

RESOLUTION NO. 3367

A RESOLUTION OF THE RED LODGE CITY COUNCIL TO SET FEES FOR REGISTRATION OF ANIMALS AND PENALTY FINES FOR VIOLATION OF PROVISIONS CONTAINED IN TITLE 5, CHAPTER 5 ANIMAL CONTROL OF THE RED LODGE CITY CODE.

Whereas, § 7-23-1 and §7-23-41 MCA provide guidance for control and protection of domestic animals; AND

Whereas, Title 5, Chapter 5 of the Red Lodge City Code covering Animal Control requires that all dogs be registered and that owners (as defined in 5-5 -B-1) pay fines for violation of any provision in the Chapter; AND

Whereas, this Resolution sets the fees and penalty fines to enforce the Animal Control requirements contained in Title 5, Chapter 5.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Red Lodge Montana that the following fees and fines shall apply to Title 5, Chapter 5 of the Red Lodge Municipal Code. **BE IT FURTHER RESOLVED THAT** Resolution #3338 is null and void on the effective date of this resolution.

License Fees:

Purchased between October 1 to December 31.*

Service Dogs:

All Service Dogs: \$5.00 each.

Neutered/Spayed dogs:

1 - 3 dogs: \$10.00 each.*

Each Additional: \$20.00 each.*

Unneutered/unsprayed dog: \$30.00 each*

Duplicate/Replacement tag: \$ 1.00

Purchased after January 1.

Neutered/Spayed dogs:

1 - 3 dogs: \$20.00 each.

Each Additional: \$30.00 each.

Unneutered/unsprayed dog: \$50.00 each

*New residents moving to Red Lodge or persons acquiring a new dog shall have 30-days to purchase the necessary licenses and pay the October 1 to January 1 fees.

Penalties and Fines:

1. Upon conviction of any offense described in the Ordinance, the owner shall, at a time and location convenient to the Red Lodge Police Department, submit to a digital photograph being taken of the dog for tertiary identification purposes in addition to any fines or penalties imposed.

2A. Running at Large, Outside of an Enclosure or Unrestrained, Barking, Whining, Howling, Urination and Defecation on Private Property: (Non Vicious/Non Dangerous Dog)

(Licensed, Vaccinated and Collared)

First Offense	\$35.00^	
Second Offense	\$75.00^	
Third Offense	\$100.00^	
Fourth and subsequent Offense(s)	\$250.00^	

^ Penalty and fines for repeat offenses occurring within Twelve (12) months of a prior offense.

(Unlicensed, Unvaccinated and/or uncollared)

First Offense	\$50.00**	- Requires purchase or proof of vaccination and/or license within 5 days.
Second Offense	\$100.00**	
Third Offense	\$200.00**	
Fourth and subsequent Offense(s)	\$500.00**	

** Penalty and fines for repeat offenses occurring within Eighteen (18) months of a prior offense.

2B. Running at Large, Outside of an Enclosure or Unrestrained, Barking, Whining, Howling, Urination and Defecation on Private Property: (Vicious/Dangerous Dog)

(Licensed and Collared)

First Offense	\$250.00^	
Second Offense	\$500.00^	
Third Offense	\$750.00^	
Fourth and subsequent Offense(s)	\$750.00	PLUS 3-year Loss of Dog Ownership, Harboring or Sheltering Privileges within the City Limits of Red Lodge.^

^ Penalty and fines for repeat offenses occurring within Twelve (12) months of a prior offense.

(Unlicensed and/or uncollared)

First Offense \$500.00** - Requires purchase or proof of license within 5 days.
Second Offense \$650.00**
Third Offense \$750.00**
Fourth and subsequent Offense(s) \$750.00, **PLUS** 3-year Loss of Dog Ownership, Harboring or Sheltering Privileges within the City Limits of Red Lodge.**

** Penalty and fines for repeat offenses occurring within Eighteen (18) months of a prior offense.

3A. Trespassing upon Private Property or School Grounds, (Non Vicious/Non Dangerous Dog:

First Offense \$75.00 plus restitution.**
Second Offense \$150.00 plus restitution.**
Third Offense \$300.00 plus restitution.**
Fourth and subsequent Offense(s) \$500.00 plus restitution.**

** Penalty and fines for repeat offenses occurring within Eighteen (18) months of a prior offense.

3B. Trespassing upon Private Property, School Grounds: (Vicious/Dangerous Dog)

First Offense \$500.00 plus restitution.**
Second Offense \$650.00 plus restitution.**
Third and subsequent Offense(s) \$750.00 plus restitution, **PLUS** 3-year Loss of Dog Ownership, Harboring or Sheltering Privileges within the City Limits of Red Lodge. **

** Penalty and fines for repeat offenses occurring within Eighteen (18) months of a prior offense.

4A. Destruction of Private Property: (Non Vicious/Non Dangerous Dog)

First Offense \$75.00 plus restitution.**
Second Offense \$150.00 plus restitution.**
Third Offense \$300.00 plus restitution.**
Fourth and subsequent Offense(s) \$500.00 plus restitution, **PLUS** 3-year Loss of Dog Ownership, Harboring or Sheltering Privileges within the City Limits of Red Lodge.**

** Penalty and fines for repeat offenses occurring within Eighteen (18) months of a prior offense.

4B. Destruction of Private Property: (Vicious/Dangerous Dog)

First Offense \$500.00 plus restitution.**
Second Offense \$650.00 plus restitution.**
Third and subsequent Offense(s) \$750.00 plus restitution, **PLUS** 3-year
Loss of Dog Ownership, Harboring or Sheltering Privileges within the City Limits
of Red Lodge.**

** Penalty and fines for repeat offenses occurring within Eighteen (18)
months of a prior offense.

**5. Attack, Bite Chase, harass or bite persons or other animals, Interfere with
a passerby or vehicle: (Vicious/Dangerous Dog)**

First Offense \$200.00 to \$500.00 plus restitution. ^^
Second Offense \$500.00 to \$750 plus restitution. ^^
Third and subsequent Offense(s) \$750 plus restitution, **PLUS**
Destruction of dog and Loss of Dog Ownership, Harboring or Sheltering
Privileges within the City Limits of Red Lodge for not less than 5-years nor more
than 10-years. ^^

^^ Penalty and fines for repeat offenses occurring within Five (5) years of a
prior offense.

**6. Violation of the Loss of Dog Ownership, Harboring or Sheltering Privileges
within the City Limits of Red Lodge:**

\$750 and/or 90-days in jail. Plus a minimum 5-year extension to Loss of Dog
Ownership, Harboring or Sheltering Privileges within the City Limits of Red
Lodge.

PASSED AND APPROVED BY A MAJORITY OF THE RED LODGE CITY COUNCIL on
this ___Day of _____ 2014.

City of Red Lodge

Ed Williams, Mayor

Attest:

Debbie Tomicich, City Clerk