

CITY OF SAN ANSELMO

ORDINANCE NO. 419

An ordinance amending Ordinance No. 318

entitled "AN ORDINANCE OF THE TOWN OF SAN ANSELMO ESTABLISHING A PUBLIC POUND, CREATING OFFICE OF POUNDMASTER AND PRESCRIBING HIS POWERS AND DUTIES, PROHIBITING CERTAIN ANIMALS TO RUN AT LARGE, PROVIDING FOR LICENSING, IMPOUNDING AND DISPOSAL OF CERTAIN ANIMALS, AND PROVIDING PENALTIES FOR VIOLATION OF PROVISIONS THEREOF", by amending sub-sections 2(f) and 3(b)

and adding a new sub-section 3(c) and amending sub-section 4(b), (3) and (4).

The City Council of The City of San Anselmo do ordain as follows:

SECTION 1. Sub-Section 2(f) of Ordinance No. 318 is hereby amended to read as follows:

REDEMPTION OF RETURNED DOG BY OWNER. The owner of any dog at the time it is so impounded may, at any time within thirty (30) days after such dog has been returned to the person surrendering such dog to the Poundkeeper, redeem the same from such person by paying to him the amount he paid for the license tag, and in addition thereto a sum equal to fifty cents (50¢) per day for the number of days from the date of receiving such dog from the Poundkeeper, to and including the date of such redemption.

SECTION 2. Sub-section 3(b) of Ordinance No. 318 is hereby amended to read as follows:

IMPOUNDING OF BITING ANIMALS. Upon written notice by the Health Officer or Poundkeeper, the owner or person having the control of any animal which has within the preceding fourteen (14) days bitten, scratched or maimed any person or animal shall,

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upon demand, and in the discretion of the Poundkeeper, follow one of two procedures, as follows: He shall either (1) confine such animal to his own premises or (2) surrender such animal to the Poundkeeper, who shall impound and keep such animal at the Public Pound, in a separate kennel for a period of not less than fourteen (14) days during the said period it shall be the duty of the Health Officer or Poundkeeper to determine whether or not such animal is suffering from any disease. If the Poundkeeper, or a duly licensed veterinarian designated by the Poundkeeper shall determine that such animal is diseased and by reason of such disease is dangerous to persons or to other animals, the Poundkeeper shall destroy such animal, provided that prior to such destruction the Poundkeeper shall serve a written notice upon the owner or person having control of such animal that such animal is diseased and is to be destroyed by the Poundkeeper. If the Poundkeeper or said veterinarian shall determine that such animal is not so diseased and if a license is required for such animal and shall have been duly paid for the then current year, the Poundkeeper shall notify by mail the person to whom the license for such animal was issued and at the address from which the animal was surrendered to the Poundkeeper, and shall upon demand, release such animal to the owner or person lawfully entitled thereto upon payment of a sum equal to One Dollar and Fifty Cents (\$1.50) per day for each day the animal has remained in the Public Pound; provided, however, that

if no person lawfully entitled to such animal shall, within five (5) days after the date of giving said last mentioned notice, appear at the Public Pound and request the release of such animal, and pay said charges, such animal may be sold or destroyed by the Poundkeeper in the same manner hereinbefore provided.

SECTION 3. A new sub-section (e) is hereby added to Section 3 of the Ordinance No. 318 as follows:

NUISANCE ABATEMENT. It shall be unlawful to permit any vicious dog or dangerous animal to go unrestrained. The keeping or harboring of any dog, cat or other animal or fowl whether licensed or not, which by habitual howling, yelping, barking or other noise disturbs or annoys any considerable number of persons or neighborhood is unlawful, and is hereby declared to be a public nuisance and each day shall constitute a separate offense. It shall be unlawful to suffer or permit any animal to trespass on private or public property so as to damage or destroy any property or thing of value and the same is hereby declared to be a nuisance and any such animal may be impounded by the Poundmaster. Whenever it shall be affirmed in writing by 3 or more persons having separate residences, or regularly employed in <sup>separate place premises in</sup> the neighborhood that any animal is an habitual nuisance by reason of trespassing, howling, barking, or other noise, or damage to property, being vicious or by its actions potentially vicious or in any other manner causing undue annoyance, the Poundmaster, if he finds such nuisance to exist, shall serve notice upon the owner or custodian that such nuisance must be abated.

SECTION 4. Sub-Sections 4(b) (3) and (4) of Ordinance No. 318 are hereby amended to read as follows:

(3) For every unlicensed dog a fine of Three (\$3.00) dollars and a charge of fifty cents (50¢) per day for keeping.

(4) For every licensed dog impounded in violation of any of the provisions of Sections 1 and 2 of this ordinance, a fine of Two (\$2.00) dollars, and a charge of fifty cents (50¢) per day for keeping, provided that an additional charge of One (\$1.00) dollar shall be imposed for the keeping of any such licensed dog which at the time of its impoundage does not have around its neck or leg a license tag showing that such dog is duly licensed as required by any ordinance of Marin County or any duly incorporated city or town within Marin County.

SECTION 5. This ordinance shall take effect and be in full force and effect thirty days (30) from and after date of final passage and adoption.

SECTION 6. The foregoing ordinance shall, within fifteen (15) days of its final passage and adoption be published once in the Ross Valley Times, a weekly newspaper of general circulation, published and circulated in the City of San Anselmo, and hereby designated for that purpose.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of San Anselmo held on the 13th day of February, 1957, and was thereafter on the 9th day of April, 1957, at a regular meeting of said City Council duly passed and adopted by the following vote:

AYES: Councilmen, Booth, Ball, Henning, Smith  
NOES: Councilmen, Cullen  
ABSENT: Councilmen, none

ATTEST:

Arthur W. Smith  
MAYOR OF THE CITY OF SAN ANSELMO

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CITY CLERK.