

**ORDINANCE NO. 2012-08**

**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:

1. Title 6, Chapter 2, Section 5 is hereby amended by adding the following language as Section 6-2-5(B):

It shall be unlawful for a responsible party to tether the dog while outdoors, except when all of the following conditions are met:

- (1) The dog is in visual range of the responsible party, and the responsible party is located outside with the dog.
- (2) The tether is connected to the dog by a buckle-type collar or a body harness made of nylon or leather, not less than one inch in width.
- (3) The tether has the following properties: it is at least five times the length of the dog's body, as measured from the tip of the nose to the base of the tail; it terminates at both ends with a swivel; it does not weigh more than 1/8 of the dog's weight; and it is free of tangles.
- (4) The dog is tethered in such a manner as to prevent injury, strangulation, or entanglement.
- (5) The dog is not outside during a period of extreme weather, including without limitation extreme heat or freezing temperatures.
- (6) The dog has access to water, shelter, and dry ground.
- (7) The dog is at least six (6) months of age. Puppies shall not be tethered.
- (8) The dog is not sick or injured.
- (9) Pulley, running line, or trolley systems are at least 15 feet in length and are less than 7 feet above the ground.
- (10) If there are multiple dogs, each dog is tethered separately.

2. 6-2-5(B) shall be renumbered as 6-2-5(C).
3. 6-2-5(C) shall be renumbered as 6-2-5(D).
4. 6-2-5(D) shall be renumbered as 6-2-5(E).
5. 6-2-5(E) shall be renumbered as 6-2-5(F).

6. Title 6, Chapter 2, Section 5 is hereby amended by adding the following language as Section 6-2-1:

**TETHER:** Means to restrain a dog or cat by tying the dog or cat to any object or structure, including without limitation a house, tree, fence, post, garage, or shed, by any means, including without limitation a chain, rope, cord, leash, or running line. Tethering shall not include using a leash to walk a dog.

