

**COMMONWEALTH OF KENTUCKY
GRAYSON COUNTY FISCAL COURT
ORDINANCE NO 1040.00**

AN ORDINANCE RELATING TO AGGRESSIVE DOGS

WHEREAS, The Fiscal Court of Grayson County is enacting this Ordinance to address the issue of uncontrolled, aggressive dogs causing a danger and/or inconvenience to persons on their own private property, public property, public roadways, county roadways, state highways, county road right of ways, or state highway right of ways,

WHEREAS, The Fiscal Court intends this Ordinance to provide for the health, safety, and welfare of the general public.

NOW, THEREFORE, BE IT ORDAINED by the Fiscal Court of Grayson County, Kentucky, as follows:

SECTION 1 – DEFINITIONS

For the purposes of this Ordinance, the following words have the meanings respectively ascribed to them in this Section, except where the context clearly indicates a different meaning:

- (a) DOG means a domestic canine.
- (b) HARASS, HARASSES, HARASSING means the behavior of a dog which acts in an aggressive manner towards any person. A non-exclusive list of examples would be: chasing a motor vehicle, chasing a cyclist, chasing passersby on foot, growling, fighting, barking, biting, attempted biting, etc.
- (c) OWNER means any person or the legal guardian of a person who owns, possesses or otherwise provides food, water or shelter to the dog in question or any person who meets the definition of "Owner" under KRS 258.095.
- (d) ANIMAL CONTROL OFFICER means person(s) employed by Grayson County Fiscal Court to enforce the provisions of KRS Chapter 258 and any provisions of the Kentucky Revised Statutes relating to vicious dogs and the cruelty, mistreatment, or torture of animals, along with the provisions of this Ordinance.
- (e) PROHIBITED PROPERTY means the private property of another, a public property, a public roadway, a county roadway, a state highway, or the right of way of either a county roadway or a state highway.
- (f) PRIVATE PROPERTY means property owned by private parties, i.e., not public property or governmental property.

(g) **COST OF CARE** means the reasonable costs of caring for a dog held under this ordinance including, but not limited to costs incurred by the county, any animal shelter or any agency caring for the animal on its behalf of those entities including veterinary care, transport, and boarding.

SECTION 2 – HARASSING DOGS

No owner of a dog shall fail to exercise proper care and control of his or her dog in such a manner which thereby allows the dog to enter onto a prohibited property and harass any person. It is a violation of this Ordinance, for an owner of a dog to fail to exercise proper care and control of his or her dog thus allowing said dog to enter onto a prohibited property and harass any person.

SECTION 3 – ANIMAL CONTROL OFFICER

a. Discretion of Animal Control Officer

The animal control officer shall investigate any complaint of a violation of this Ordinance and shall assist the County Attorney in the prosecution of such a charge(s) if issued. The animal control officer upon completion of his investigation may in his discretion to issue a verbal or written warning to the violator seek a criminal complaint, or take no action.

b. Procurement Protocol for Prohibited Property

The animal control officer may procure and hold any aggressive dog if that dog is found to be on a prohibited property except when the dog is on the right of way of the owner's private property.

c. Procurement Protocol- Search Warrant Required

In the event, upon consultation with the County Attorney if it is deemed necessary for the animal control officer to procure and hold an aggressive dog that has reentered its owner's outdoor private property, a search warrant based upon probable cause must be sought with assistance of the Sheriff or his deputies from the sitting District Judge.

d. Procurement Protocol-Harboring a Vicious Animal Complaint

In the event, the aggressive dog is being kept inside the owner's residence, the animal control officer shall consult with the County Attorney concerning filing a civil complaint under KRS 258.235 for harboring a vicious dog to be heard by a judge of the District Court.

SECTION 4- PENALTIES

Any person in violation of Section 2 of this Ordinance shall, upon conviction, be fined no less than \$100 nor more than \$250 for each violation. The cost of care of any dog held pursuant to this ordinance and any medical bills generated due to injuries to a person injured by a harassing dog shall be the sole responsibility of the offender upon conviction of an offense under this Ordinance and repayment will be established by any plea agreement or by the Court after holding a hearing.

SECTION 5- SEVERABILITY

Severability is intended throughout and within the provisions, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6 - EFFECTIVE DATE

This Ordinance shall take effect immediately upon final passage and publication in the manner provided by law.

INTRODUCED AND PUBLICLY READ BY FIRST READING ON THE 20th DAY OF April, 2021.

PUBLICLY READ AND APPROVED ON SECOND READING ON THE 18th DAY OF May, 2021.

GRAYSON COUNTY FISCAL COURT

by:



KEVIN HENDERSON, JUDGE/EXECUTIVE
GRAYSON COUNTY

ATTEST:



CHARLOTTE WILLIS
GRAYSON COUNTY CLERK

**PREPARED BY AND
APPROVED AS TO FORM:**

by: 

JEREMY LOGSDON
GRAYSON COUNTY ATTORNEY