

ORDINANCE NO. 2012-05

AN ORDINANCE AUTHORIZING THE AMENDMENT OF TITLE 6, CHAPTER 2 REGARDING DOGS, CATS and SMALL ANIMALS

WHEREAS, the City of Hardin desires to modify and change its Ordinance on Animals within the city limits;

WHEREAS, the City of Hardin hereby finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public health, safety, and welfare of the City of Hardin and the inhabitants thereof.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF HARDIN, MONTANA, that Title 6, Chapter 2, of the Official Code of the City of Hardin is hereby amended as follows:

Title 6, Chapter 2, is amended to change the numbering of the following sections to the numbers indicated:

Section 6-2-8, Interference, is hereby changed to Section 6-2-9;
Section 6-2-9, Repeal of Conflicting Ordinances, is hereby changed to Section 6-2-10;
Section 6-2-10, Severability, is hereby changed to Section 6-2-11; and
Section 6-2-11, Penalty, is hereby changed to Section 6-2-12.

The language in each of the above-referenced sections shall remain the same.

Title 6, Chapter 2, is amended to add the following section and language:

6-2-8: ANIMALS IN THE CITY:

A. Domestic And Wild Animals: Horses, bovine animals, sheep, goats, swine, donkeys, mules, llamas, geese, chickens, ducks and other animals of like nature; "wild animals" defined as any live monkey (nonhuman primate), raccoon, skunk, fox, poisonous snake, leopard, panther, tiger, lion, lynx, bobcat or other warmblooded animal taken from the wild state; and rates shall be prohibited within the city limits.

B. Rabbitry: Any premises or property of any kind or description where more than one female rabbit or hare is kept for purposes of breeding, or where more than one litter of rabbits or hares is kept for purposes of sale, is prohibited within the city limits, and any person permitting a rabbitry to be kept or maintained on premises within the city is hereby declared to be guilty of maintaining a nuisance.

C. Apiary: No person shall keep or maintain, on any premises, property or place, in Hardin, hives or colonies of bees.

D. Offensive Barns: Any barn, stable, building, shed, yard or other place wherein any animal is or has been kept, which barn, stable, building, shed, yard or other place is suffered to become filthy or offensive to neighbors or passersby, or injurious to the health of any neighborhood, or tends to contaminate the atmosphere in any place in the city is declared to be a nuisance.

E. Exemptions: Animals that are part of zoological parks, performing animal exhibitions, circuses, rodeos or similar shows, animals that are part of a city licensed veterinary establishment, animals that are permitted under the zoning provisions in I 1 general industrial district, and animals that are kept by high school age children or below as part of 4H, school or similar project are exempt from the provisions of this section subject to the review by and approval of the city council.

DATE OF EFFECT.

The amendment to this ordinance shall take effect and be in force thirty (30) days from the date of its second reading and passage by the City Council as required by law.

FIRST READING AND PASSAGE By a majority vote of the members present

this 3 day of April, 2012.

YEAS 6

NAYS 0

Joseph S. Kelle
MAYOR

ATTEST:

Michelle Angewar
City Clerk

POSTED IN THREE (3) PUBLIC PLACES AND MADE AVAILABLE TO

THE PUBLIC this 4 day of April, 2012.

Michelle Angewar
City Clerk

SECOND READING AND PASSAGE By a majority vote of the members

present this 17 day of April, 2012.

YEAS 6

NAYS 0

Joseph S. Kelle
MAYOR

ATTEST:

Michelle Angewar
City Clerk

