

**CITY OF TEA
ORDINANCE NO. 199**

AN ORDINANCE AMENDING CHAPTER 7, ANIMALS, OF THE MUNICIPAL ORDINANCES OF THE CITY OF TEA, LINCOLN COUNTY, SOUTH DAKOTA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TEA, LINCOLN COUNTY, SOUTH DAKOTA:

SECTION 1. That Chapter 7, Animals, of the Tea Municipal Ordinances is hereby amended in its entirety to read as follows:

CHAPTER 7. ANIMALS

SECTION 7.01. DEFINITIONS

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

At Large:

- a. An animal when off or away from the premises and not under the control of the owner, possessor, keeper, agent, servant, or a member of his immediate family by a leash.
- b. An animal when on the premises of the owner, possessor, keeper, agent, or servant if not attended by a competent person unless the animal is chained, restrained, enclosed, or confined in a manner preventing it from leaving the premises.

Leash. A cord, thong, or chain, not to exceed six feet in length, by which an animal is controlled by the person accompanying it. Retractable leashes are not permitted, except for small breed animals weighing 25 pounds or less.

Animal Control Officer. A person designated by the chief of police to work with law enforcement officials in the enforcement of this chapter.

Animal Shelter. A building and facilities therein approved by the chief of police and the health authority for the impounding of animals.

Kennel. Any premises or portion thereon where dogs, cats, or other household pets are raised, trained, boarded, harbored or kept for remuneration or are kept for the purpose of sale. Veterinary clinics, animal hospitals and animal shelters are specifically excluded.

Apparent Attitude of Attack. Threatening and overtly aggressive actions of an animal that places a reasonable person in imminent fear of bodily injury, including, but not limited to, snarling, growling, elevated or exaggerated noise, combined with an attack ready body position when the animal is approached.

Anti-escape. Any housing, fencing, or device which a guard dog cannot go over, under, through, or around.

Owner. Any person harboring or keeping an animal and who is the head of the household of the residence or the owner or manager in charge of the establishment or premises at which an animal remains or returns to.

SECTION 7.02. RUNNING AT LARGE PROHIBITED

Except on property designated by the city as an animal off-leash area, it shall be unlawful for any person to have any animal which is owned, kept, harbored, or allowed to be habitually in or upon the premises occupied by him or under his or their control to be at large and to go in or upon the private premises of others or upon any public property. The fine for an animal running at large is Fifty Dollars (\$50.00). It shall be Three Hundred Dollars (\$300) for each addition offense for the same animal within a twelve (12) month period and taken to an animal shelter. The fines shall not include the cost of housing the animals, which costs shall be paid to the entity housing the animals.

Allowing an animal to run at large as defined in the provisions of this section, shall also constitute a Class 2 misdemeanor.

SECTION 7.03. IMPOUNDMENT

The City Council shall be authorized to enter into a contract with some person, association or Humane Society to establish, operate and maintain an animal shelter for the City. Such contract shall provide for the enforcement of this chapter, for the impounding, destroying and disposal of animals, for a schedule of fees to be charged for services rendered, and for a monthly amount to be paid by the City. The City may, in lieu of the provisions of this section, maintain its own impoundment area or quarters, under the supervision of the City Council.

An owner reclaiming an impounded animal shall pay the actual cost of impoundment plus the following fees: First impoundment shall be \$25.00; second impoundment within a twelve (12) month period shall be \$50.00; any subsequent impoundment within a twelve (12) month period shall be \$100.000. Upon impounding, the owner of such animal may at any time within three (3) working days after the same shall have been impounded, reclaim the animal by paying the expense of keeping such animal in addition to the fee prescribed by this section. If any animal so impounded shall not be reclaimed within three (3) working days and reasonable efforts to locate the owner have failed, the City is authorized to release the animal into the care of the Pound Master to do what they deem necessary.

Notice shall be served upon the existing owner by the Pound Master, if such identity is known, informing the owner of the intent to dispose of the animal.

The owner shall have three (3) business days after notice to the City of his or her objection to disposal, of intent to maintain ownership and intent to pay in full all impoundment and treatment costs. In addition, the owner shall pay all costs up to the date of notice of intent, including any fines and pays in advance weekly any costs of impoundment and treatment. If owner fails to comply with this section, the Pound Master has the right to do what they deem necessary.

No person shall hinder, delay, or obstruct any law enforcement officer or other authorized official when engaged in capturing, securing or impounding any animal.

SECTION 7.04. DISPOSITION OF ABUSED ANIMALS

In cases where an animal or animals have been seized by the animal control officer based upon cruelty, neglect or abandonment, such animal may be adopted to another owner or humanely euthanized thereby extinguishing all property rights of the existing owner following tile procedures as hereinafter provided:

Upon seizure of the animal or animals, the animal control officer shall serve notice upon the existing owner, if the identity of said existing owner is known, informing, said existing owner of the animal control officer's intent to have said animal disposed of.

A. Time Limit for Owner.

The existing owner shall have three (3) business days to:

1. Declare in writing and deliver to the animal shelter keeping said animal or animals:

a. Notice of said existing owner's intent to maintain ownership of the animal or animals and to object to the adoption or euthanasia thereof, and;

b. Notice that said existing owner shall pay where due all impoundment, board and veterinary costs until such time as the animal or animals shall be released to said existing owner or be adopted or euthanized.

2. Pay all impoundment, board and veterinary costs up to the date of the owner's declaration of intent to maintain his ownership of said animal or animals to the animal control shelter.

B. Intent to maintain ownership.

Upon all notification of said existing owner's intent to maintain ownership of the animal or animals and the objection to the adoption or euthanasia thereof said existing owner shall continue said payments to the animal control shelter for impoundment, board and veterinary costs on a weekly basis until such time as the animal or animals shall be released to said existing owner or be adopted or euthanized.

C. Failure to notify.

If the existing owner of the animal or animals fails to declare hereinbefore stated intent or fails to make any payment in a timely manner, or if the identity of said existing owner is unknown or notification to said existing owner cannot be made, ownership of the animal or animals will revert to the animal shelter.

SECTION 7.05. COMPULSORY VACCINATION OF ANIMALS FOR RABIES.

Every dog, cat or other animal susceptible to rabies, held as a domestic pet in the City, six (6) months of age or older, shall be vaccinated against rabies by a licensed veterinarian. Vaccination against rabies shall be given at such intervals that guarantee immunity, and the minimum time period between vaccinations shall be determined by the available vaccine and based upon the recommendations and approval of the State Veterinarian.

Any owner acquiring a dog, cat or other animal by purchase, gift, birth or otherwise, shall have such animal vaccinated against rabies within one month following acquisition or when the animal reaches the age of six months.

Any animal impounded shall not be released to any person until such animal has been vaccinated against rabies; provided, however, no animal so impounded shall be vaccinated if the owner can present a certificate of a current vaccination.

All veterinarians or other qualified persons designated to vaccinate animals against rabies shall provide the owner at the time of vaccination with a certificate or metallic tag showing the date of the vaccination. Whenever metallic tags are so given for vaccination, such metallic tags shall be worn by all animals on a collar, harness, or chain when off the premises of the owner.

SECTION 7.06. RESPONSIBILITY OF OWNER TO PLACE ANIMAL FOR OBSERVATION

When any person owning or harboring a dog, cat, or other animal has been notified that the animal has bitten or attacked any person, the owner shall within twenty-four (24) hours place the animal under the care and observation of the animal control officer or a licensed veterinarian for a period of not less than ten (10) days.

At the end of the ten (10) day observation period, the animal shall be examined by a licensed veterinarian and if cleared by the veterinarian, may be reclaimed by the owner upon paying the expenses incident thereto.

Any animal impounded or placed for observation, showing active signs of rabies, suspected of having rabies, or known to have been exposed to rabies, shall be confined under competent observation for such time as may be deemed necessary to determine a diagnosis.

No person shall knowingly harbor or keep any animal infected with rabies or any animal known to have been bitten by an animal known to have been infected with rabies.

Any person who shall suspect that any animal in the City is infected with rabies, shall report the animal to the animal control officer, the City, or other health authority, describing the animal and giving the name and address of the owner if known.

Whenever the animal control officer, a law enforcement officer or other authorized official shall have determined that there is danger of the existence or spread of rabies in the City, such facts shall be made known to the City Council in writing. The City Council, upon receipt of said facts, may by proclamation, in the interest of public safety and general welfare of the citizenry, order all animals muzzled when off the premises of the owner. Forty-eight (48) hours after the proclamation is issued, all animals found off the premises of the owner unmuzzled shall be seized and impounded or may be immediately destroyed if all reasonable efforts to seize said animals fail. All animals seized and impounded shall be held for observation as hereinbefore provided for, not less than ten (10) days, and if cleared by a licensed veterinarian, may be claimed by the owner upon paying the expenses incidental thereto. Any animal not claimed may be disposed of as hereinbefore provided.

SECTION 7.07. VICIOUS ANIMAL LICENSING

A. Dangerous Dog Requirements.

All owners of dangerous animals are required to:

1. Annually renew a "dangerous animal license" which must have been obtained prior to enactment of the ordinance;
2. Prove that the animal has been spayed or neutered and has been vaccinated against rabies;
3. Keep the animal confined or securely leashed and muzzled;
4. Maintain a \$500,000 in liability insurance with the City to be named as additional insured;
5. Any additional requirements as may be set by resolution of the City Common Council.

B. Dangerous Animal License.

All dangerous animals must have a dangerous animal license in addition to the regular license. An application for such license may be obtained from City Hall. The license fee for the dangerous animal license shall be set by the City Common Council annually. The initially fee shall be \$100.00.

SECTION 7.08. VICIOUS ANIMALS

A. An animal may be declared to be vicious by the animal control officer, a law enforcement officer or other authorized official, under the following guidelines:

1. An animal which, in a vicious or terrorizing manner approaches in an apparent attitude of attack, or bites, inflicts injury, assaults or otherwise attacks a person or other animal upon the streets, sidewalks, or any public grounds or places; or
2. An animal which, on private property, in a vicious or terrifying manner, approaches in an apparent attitude of attack, or bites, or inflicts injury, or otherwise attacks a mailman, meter reader, serviceman, journeyman, delivery man, or other employed person, or any person or animal who is on private property by reason of permission of

the owner or occupant of such property or who is on private property by reason of a course of dealing with the owner of such private property.

3. No animal may be declared vicious if the injury or damage is sustained to any person or animal who is committing a willful trespass or other tort upon premises occupied by the owner or keeper of the animal, or who was teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime.
- B. When the animal is declared to be vicious, the City shall notify the owner of such declaration in writing. Said notice shall be served either in person or by mailing such notice by certified mail.
- C. Any mammal, reptile or fowl which is not naturally found in a domestic setting, and because of its size or other characteristic would constitute danger to human life or property is automatically deemed vicious.
- D. The owner of an animal that has been deemed vicious shall comply with the following:
1. Register the animal as vicious with the City and present proof of rabies vaccination within five (5) days of receiving the notice and presenting proof of rabies vaccination on or before March 1 of each and every year thereafter.
 2. Whenever the animal is outdoors and attended, the animal shall be muzzled, on a leash no longer than six (6) feet, and under the control of a person over sixteen (16) years of age.
 3. When the animal will be outdoors and unattended, the animal must be locked in an escape-proof kennel approved by the City. Minimum standards shall include the following:
 - a. Fencing materials shall not have openings with a diameter of more than two (2) inches.
 - b. Any gates within such pen or structure shall be lockable and of such design to prevent the entry of children or the escape of the animal.
 - c. The required pen or structure shall have secure sides and a secure top. If the pen or structure has no permanent bottom secured to the sides, the sides shall be imbedded into the ground or concrete.
 - d. The pen or structure may be required to have double exterior walls to prevent the insertion of fingers, hands or other objects.
 4. A universal sign denoting a vicious animal shall be displayed on the kennel or enclosure and on a place visible from the sidewalk or road adjacent to the property where the animal is kept.
- E. The vicious animal shall be impounded by animal control at the owner's expense until all provisions of Section D are complied with. If the conditions in Section D are not complied within 10 days after receiving notice, the animal shall be euthanized in a humane manner and proof of euthanasia filed with the City.
- F. If a vicious animal has been running at large, or bites a person or bites another animal, the animal control officer, a law enforcement officer or other authorized official shall seize the animal by using such means as are necessary and summon the owner to appear in court to show cause why this animal shall not be destroyed. If the animal cannot be captured, it may be destroyed.

This section shall not be construed to apply to zoological parks, performing animal exhibitions, or circuses.

SECTION 7.09 PIT BULL CONTROLS

For the purpose of this section, "pit bulls" are defined as American Pit Bull Terrier, Staffordshire Bull Terrier, American Saffordshire Terrier.

- A. An owner of a pit bull shall ensure that the pit bull is at all time equipped with a muzzle and secured by a leash in accordance with the following rules:
 - 1. The pit bull shall be fitted with a collar or harness that is properly fitted to and placed on the dog;
 - 2. The movement of the pit bull shall be controlled by a person by means of a leash attached to the collar or harness on the pit bull;
 - 3. Leash is not more than six feet in length and is attached to the collar or harness. A retractable leash is not permitted.
 - 4. The collar or harness, the lease and the attachment between the leash and the collar or harness are all strong enough to prevent the pit bull from breaking any of them.
 - 5. The mouth of the pit bull is covered by a muzzle that is humane and that is strong enough and well-fitted enough to prevent the pit bull from biting, without interfering with the breathing, panting or vision of the pit bull or with the pit bull's ability to drink. This does not apply to transporting pit bulls to the veterinarian clinic.
- B. Subsection A does not apply when a pit bull is within enclosed property occupied by the owner of the pit bull.
- C. When a pit bull is within enclosed property occupied by a person who consents to the pit bull being off leash or off muzzle, subsection A does not apply to the extent of that consent.
- D. For the purposes of subsections B and C a pit bull is within enclosed property when the property is enclosed in a way that can be relied on to prevent the pit bull from breaking out of the property.
- E. An owner of a pit bull shall have at lease \$500,000 in liability insurance. Proof of insurance must be filed with the City annually and the city must be named as additional insured.
- F. An owner of a pit bull shall post in the front yard, or front yard and side yard if a corner lot a "Beware of Pit Bull" sign. Sign to be a minimum of 8.5" x 11".
- G. All pit bulls shall be spayed or neutered by the age of 6 months. Owner to provide proof to the city within 30 days.
- H. The above sections do not apply if the majority of the animal is proven to be non Pit Bull or Wolf DNA. The Burden of proof falls on the owner of the animal with the City reimbursing the owner for the cost of the test if the test confirms that the majority of DNA is not Pit Bull or Wolf.
- I. Penalties: Penalties for violation of this section shall be as follows:
 - 1. First Offense -Warning (15 day grace period to comply with subsection E of this chapter)
 - 2. Second Offense - \$100.00 plus expenses
 - 3. Third Offense - Removal of animal plus expenses

SECTION 7.10. DISTURBANCE OF PEACE BY ANIMALS.

The owner or custodian of an animal shall not allow such animal to create a disturbance by making a loud noise at any time of the day or night.

- A. Upon complaint, such owner will be notified by the Police Department and said owner shall abate such nuisance. If convicted upon failure to abate such nuisance, said owner will be guilty of further violations, for each day that such condition is allowed to exist or goes uncorrected.
- B. Any officer may remove and impound any animal which is disturbing the peace when the owner of the animal can not be located. A notice advising the owner of the impoundment shall be left at the premises.
- C. Any person having custody or control of any female dog or cat in heat shall be required to keep such dog or cat confined in a building, secure enclosure, veterinary hospital, or boarding kennel so that it cannot attract or come into contact with another animal on public or private property except for controlled breeding purposes.
- D. Penalties: Penalties for violation of this section shall be as follows:
 - 1. First Offense - Warning
 - 2. Second Offense - \$100.00 plus expenses
 - 3. Third Offense - Removal of animal plus expenses

SECTION 7.11. CRUELTY TO ANIMALS

No person shall maltreat or abuse or neglect any animal or fowl. Any animal control officer, law enforcement officer or authorized official finding an animal or fowl mistreated as described in this section shall have the power to lawfully enter the premises where the animal is kept and demand to examine such animal and to take possession of such animal, when in his opinion, the animal requires humane treatment.

SECTION 7.12. POISONING ANIMALS

It shall be unlawful for any person to willfully or maliciously administer or cause to be administered, poison of any sort whatsoever to any animal, the property of another, with the intent to injure or destroy such animal, or to willfully or maliciously place any poison or poisoned food where such is accessible to any such animal. (SDCL 9-29-11)

SECTION 7.13. STRAY, ABANDONED, OR UNKEPT ANIMALS

No person shall harbor or keep any stray animals or abandon any animal within the City. Animals known to be strays shall be immediately reported to the animal control officer, a law enforcement officer or authorized official. (SDCL 9-29-12)

SECTION 7.14. NUMBER OF PETS LIMITED

It shall be unlawful for any person to have or to keep more than four (4) companion animals of any one type and a total of six (6) pets maximum over the age of six months, except birds and fish, on any lot within a residential zoned district or premises in the City, unless such person residing on or in the lot or premises has a valid kennel license issued by the City as per Section 7.18. The pound master, veterinarian offices, and retail pet stores are exempt from the provisions of this section.

SECTION 7.15. APPLICATION FOR LICENSE

A. Required.

Any person desiring to keep, maintain or have in their custody or control within the city, any dog or cat, shall on or before December 31 every two years make an application to an authorized agent of the city for a license to keep such dog or cat. Such application shall be in writing, stating the name, sex, color and other distinguishing characteristics (e.g., such as guard dog) of such dog or cat and the name of the owner or caretaker thereof, which application shall be made on a printed form furnished by an authorized agent and shall be filed with an authorized agent.

B. Rabies vaccination required.

No dog or cat license tag shall be issued to any owner or caretaker of any dog or cat who does not present to an authorized agent at the time of making application for such license, a certificate of vaccination against rabies by a veterinarian duly licensed to practice veterinary medicine within any state. The certificate must show the date of such vaccination and shall state the period of time for which the dog or cat is effectively immunized, which period of immunization shall be for two years from the date of issuance of the license tag.

C. Fee.

Before any license may be issued under the provisions of this article, the applicant shall pay to an authorized agent a fee for each dog or cat to be licensed. The annual fee as shown in Section 7.16 for such license shall be determined from time to time by resolution of the city council which shall be on file in city hall.

D. Authorized agent's fee.

If the license fee shall be collected by a veterinarian so authorized by the city, the veterinarian may charge an additional fee in the amount established by resolution of the city for their services in issuing such license.

E. Issuance of tag.

It shall be the duty of an authorized agent of the city, at the time of issuance of the license provided in this division, to furnish and deliver to such applicant a tag for each dog or cat for which such license is issued, upon which tag shall be stamped or engraved the registered number of the dog or cat and the year for which such license is issued.

F. Dog or cat to wear tag.

It shall be the duty of the owner or keeper of any dog or cat to place a collar or harness around the neck of each dog or cat, on which collar shall be securely fastened the tag furnished by an authorized agent of the city under the provisions of this article.

G. Duplicate tag.

In the event of the loss of any tag issued under the provisions of this article, an authorized agent of the city is authorized to issue a duplicate tag for a fee of one dollar (\$1.00) when application has been made stating the original tag has been lost and payment of the actual cost of the duplicate tag has been made.

H. Penalties.

The fine for an unlicensed animal is Fifty Dollars (\$50.00). It shall be one Hundred Dollars (\$100) for a second offense and third offense within a (12) twelve month period, the animal is taken to an animal shelter.

SECTION 7.16. LICENSE FEE SCHEDULE

The two year fee for an original and renewal dog or cat license shall be as follows:

Neutered/Spayed dog	\$10.00
Neutered/Spayed cat	\$10.00
Unneutered/Unspayed dog	\$50.00
Unneutered/Unspayed cat	\$25.00

The most current fee schedule specifically addresses dog and cat licenses. Documentation from a veterinarian or other sufficient medical proof must be provided when licensing a neutered or spayed dog and/or cat. The City Council may in special instances, after a hearing, exempt the license fee in individual cases.

SECTION 7.17. LICENSE FEE EXEMPTIONS

The licensing provisions of this chapter shall not apply to dogs and cats in the custody of a veterinarian, or animal shelter or animal rescuer, or whose owners are nonresidents temporarily within the City for a period not exceeding 30 days. Also, when a blind person, physically disabled or hearing impaired person requests that no fee be charged to license his/her guide dog, or service dog, no fee shall be charged, upon submission of medical documentation attesting to said disability and/or service animal certification from a bona fide and recognized authority.

SECTION 7.18. KENNEL LICENSES ISSUED

The City, upon receipt of an application showing the owner's name and address, the name, breed, age, color and sex of each animal kenneled by the owner, a certificate signed by a qualified veterinarian that each animal has been vaccinated and payment of the appropriate license fee, as established by the City Council, shall issue a kennel license to the owners. All animals housed in a licensed kennel shall be exempt from the other licensing provision of this ordinance.

A kennel shall require a conditional use permit for GB – General business Commercial zoned districts of the City. Kennels are to be located no closer than 1,000 feet from a residential district.

Kennels should be located in areas where the noise generated by such use would not be a nuisance or detrimental to adjacent properties. Generally, a fence separating the kennel operation from adjacent property owners shall be required.

The annual kennel license shall be set by resolution by the common council. The initial fee shall be \$100 until said fee is changed by resolution.

SECTION 7.19. LIVESTOCK & POULTRY IN CITY

No person shall keep or maintain any building or enclosure where livestock is kept, unless the same be at all times kept in a clean and sanitary condition. No person shall place, keep, or maintain any live hogs, cattle, sheep or horses within a residential zoned district within City. Ag zoned properties within the City do not apply. (SDCL 9-29-12)

SECTION 7.20. RESPONSIBILITIES OF OWNING, MAINTAINING OR ATTENDING ANIMALS, FOWL AND INSECTS

No person shall create or maintain any condition or operation any equipment or keep any animal, fowl, pet or insect under his jurisdiction in such a way that such condition or operation causes or is likely to cause transmission of diseases from animals or insects to man.

No owner, keeper, caretaker or attendant of an animal shall allow an animal to defecate on public or private property other than his own. If such animal does defecate upon public or private property, the owner, keeper, caretaker or attendant must immediately and thoroughly clean the fecal matter from such property, or be subject to a fifty-dollar (\$50.00) fine.

Anyone walking an animal on public or private property other than his own must carry with him visible means of cleaning up any fecal matter left by the animal, or be subject to fines. Animals used in parades or involved in law enforcement are exempt from this section. Ord. 32

SECTION 7.21 DOG PARK

A. Authorized off-leash dog exercise facility.

Establishment of facility. The City of Tea shall allow one or more authorized off-leash dog exercise facilities within the city which meet the requirements of this chapter. Each authorized off-leash dog exercise facility shall be referred to hereinafter as a "Dog Park".

Characteristics of a dog park. Each dog park established under this section shall meet the following criteria:

1. The dog park shall be located within a public park in the city;
2. The dog park shall be appropriately and securely fenced and equipped with at least one self-closing gate;
3. The rules and regulation for the use of the dog park shall be posted on a sign at each entrance to the dog park.

B. Rules governing use of dog park.

The following rules and regulations shall govern the use of each dog park established under this chapter.

1. The dog park shall be for use of dogs only and no other types of animals or pets shall be allowed to use the dog park.
2. The owner or other competent responsible person authorized by the owner at all times accompany each dog inside the fenced area of the dog park and shall be responsible for the supervision of such dog at all times while it is in the dog park.
3. The dog park shall be open for use during the regular city public park hours.
4. A person shall not be required to obtain a special permit to use the dog park.
5. No person shall be authorized to bring any dog into such dog park unless the owner has a valid, current city license and rabies vaccination for the dog and then only if the license and rabies tags are attached to and kept on a substantial collar on the dog at all times.
6. All other provisions of the municipal code shall apply to the use of each such dog park and to the presence and conduct of the dogs in each such dog park, including but not limited to the provisions requiring a clean up of animal droppings, and prohibiting a dog from attacking persons or animals.
7. No dog which is dangerous or vicious as defined in subsections 7.07 & 7.08 of this chapter shall be allowed to use any such dog park at any time.
8. Pit Bulls as defined in subsection 7.09 shall be allowed to use the dog park, a muzzled must be used at all times.
9. No person shall bring more than two dogs into the dog park at any time.
10. A person using the dog park shall at all times carry a leash for each dog which is under his or her supervision.
11. The following are prohibited in any dog park established under this chapter.
 - a. Dogs in heat;
 - b. Dogs under four months of age;
 - c. Food, bones or rawhide;
 - d. Prong or spike dog collars
12. No children under six years of age are allowed in any dog park. Children from six years of age to sixteen years of age must be under supervision of an adult competent responsible person at all times while in the dog park.

C. Other rules.

The City or its representative is hereby authorized to adopt and enforce, from time to time, such other rules and regulations governing the use of each dog park as may deem appropriate, provided

that such rules and regulations shall first be approved by the city council and therefore be posted at each entrance to each dog park.

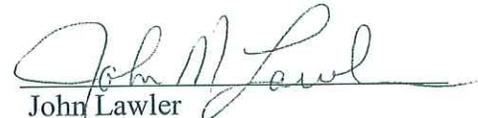
D. Miscellaneous provisions.

Dog at large. A person who brings a dog into a dog park and complies in all respects with the provisions of this chapter, including any rules and regulations established under this chapter shall not be deemed to have permitted or allowed the dog to be at large within the city within the meaning of sections 7.01 and 7.02.

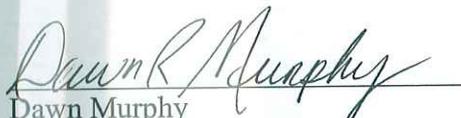
E. Penalties.

Anyone violating the provisions of this section shall constitute a Class 2 misdemeanor.

Adopted this 17th day of August, 2009.


John Lawler
Mayor, City of Tea

ATTEST:


Dawn Murphy
Finance Officer, City of Tea

Seal

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