

**RESOLUTION NO. 634**

A RESOLUTION OF THE CITY OF WHITE SULPHUR SPRINGS, MONTANA, ESTABLISHING FEES FOR ANIMAL CONTROL AND IMPOUND

**WHEREAS**, the City has established an ordinance relating to Animal Control; and

**WHEREAS**, the City has, within that ordinance, provided for the establishment of fees for impounding animals for being at large, or for animals otherwise taken into custody by the Animal Control Officer or the Sheriff's Office; and

**WHEREAS**, the City desires to have the fees for such impounds reflect the costs per day of an animal being held; and

**WHEREAS**, the Council believes the cost for care and keeping of these animals should be borne by the owner, and in the absence of the owner by the individual who took responsibility for the animal and turned the animal in; and

**WHEREAS**, the City Council desires to set such fees for collection.

**NOW, THEREFORE BE IT ORDAINED AND RESOLVED BY THE CITY OF WHITE SULPHUR SPRINGS, MONTANA as follows:**

The City of White Sulphur Springs hereby establishes the following fees for impound by the City of White Sulphur Springs:

1. Impound fees per day for Animals brought in by Animal Control Officer and found within the City limits, or by law enforcement officer when animal found within the City limits:
  - 1<sup>st</sup> offense ..... \$25.00
  - 2<sup>nd</sup> offense ..... \$50.00
  - 3<sup>rd</sup> and subsequent offense ..... \$100.00
2. Impound fees per day for Animals brought in by a resident without connection to the animal, whether found in the City or brought in to the Sheriff's Office, shall be as listed above if the animal is legitimately "at large" and can be identified/claimed by the owner.
3. For animals determined not to be legitimately "at large", but mistakenly rescued and/or transported to the Animal Control Officer or the Sheriff's Office for impound or surrender, the Impound fee is a per day fee and shall be the responsibility of the individual finding/surrendering the animal (otherwise known as the responsible person) for which they shall be billed by the City:
  - 1<sup>st</sup> offense ..... \$35.00
  - 2<sup>nd</sup> or subsequent offense ..... \$75.00An "offense" under this section is based on the responsible person, not the animal.
4. When an animal is surrendered by a member of the public directly to the Sheriff's Office or to the

Animal Control Officer, they are deemed "the responsible person", and it shall be the duty of the officer receiving the animal from the responsible person to obtain the following information to ensure the responsible party is properly identified:

- a. Name of Owner on tag or if known in the absence of the tag;
  - b. Name and/or description of the animal;
  - c. Name and contact information, to include mailing address, for the individual turning in the animal;
  - d. A photograph of the animal and the individual turning in the animal if possible;
  - e. Description of the location where animal found.
5. Costs over and above the base impound fees, such as for medical treatment (to include but not limited to wound care, spay/neuter, euthanasia), shall be the responsibility of the individual surrendering the animal unless the animal was legitimately at large and is claimed by the owner, and then those costs are the responsibility of the owner.

This measure is effective upon passage.

**PASSED** by the City Council in the City of White Sulphur Springs, Montana, on first reading at a regular session thereof held on the 17<sup>th</sup> day of August, 2021.



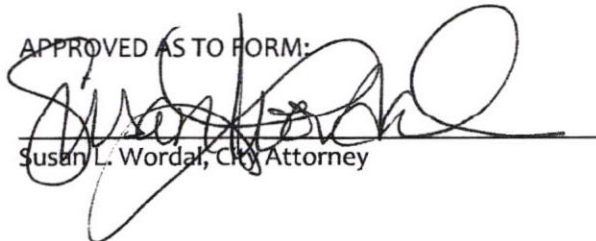
\_\_\_\_\_  
Rick Nelson, Mayor

ATTEST:



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Michelle Stidham, City Clerk

APPROVED AS TO FORM:



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Susan L. Wordal, City Attorney