

CITY OF GEORGETOWN

ORDINANCE NO. 2021-16

AN ORDINANCE AMENDING CHAPTER 6 OF THE GEORGETOWN CODE OF ORDINANCES RELATED TO ANIMALS.

SUMMARY

1. Deletes Section 6-21, which provides for local permits, fees and fines related to commercial animal establishments, animal shelters, animal training, kennels and certain other uses.
2. Amends Section 6-30 to provide for criminal enforcement of the animal-related provisions contained in Chapter 6, as opposed to enforcement through civil processes, and provides the minimum and maximum penalties for violation of each section.
3. Provides for repeal of inconsistent ordinances, severability of provisions and an effective date upon passage and publication.

The full text of Ordinance 2021-16 is available for examination in the City Clerk's Office, 100 North Court Street, Georgetown, Kentucky 40324 or at www.georgetownky.gov.

INTRODUCED AND PUBLICLY READ FIRST TIME: October 25, 2021

PUBLICLY READ SECOND TIME AND PASSED: November 8, 2021

APPROVED: *Tom Prather*
Tom Prather (Nov 11, 2021 08:10 EST)
Tom Prather, Mayor

ATTEST: *Tracie Hoffman*
Tracie Hoffman (Nov 11, 2021 08:30 EST)
Tracie Hoffman, City Clerk

I, Devon E. Golden, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky. My office is located at 100 North Court Street, Georgetown, Kentucky 40324. I further certify the foregoing Summary of Ordinance 2021-16, of the City of Georgetown, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9) and is a true and accurate summary of the contents of said Ordinance.



Devon E. Golden

ORDINANCE 2021-16

AN ORDINANCE AMENDING CHAPTER 6 OF THE GEORGETOWN CODE OF ORDINANCES RELATED TO ANIMALS.

SPONSORS: Todd Stone and Mark Showalter

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GEORGETOWN, KENTUCKY:

SECTION ONE

Section 6-21 of the Georgetown Code of Ordinances is hereby deleted in its entirety:

~~[Sec. 6-21. Permits, fee and fines related to commercial animal establishments, animal shelters, animal training, kennels and other uses listed.]~~

~~[(a) No person, partnership or corporation shall operate a commercial animal establishment or animal shelter without first obtaining a permit pursuant to this section. Application for a permit under this section to establish a new commercial animal establishment under the provisions of this article may be made at any time. This section shall not apply to persons employed by the city or county government.]~~

~~[(b) The mayor shall promulgate regulations establishing the procedure for the issuance of permits under this section. All permits issued shall be conditioned on satisfactory compliance with all requirements of this article and other applicable ordinances and laws, including the humane care of animals. These regulations shall be amended from time to time as appropriate for the public health and welfare and the protection of animals.]~~

~~[(c) A permit shall be issued to an applicant upon compliance with applicable regulations required for the issuance of a permit, upon payment of the applicable non-refundable fee.]~~

~~[(d) The permit shall be for one year beginning the date on which the permit is issued. Applications for permit renewal may be made up to 30 days prior to, but not later than 60 days after, the expiration of the permit. Applicable permit fees are:~~

- ~~(1) Kennel authorized to house fewer than ten dogs or cats \$ 50.00~~
- ~~(2) Kennel authorized to house ten or more but fewer than 50. 100.00~~

(3) Kennel authorized to house 50 or more dogs or cats	150.00
(4) Pet shop	100.00
(5) Auction	100.00
(6) Zoological park	200.00
(7) Circus	200.00
(8) Petting zoo	150.00
(9) Guard dog training center	200.00
(10) Riding schools or stables	200.00]

~~[(e) Upon a change in ownership of a commercial animal establishment, the current permit may be transferred to the new owner upon payment of a \$10.00 transfer fee.]~~

~~[(f) Every facility regulated by this article shall be considered a separate enterprise requiring an individual permit.]~~

~~[(g) No fee shall be required of any veterinary hospital, animal shelter or government-operated zoological park.]~~

~~[(h) Permit issuance and revocation:~~

~~(1) Prior to issuing a permit under this section, the city shall inspect the facility for compliance with this article. The city may revoke any permit or license if the person holding the permit refuses or fails to comply with this article, applicable regulations or other law governing the protection and keeping of animals.~~

~~(2) Any person, partnership or corporation whose permit to operate a commercial animal establishment is revoked shall, within ten days of receiving notice of the revocation, humanely dispose of all animals owned, kept, or harbored.~~

~~(3) The city may inspect the premises and all animals of permit holders at any reasonable time. If permission for such inspection is refused, the holder's permit may be revoked.~~

~~(4) Submission of false or incomplete information on an application for permit shall constitute grounds for the denial or revocation of a permit. Such submission may be prosecuted as a violation under section 6-30.~~

~~(5) No person who has been convicted of cruelty to animals shall be issued a permit to operate a commercial animal establishment for a period of two years following the date of conviction. The city shall revoke the permit of any person convicted of cruelty~~

to animals.

~~(6) Any person having been denied a permit may not reapply for a period of 30 days; each reapplication shall be accompanied by a \$10.00 fee.]~~

SECTION TWO

Section 6-30 of the Georgetown Code of Ordinances is amended as follows:

Sec. 6-30. Enforcement and penalties.

~~[(a) Violation of any section of this article, other than a violation which would also constitute a criminal offense under any provision of the Kentucky Revised Statutes, shall constitute a civil offense which shall be enforced according to the procedures set forth in the code enforcement provisions of chapter 2, article VI, by the code enforcement board, hearing officers, code enforcement officers, citation officers and other persons duly authorized to investigate and enforce the violations through investigation, inspection and issuance of citations.]~~

~~[(b) The penalty for violations of this article shall be as set forth in section 2-792. All violations of this section shall be considered Class 1 violations.]~~

~~[(c) Penalties for a violation of any section of this article will be waived only if the same or similar violation has not occurred on the property within the same calendar year and the violation is remedied within seven days of issuance of the citation or within the time period specified by the code enforcement officer.]~~

(a) Any person violating any provision of this chapter, for which another penalty is not provided, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$100 nor more than \$500 or be imprisoned for not less than one (1) day nor more than seven (7) days, or both.

(b) Any person violating the provisions of section 6-22 of this chapter shall be given a written warning for a first offense. Any person who violates the provisions of section 6-22 a second or subsequent time within a twelve (12) month period may, in addition to any costs associated with impounding the animal, be guilty of a violation and upon conviction be

subject to a fine of not less than \$25 nor more than \$250.

(c) Any person violating the provisions of section 6-23 of this chapter shall be deemed guilty of a Class B misdemeanor and upon conviction shall be fined not less than \$25 nor more than \$500 or imprisoned for not less than one (1) day nor more than thirty (30) days, or both so fined and imprisoned, for the first violation; for each subsequent violation, said person shall be deemed guilty of a Class A misdemeanor and fined not less than \$100 nor more than \$500 or imprisoned for not less than seven (7) days nor more than ninety (90) days or both so fined and imprisoned. Each day of violation shall constitute a separate offense. Likewise, each vicious animal for which the violation exists shall be considered a separate violation.

(d) Any person violating the provisions of section 6-26 of this chapter shall be deemed guilty of a misdemeanor and shall be fined not less than \$250, nor more than \$500. Each day of violation shall constitute a separate offense. Likewise, each wild animal for which the violation exists shall be considered a separate violation.

(e) Any person who violates section 6-29 of this chapter shall be deemed guilty of a violation and shall be fined \$50.

SECTION THREE

If any section, subsection, paragraph, sentence, clause, phrase, or a portion of this ordinance is declared illegal or unconstitutional or otherwise invalid, such declaration shall not affect the remaining portions hereof.

SECTION FOUR

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION FIVE

This Ordinance shall be in full force and effect upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME: October 25, 2021

PUBLICLY READ SECOND TIME AND PASSED: November 8, 2021

APPROVED: *Tom Prather*
Tom Prather (Nov 11, 2021 08:10 EST)
Tom Prather, Mayor

ATTEST: *Tracie Hoffman*
Tracie Hoffman (Nov 11, 2021 08:30 EST)
Tracie Hoffman, City Clerk











2021-10-25 - Animal Control Amendment and summary

Final Audit Report

2021-11-11

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