

**COUNTY OF FLEMING
ORDINANCE NO. 04-001**

**AN AMENDMENT TO ORDINANCE PERTAINING TO LICENSE FOR DOGS
AND HARBORING BARKING DOGS OF RESIDENTS OF**

FLEMING COUNTY, KENTUCKY

WHEREAS, the Commonwealth of Kentucky has repealed certain aspects of its control of dogs including the requirements to license dogs and issuance of said license; and

WHEREAS, Fleming County has an interest in controlling dogs and the dog population in Fleming County, and

THEREFORE, adopts the following ordinance to wit;

SECTION I: DEFINITIONS

1. Dogs- any member of the canine family, six (6) months of age or over.
2. Kennel- any establishment where dogs are kept for the purpose of breeding, sale, show or sporting purposes, and which is so constructed that dogs cannot stray therefrom.

SECTION II: LICENSE REQUIREMENT FOR DOGS

1. On or before July 1 of each year, the owner of any dog six (6) months old or over, the owner of which resides in Fleming County, shall apply to the dog warden and or County Judge/Executives Office for a license for each dog owned or kept by him or her. The application shall be accompanied by a license fee of six dollars & fifty cents (\$6.50) for each dog the dog warden or

County Judge/Executive's Office shall issue a tag bearing a number and such other information as might properly identify the dog.

2. The tag shall be affixed to a substantial collar furnished by the owner which shall be kept on the dog at all times, and only the owner or his authorized agent shall remove the collar with attached tag from any dog.
3. No license or tag issued for one dog shall be transferable to another dog.
4. Any dog not bearing a tag shall prima facie be deemed to be unlicensed.
5. The license tag of a dog shall be effective from July 1 of each year until the following year on July 1. All owners shall be required to license their dog on July 1 of each year.
6. Any person becoming the owner of a dog after July 1 or the dog becomes six (6) months old after July 1 of any year shall forthwith apply for and procure a license and tag for his/her dog in the same manner as set out above.

SECTION III: KENNEL LICENSE

On or before July 1 of each year:

1. Any person who keeps or operates a kennel may, in lieu of the license for each dog required by this ordinance, apply to the dog warden or County Judge/Executive for a kennel license entitling him to keep or operate a kennel. Such application shall be accompanied by a license fee of thirty-two dollars and fifty cents (\$32.50) for the first five dogs and a fee of four dollars (\$4.00) for each dog thereafter.

2. Upon issuance of a kennel license, the person who keeps or operates the kennel shall be furnished a number of tags equal to the number of dogs authorized to be kept in the kennel.
3. The licensee of a kennel shall keep a tag attached to the collar on each dog kept by him at all times, and such tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel.
4. No dog authorized to be kept by a kennel licensee shall be permitted to stray or to be taken anywhere outside the limits of the kennel, except temporarily and on a leash, or temporarily for the purpose of hunting, breeding, trial or show.
5. Any dog outside of the kennel in violation of paragraph (4) of this section shall be considered as if never licensed.

SECTION IV: HARBORING BARKING DOGS

1. **No person shall keep or harbor any dog which howls or barks so that the emitted sounds are unreasonably loud and disturbing and which are of such character, intensity and duration as to disturb the peace and quiet of any person or to be detrimental to the life and health of any individual.**

SECTION V: SEIZURE

1. Any dog, which does not bear a proper license tag, may be taken up by a peace officer and/or dog warden and the dog shall be considered as stray and running at large.

SECTION VI: MISCELLANEOUS

1. All other provisions of the Kentucky Revised Statutes shall apply to the dogs within Fleming County and the dog warden shall comply with the Kentucky Revised Statutes where applicable.

SECTION VII: PENALTY

Any person violating any provisions herein shall be punished by a fine of not less than \$100 nor more than \$500 or by imprisonment in the County Jail for not less than 1 day nor more than 60 days, or both.

Date

Larry H. Foxworthy
Fleming County Judge/Executive

1st Reading of the Amended Ordinance: August 12, 2008

2nd Reading & Passage of the Amended Ordinance: September 9, 2008

Published: August 27, 2008

Attest: _____

Tammy L. Gray
Fleming County Fiscal Court Clerk