

ORDINANCE NO. 971

AN ORDINANCE ENTITLED: AN ORDINANCE REVISING TITLE 6 LICENSES: CHAPTER 6-4 DOGS, SECTIONS 6-4-2 APPLICATION; 6-4-4(3) DESTRUCTION OF DOGS AND CATS RUNNING AT LARGE; 6-4-4(4) DESTRUCTION OF DOGS AND CATS RUNNING AT LARGE; 6-4-11 ANIMALS MAY BE REDEEMED; AND 6-4-12 FINES AND CITY POUND CHARGES.

BE IT ORDAINED, by the City of Mobridge, SD:

That TITLE 6, CHAPTER 6-4, SECTION 6-4-2 APPLICATION, of Revised Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

6-4-2 Application

Any person or persons desiring to keep, maintain, or have in their custody or control by themselves, or an agent, within the City of Mobridge or within one mile of the of the corporate limits of the City, any dog, shall, prior to the first day of February in each year, make application to the City Finance Officer for a license to keep such dog, exhibiting to the City Finance Officer at the time of making said application a valid health certificate for said dog, showing the same to have been vaccinated for rabies and distemper by a licensed veterinarian; whereupon they shall fill out a written application stating the name, sex, color, and other distinguishing characteristics of said dog, and the name and address of the owner thereof and that said dog has no vicious propensities so far as is known to said applicant, which application shall be made on a printed form furnished by the City Finance Officer or Animal Control Officer or designee. For any dog not licensed by the first day of February in each year, the City of Mobridge shall charge the owner of said dog a late licensing fee set by resolution of the City of Mobridge City Council.

That TITLE 6, CHAPTER 6-4, SECTION 6-4-4(3) DESTRUCTION OF DOGS AND CATS RUNNING AT LARGE, of Revised Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

6-4-4(3) In cases where a dog or cat has shown actions that deem the dog or cat a vicious animal, or is diseased, the police, or a designated agent thereof, shall notify the owner or possessor of said dog or cat in writing or in person to confine such animal and if thereafter such owner or possessor fails to comply with such notice, the police are authorized, empowered, and directed to kill or cause to be killed such dog or cat, whether found running at large or upon the premises of the possessor of such dog or cat, forthwith, and without impounding such dog or cat.

That TITLE 6, CHAPTER 6-4, SECTION 6-4-4(4) DESTRUCTION OF DOGS AND CATS RUNNING AT LARGE, of Revised Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

6-4-4(4) Any animal involved in an unprovoked attack which results in injury to any human or other animal, shall be impounded and quarantined and if unable to be captured, any law enforcement officer is authorized to destroy the animal to prevent further endangerment to humans or other animals. After the quarantine period, any animal impounded for an unprovoked attack which results in injury to any human or other

animal shall be euthanized or at the discretion of Mobridge Chief of Police or an agent thereof, the animal may be placed at a home outside of the city. No vicious animal shall be returned to reside in the city or within one mile of the corporate limits of the City.

That TITLE 6, CHAPTER 6-4, SECTION 6-4-11 ANIMALS MAY BE REDEEMED, of Revised Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

6-4-11 Animals May be Redeemed

Animals impounded under Ordinance 6-4 which are not destroyed, may be redeemed at the City Pound during regular business hours, Monday through Friday, each week, by calling the Animal Control Officer, or the Police Department, prior to disposal and upon payment of the costs and expenses incurred for the impounding. Any unlicensed male or female animal shall not be released until the animal is spayed or neutered and such costs are paid by the owner of said animal.

That TITLE 6, CHAPTER 6-4, SECTION 6-4-12 FINES AND CITY POUND CHARGES, of Revised Ordinances of the City of Mobridge, South Dakota, shall be, and the same is hereby adopted and amended as follows:

6-4-12 Fines and City Pound Charges

Where any animal is picked up and held at the City Pound the charge to redeem such animal shall be set by resolution by the City of Mobridge City Council for the first, second, and third and subsequent impoundments. Unless such charges are paid within 3 days, the impounded animal shall not be released and it may then be destroyed or given away. Payment of such charges on weekends may be made to the Animal Control Officer or the Police Department and proper receipt shall be issued for such payment.

Unless otherwise specified, any person in violation of any section of ordinance 6-4 shall be fined an amount set by resolution by the City of Mobridge City Council.

NEW BUSINESS:

PUBLIC HEARING TEMPORARY LIQUOR LICENSES – Hearing no opinion for or against, moved by Laundreaux, second by O’Connell and carried, to approve a temporary liquor license to Mobridge Area Chamber of Commerce December 1, 2018 for the annual banquet at Scherr Howe Event Center.

A second temporary malt beverage license application was submitted by the Chamber of Commerce for the Annual Ice Fishing Tournament. Mound questioned the security of only 2 guards for the 1,100 expected people. Police Chief Madison stated that the tourism board will also assist and this tournament has never had any issues. Hearing no other opinions, moved by Yellow Boy, second by O’Connell and carried, to approve the temporary malt beverage license to the Mobridge Area Chamber of Commerce for January 10 – 12, 2019 for the annual ice fishing tournament.

CEMETERY DEED – Moved by Yellow Boy, second by Reichert and carried, to approve the transfer of Grave 3, 5, & 6, in Lot 52 Block P in Greenwood Cemetery to Leslie Mandernach and Janice Mandernach from the City of Mobridge.

BIDS FOR PROPANE – Three bids were received. Mobridge Gas Co. bid \$1.39 for City owned tanks and \$1.39 for tanks owned by Slater Oil. Slater Oil bid \$1.14 for City owned tanks and \$1.35 for Slater Owned tanks. Cenex, McLaughlin bid \$1.12 for City owned tanks and \$1.12 for Slater Owned tanks. Moved by O’Connell, second by Mound and carried (5-1), to approve the bids from Cenex, McLaughlin. Yellow Boy voted no.

DEPUTY CITY ATTORNEY – Moved by Yellow Boy, second by Carlson and carried, to approve the appointment of Cain Law Office as deputy city attorney.

SURPLUS PROPERTY LIST – Moved by O’Connell, second by Yellow Boy and carried, to declare the following surplus property:

- o International 340 Utility Tractor with Mower
- o Pool Tarps (4 units)
- o Fiberglass Sprayer Tank