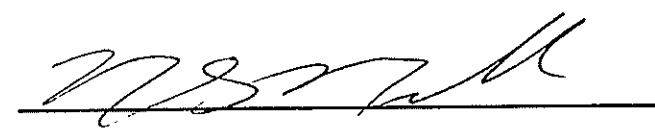
Publisher's Fee: \$ 405.35

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

SIGNED:



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



00007747 70062892

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

OAK GROVE, KENTUCKY
ORDINANCE NO. 2021-04
AN ORDINANCE AMENDING ORDINANCE NO. 2020-05 PROVIDING FOR THE CONTROL OF ANIMALS WITHIN THE CITY OF OAK GROVE.
WHEREAS, Ordinance 2020-05 provides for the control of animals within the City of Oak Grove,
WHEREAS, the City Council has determined that certain amendments to the ordinance are necessary to properly control domesticated animals within the city limits,
NOW, THEREFORE, be it ordained by the City Council of the City of Oak Grove, Kentucky that Ordinance No. 2020-05 is amended as follows:
SECTION 1.
City of Oak Grove Ordinance No. 2020-05, Section 4(1) shall be amended to read as follows:
(1) Every person who owns a dog or cat that is four months old or older and resides within the city limits shall apply to City Hall for a license for each dog or cat owned or kept by him for the first three animals they possess. see KRS 258.135. For any animal over the limit of three, the owners shall apply for an excess animal license. In no event shall a person possess more than eight animals, unless operating a kennel as defined by the City of Oak Grove zoning ordinance in a properly zoned district. City tags and excess animal tags are renewable annually from July 1st to June 30th upon payment of a license fee of \$5 for the first three animals and the excess animal tags of \$10.00 for the fourth through eighth animal. Penalty: A first offense under this chapter shall result in a fine of not greater than \$50. A second offense shall result in a fine of not greater than \$100. All other offenses shall result in a fine of not greater than \$200. Each day's continued violation shall constitute a separate offense.
SECTION 2.
City of Oak Grove Ordinance No. 2020-05, Section 5 shall be amended to read as follows:
(A) Every female dog in heat shall be confined in a building or secure enclosure in such a manner that the female dog cannot come in contact with a male dog except for a planned breeding. See KRS 258.255
(B) Fostering of a stray dog or cat found in the city limits shall be allowed if the stray has been reported to and logged by the Animal Control Officer and may be licensed after 30 days. All efforts must be made to find the owner regardless of the condition of the animal. If the owner is found, a welfare check may be requested.
(C) No owner shall possess more than three (3) animals unless they have paid the excess animal license for the fourth or greater animal, up to the limit of eight (8) animals.
Penalty: A first offense under this chapter shall result in a fine of not greater than \$50. A second offense shall result in a fine of not greater than \$100. All other offenses shall result in a fine of not greater than \$200. Each day's continued violation shall constitute a separate offense.
SECTION 3.
City of Oak Grove Ordinance No. 2020-05, Section 12 shall be amended to read as follows: Section 12- [Vicious] Dangerous Animals.
It shall be unlawful for an owner or possessor of an animal to permit or cause the animal to be off the premises of the owner resulting in an attack on a person or domestic animal. Any dog which attacks or bites or has attacked or bitten a human or domesticated animal and meets the definition of a dangerous animal as defined by city of Oak Grove Ordinance No. 2001-08 shall be seized by the Oak Grove Animal Control Officer or Oak Grove Police Officer and housed at the Christian County Animal Shelter.
[Penalty: A first offense under this chapter shall result in a fine of not greater than \$50. A second offense shall result in a fine of not greater than \$100. All other offenses shall result in a fine of not greater than \$200. Each day's continued violation shall constitute a separate offense.]
Penalty: A first offense under this chapter shall result in a fine of not greater than \$250. A second offense shall result in a fine of not greater than \$350. All other offenses shall result in a fine of not greater than \$500. Each day's continued violation shall constitute a separate offense.
SECTION 4.
City of Oak Grove Ordinance No. 2020-05, Section 13(A)(1) shall be amended to

read as follows:

(A) Exceptions pertaining to poultry. The keeping of poultry may be permitted subject to the following restrictions, prohibitions, and conditions.

1. The keeping of domesticated hens (female chickens) shall be allowed in residentially zoned districts. No person shall be allowed more than 6 permitted domesticated hens, nor shall any property be permitted to house more than 6 domesticated hens in residentially zoned districts.

SECTION 5.

City of Oak Grove Ordinance No. 2020-05, Section 15 shall be amended to read as follows:

(A) Any person convicted of a violation of section two (2) shall be guilty of a misdemeanor and shall be punished with a fine not to exceed (five hundred dollars) \$500.00 and/or imprisonment of up to twelve (12) months.

(B) Violations of section three (3) through [twelve (12)], eleven (11) and sections thirteen (13) through fourteen (14) shall be deemed a [violation] civil offense, and any person, firm or corporation violating any of the provisions of section three (3) through [twelve (12) eleven (11) and sections thirteen (13) through fourteen (14), upon conviction thereof, shall be subject to a fine. A first offense under this chapter shall result in a fine of not greater than \$50 plus court costs incurred in the Christian County District Court. A second offense shall result in a fine of not greater than \$100 plus court costs. All other offenses shall result in a fine of not greater than \$200 plus court costs. Each day's continued violation shall constitute a separate offense.

(C) [Any person, firm or corporation receiving a citation for violations of sections three (3) through fourteen (14) from the Animal Control Officer, or any Police Officer of the city may at the option of the person, firm, or corporation receiving the citation, for the first offense pay a fine-of-twenty five dollars (\$25.00), provided the fine is paid within the time specified on the citation; for the second offense the fine shall be fifty dollars (\$50.00), and for the third and any subsequent offense, the minimum fine shall be one hundred dollars (\$100.00). In the event a person, firm or corporation receiving the citation from the Animal Control Officer does not make a payment within the time-limit specified on the citation, then the citation shall be prosecuted in the Christian District Court.] Violations of section 12 shall be deemed a civil offense, and any person, firm or corporation violating any of the provisions of section 12 upon conviction thereof, shall be subject to a fine. A first offense under this chapter shall result in a fine of not greater than \$250 plus court costs incurred in the Christian County District Court. A second offense shall result in a fine of not greater than \$350 plus court costs. All other offenses shall result in a fine of not greater than \$500 plus court costs. Each day's continued violation shall constitute a separate offense.

(D) 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. All misdemeanors shall be brought before the Christian County District Court, but in all other cases the decision on where the ordinance will be enforced shall be at the city's discretion.

(E) An appeal from a final order of the Oak Grove Code and Nuisance Board finding a violation of this ordinance may be made to the Christian County District Court within 30 calendar days of the date the order is issued. The appeal shall be initiated by the filing of a complaint and a copy of the final order in the same manner as any civil action under the Kentucky Rules of Civil Procedure. If no appeal from a final order of the Code of Ordinance Enforcement Board is filed within the 30 day time period, the Code and Nuisance Board's order shall be deemed final for all purposes. 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:

/s/Theresa Jarvis

Theresa Jarvis, Mayor

City of Oak Grove, Kentucky

Attest:

/s/Angela Comperry

Angela Comperry, City Clerk

City of Oak Grove, Kentucky

Published in full in the Kentucky New Era on the ____ day of ____, 2021.

OAK GROVE, KENTUCKY
ORDINANCE NO. 2021-04

AN ORDINANCE AMENDING ORDINANCE NO. 2020-05 PROVIDING FOR THE CONTROL OF ANIMALS WITHIN THE CITY OF OAK GROVE.

WHEREAS, Ordinance 2020-05 provides for the control of animals within the City of Oak Grove,
WHEREAS, the City Council has determined that certain amendments to the ordinance are necessary to properly control domesticated animals within the city limits,
NOW, THEREFORE, be it ordained by the City Council of the City of Oak Grove, Kentucky that Ordinance No. 2020-05 is amended as follows:

SECTION 1.

City of Oak Grove Ordinance No. 2020-05, Section 4(1) shall be amended to read as follows:

(1) Every person who owns a dog or cat that is four months old or older and resides within the city limits shall apply to City Hall for a license for each dog or cat owned or kept by him for the first three animals they possess. see KRS 258.135. For any animal over the limit of three, the owners shall apply for an excess animal license. In no event shall a person possess more than eight animals, unless operating a kennel as defined by the City of Oak Grove zoning ordinance in a properly zoned district. City tags and excess animal tags are renewable annually from July 1st to June 30th upon payment of a license fee of \$5 for the first three animals and the excess animal tags of \$10.00 for the fourth through eighth animal. Penalty: A first offense under this chapter shall result in a fine of not greater than \$50. A second offense shall result in a fine of not greater than \$100. All other offenses shall result in a fine of not greater than \$200. Each day's continued violation shall constitute a separate offense.

SECTION 2.

City of Oak Grove Ordinance No. 2020-05, Section 5 shall be amended to read as follows:

(A) Every female dog in heat shall be confined in a building or secure enclosure in such a manner that the female dog cannot come in contact with a male dog except for a planned breeding. See KRS 258.255

(B) Fostering of a stray dog or cat found in the city limits shall be allowed if the stray has been reported to and logged by the Animal Control Officer and may be licensed after 30 days. All efforts must be made to find the owner regardless of the condition of the animal. If the owner is found, a welfare check may be requested.

(C) No owner shall possess more than three (3) animals unless they have paid the excess animal license for the fourth or greater animal up to the limit of eight (8) animals.

Penalty: A first offense under this chapter shall result in a fine of not greater than \$50. A second offense shall result in a fine of not greater than \$100. All other offenses shall result in a fine of not greater than \$200. Each day's continued violation shall constitute a separate offense.

SECTION 3.

City of Oak Grove Ordinance No. 2020-05, Section 12 shall be amended to read as follows: Section 12- [Vicious] Dangerous Animals.

It shall be unlawful for an owner or possessor of an animal to permit or cause the animal to be off the premises of the owner resulting in an attack on a person or domestic animal. Any dog which attacks or bites or has attacked or bitten a human or domesticated animal and meets the definition of a dangerous animal as defined by city of Oak Grove Ordinance No. 2001-08 shall be seized by the Oak Grove Animal Control Officer or Oak Grove Police Officer and housed at the Christian County Animal Shelter.

[Penalty: A first offense under this chapter shall result in a fine of not greater than \$50. A second offense shall result in a fine of not greater than \$100. All other offenses shall result in a fine of not greater than \$200. Each day's continued violation shall constitute a separate offense.]

Penalty: A first offense under this chapter shall result in a fine of not greater than \$250. A second offense shall result in a fine of not greater than \$350. All other offenses shall result in a fine of not greater than \$500. Each day's continued violation shall constitute a separate offense.

SECTION 4:

City of Oak Grove Ordinance No. 2020-05, Section 13(A)(1) shall be amended to read as follows:

(A) Exceptions pertaining to poultry. The keeping of poultry may be permitted subject to the following restrictions, prohibitions, and conditions.

1. The keeping of domesticated hens (female chickens) shall be allowed in residentially zoned districts. No person shall be allowed more than 6 permitted domesticated hens, nor shall any property be permitted to house more than 6 domesticated hens in residentially zoned districts.

SECTION 5.

City of Oak Grove Ordinance No. 2020-05, Section 15 shall be amended to read as follows:

(A) Any person convicted of a violation of section two (2) shall be guilty of a misdemeanor and shall be punished with a fine not to exceed (five hundred dollars) \$500.00 and/or imprisonment of up to twelve (12) months.

(B) Violations of section three (3) through ~~twelve (12)~~, eleven (11) and sections thirteen (13) through fourteen (14) shall be deemed a ~~violation~~ civil offense, and any person, firm or corporation violating any of the provisions of section three (3) through ~~twelve (12)~~ eleven (11) and sections thirteen (13) through fourteen (14), upon conviction thereof, shall be subject to a fine. A first offense under this chapter shall result in a fine of not greater than \$50 plus court costs incurred in the Christian County District Court. A second offense shall result in a fine of not greater than \$100 plus court costs. All other offenses shall result in a fine of not greater than \$200 plus court costs. Each day's continued violation shall constitute a separate offense.

(C) ~~Any person, firm or corporation receiving a citation for violations of sections three (3) through fourteen (14) from the Animal Control Officer, or any Police Officer of the city may at the option of the person, firm, or corporation receiving the citation, for the first offense pay a fine of twenty five dollars (\$25.00), provided the fine is paid within the time specified on the citation; for the second offense the fine shall be fifty dollars (\$50.00), and for the third and any subsequent offense, the minimum fine shall be one hundred dollars (\$100.00). In the event a person, firm or corporation receiving the citation from the Animal Control Officer does not make a payment within the time limit specified on the citation, then the citation shall be prosecuted in the Christian District Court.] Violations of section 12 shall be deemed a civil offense, and any person, firm or corporation violating any of the provisions of section 12 upon conviction thereof, shall be subject to a fine. A first offense under this chapter shall result in a fine of not greater than \$250 plus court costs incurred in the Christian County District Court. A second offense shall result in a fine of not greater than \$350 plus court costs. All other offenses shall result in a fine of not greater than \$500 plus court costs. Each day's continued violation shall constitute a separate offense.~~

(D) ~~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. All misdemeanors shall be brought before the Christian County District Court, but in all other cases the decision on where the ordinance will be enforced shall be at the city's discretion.~~

(E) ~~An appeal from a final order of the Oak Grove Code and Nuisance Board finding a violation of this ordinance may be made to the Christian County District Court within 30 calendar days of the date the order is issued. The appeal shall be initiated by the filing of a complaint and a copy of the final order in the same manner as any civil action under the Kentucky Rules of Civil Procedure. If no appeal from a final order of the Code of Ordinance Enforcement Board is filed within the 30 day time period, the Code and Nuisance Board's order shall be deemed final for all purposes.~~

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:

/s/Theresa Jarvis
Theresa Jarvis, Mayor
City of Oak Grove, Kentucky

Attest:

/s/Angela Comperry
Angela Comperry, City Clerk
City of Oak Grove, Kentucky

Published in full in the Kentucky New Era on the ____ day of ____, 2021.