
RESOLUTION NO. 1824

**CAMPBELL COUNTY COMMISSIONERS’
AMENDED ANIMAL CONTROL REGULATION
Revised and Effective July 1, 2014**

WHEREAS, Wyoming counties are authorized under W.S. §11-31-301(g) to declare and enact regulations to provide for control over dogs and other animals in a county; and,

WHEREAS, the Campbell County Commission has provided for such regulation under Resolution No. 1564; and,

WHEREAS, the Campbell County Commission now desires to amend said regulation to increase the daily fee charged for an impounded animal to be accurately reflect actual costs of impoundment;

NOW THEREFORE, Campbell County does hereby propose, consider and enact animal control regulations as follows:

REGULATIONS

SECTION 1: DEFINITIONS.

- A. As used in these Campbell County Animal Control Regulations, the following definitions shall apply:
1. “Animal” or “Animals” means any owned, vertebrate creature other than livestock including reptiles.
 2. “Animal Control Officer” means an employee of the Sheriff’s Department with responsibility for enforcing these regulations or any peace officer.
 3. “At Large” means any animal, other than livestock, off the property of its owner and not under the control of a competent person and thereby existing as a public nuisance.
 4. “Harasses” means worries, chases, or runs after livestock or big game animals including ostriches, emus and rheas, in a manner that may lead to subsequent injury to the livestock or big game animals.

5. "Livestock" means cattle, buffalo, horses, mules, asses, sheep, swine, goats and llamas.
6. "Owned" or "owner" means any person, partnership, or corporation owning, keeping or harboring one or more animals. A person with custody or control of another person's animal is considered an owner for purposes of these regulations.
7. "Restraint" means any animal secured by a leash or lead, or under the control of a responsible person and obedient to that person's commands, or within the real property limits of its owner.
8. "Torture" means every act whereby unnecessary or unjustifiable pain or suffering of an animal is caused or permitted and specifically includes but is not limited to beatings, mutilation, burning, scalding and suffocation.
9. "Predatory Animal" means coyote, jackrabbit, porcupine, raccoon, red fox and skunks.

SECTION II: GENERAL DECLARATION AND POWERS.

- A. All animals, as defined, shall be kept under restraint.
- B. Restitution for any damages to persons or property caused by an animal at large shall be paid by the animal's owner.
- C. If any animal is at large and cannot be safely taken up and impounded such animal may be slain by any Animal Control Officer. Evidence of the fact that such animal has attacked or bitten any person at any place where such person is legally entitled to be shall be proof that the animal is vicious and cannot be taken safely.
- D. Any animal attacking, harassing, or threatening any person or persons, or clothing of said persons, in a vicious manner, may be destroyed immediately by any person to protect the safety of that person or persons. Any animal attacking, harassing or threatening livestock or big game animals may be destroyed by the owner of the livestock or any peace officer.
- E. Any animal attacking any person in a vicious manner or that bites any person may be impounded by the county sheriff or animal control officer and held in quarantine for at least ten (10) days or as long as necessary as determined by the Wyoming State Health Officer after the attack to determine whether the animal has any disease which may be communicated to humans. Home quarantine may be allowed as determined by the Animal Control Officer or the county sheriff if the animal's owner or custodian presents a valid rabies vaccination certificate showing the animal has been vaccinated against rabies by a licensed veterinarian. The costs of impoundment, quarantine and testing shall be paid by the owner or custodian of the animal. Any animal which attacks any person in a vicious manner may be destroyed or the owner or custodian of the animal may be fined

not more than two hundred dollars (\$200.00), or both. Proof of the fact that the animal has bitten or attacked any person at any place where a person is legally entitled to be is evidence that the animal is vicious within the meaning of this section. A copy of any Animal Control Officer report regarding the animal bite shall be submitted to the state health officer.

- F. When an animal which has bitten a person is impounded, it shall be kept in a separate cage alone.
- G. An Animal Control Officer may enter upon private property to capture any animal alleged to be or to have been at large.
- H. Any animal captured while in violation of any of these regulations shall be impounded. If an animal has a tag, the Animal Control Officer shall make every effort to contact the owner. Any such animal with a tag shall be held for a maximum period of five (5) days after the owner is notified. All untagged animals shall be held for a period of three (3) days after which time animals not claimed by their owners may be placed for adoption, or may be humanely destroyed. Animals may be held longer than the five and three day minimums at the Animal Control Officer's discretion.
- I. Any owner reclaiming an animal must pay an impoundment fee of Fifteen dollars (\$15.00), plus a fee of ten dollars (\$10.00) per day for each day the animal has been impounded. The impoundment fee is in addition to any other fines or penalties imposed. The owner shall present a valid rabies certificate to the Animal Control Officer for all animals subject to rabies control provisions. If the rabies certificate cannot be made available, the owner must then pay for and arrange a vaccination prior to the release. A receipt will be presented to the owner, which will be given to the appropriate clinic in return for the rabies vaccination. In the event the animal subject to vaccination provisions has not been vaccinated for rabies within fourteen (14) days after its release, the owner shall be subject to prosecution.
- J. Upon the second impoundment of an animal, the redemption fee shall be Thirty dollars (\$30.00). Upon the third redemption, the fee shall be Thirty-five Dollars (\$35.00) and written notice of future consequences shall be given. All subsequent redemptions shall be assessed at Thirty-five dollars (\$35.00), but the Animal Control Officer may destroy said animal, without notice to the owners, after the third redemption. Any issuance of a citation or summons against a particular animal may be considered an impoundment for purpose of the escalation in fees and consequences under this paragraph.
- K. Any person finding an animal at large upon his property may take up the same and remove it to any private or public animal shelter, pound or other facility; provided however, that if the name and address of the owner is known the owner shall be notified.
- L. Animal Control Officers will destroy an animal at the request of the owner. A fee for such services shall be designated by the Sheriff, and shall be set at not less than one dollar (\$1.00) nor more than twenty-five Dollars (\$25.00). Owners must sign a release to

the Animal Control Facility, located at 950 West Warlow Drive. All animals turned in by their owners to be disposed of at the discretion of Animal Control need not to be held for any length of time for adoption or destruction.

- M. For removing, hauling, or burying the carcass or remains of a small animal, a fee of not more than ten dollars (\$10.00) shall be paid by the person or persons owning such animal. Fees shall be designated by the Sheriff.
- N. Dogs involved with and under the general control of law enforcement officers are exempt from provisions of these regulations.

SECTION III: CRIMINAL VIOLATIONS.

- A. It is a public nuisance for an animal, other than livestock, to be at large in unincorporated areas of the County. A fine in the amount of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00) shall be imposed against the owner of such an animal existing as a public nuisance.
- B. The owner of any animal, other than livestock, which attacks any person in a viscous manner shall be subject to a fine imposed under Section IV of these Regulations. The fine may be subject to provisions under W.S. §11-31-301(c)(e).
- C. The owner of an animal other than livestock, which attacks or fights with other animals while the owner's animal is at large shall be subject to a fine imposed under Section IV of these regulations. The fine may be subject to provisions of W.S. §11-31-301(c)(e).
- D. The owner of a dog who allows the dog to bark, whine, or howl in an excessive, continuous or untimely fashion, after receiving written notice of the dog's action from an Animal Control Officer, shall be subject to a fine of not more than one hundred dollars (\$100.00).
- E. Any violation may be issued by citation. The citation shall be given to the owner or person in possession of the owner's premises if the animal is not impounded or assessed directly to the owner at the time the animal is claimed, if impounded.
- F. An owner of a dog or cat without a rabies tag shall have fourteen (14) days in which to have their animal vaccinated after receiving such notice. Failure to do so shall result in a fine to be assessed in accordance with the Campbell County Rabies Control District Regulations.
- G. It shall be unlawful for any person to torture an animal, as defined. Persons prosecuted under this paragraph are subject to the fine provided under Section IV.

SECTION IV: GENERAL PENALTY PROVISION

- A. Except as otherwise provided, any owner or other person violating any provision of Section III of these regulations shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five (\$25.00) nor more than seven hundred fifty dollars (\$750.00). If any violation is continuing in nature, each day's violation may be deemed a separate violation. The Court, in making its determination of penalty, shall take into account the particular offense and the nature and severity thereof.
- B. Upon conviction for a violation of any applicable provision of Section III of these regulations, the Court may, in addition to monetary fines, order any future physical restraint of an animal, that the owner post warning signs or that both restraint and signage be provided.
- C. In the discretion of the Court, and upon request of the prosecution, destruction of an animal may be ordered.

SECTION V: CRUELTY TO ANIMALS PREVENTION

Any Animal Control Officer or Sheriff's Deputy may act and exercise emergency measures to prevent the torture of an animal. When an animal is removed from its location to prevent torture, the individual removing the animal shall leave written notice of the removal in a secure and conspicuous location. The notice shall include the officer's name, business phone number, time and date of removal, and the location where the animal was delivered.

No Animal Control Officer or Sheriff's Deputy shall be held civilly liable for action under these regulations, provided the officer or deputy acted in good faith and without malice.

SECTION VI: DOGGING LIVESTOCK OR GAME ANIMALS

Any person who permits, allows or directs any dog owned by him to chase, run, injure or kill livestock or game animals of another, at a time when the dog is off the owner's land, is guilty of a misdemeanor and shall be fined not less than fifty dollars (\$50.00) or more than seven hundred fifty dollars (\$750.00), or imprisoned not more than six (6) months or both such fine and imprisonment.

SECTION VII: DOGS HARASSING, DESTROYING OR INJURING LIVESTOCK OR BIG GAME ANIMALS

A dog, that, while off the premises owned or under control of its owner and on property owned, leased or controlled by another person, harasses, kills, wounds, or injures livestock or big game not belonging to the owner of the dog is considered a public nuisance and the owner of a dog that harasses, kills, wounds, or injures livestock or big

game is guilty of a misdemeanor and upon conviction shall be fined in accordance with Section IV of this resolution.

SECTION VII: WILD ANIMALS

It is unlawful to own any predatory animal within a twelve (12) mile radius of the city limits of Gillette. Zoological animals, theatrical exhibits, circuses, legally incorporated educational institutions and private or governmental research laboratories are exempt. Persons violating this section are guilty of a misdemeanor and shall be fined not less than fifty dollars (50.00) or more than seven hundred fifty dollars (\$750.00), or imprisoned not more than six (6) months or both such fine and imprisonment.

SECTION VIII: SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this regulation is for any reason held invalid or unconstitutional by a court of competent jurisdiction, that portion shall be considered a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of this regulation.

BE IT FURTHER PROVIDED that all prior regulations and their amendments relating to control over dogs, or other animals are hereby repealed and the effective date of this resolution being the date of passage.

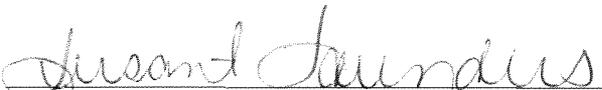
MADE, CONSIDERED AND ENACTED this 15th day of July, 2014.

**BOARD OF COUNTY COMMISSIONERS
CAMPBELL COUNTY, WYOMING**



Mark Christensen, Chairman

ATTEST:



Susan Saunders, Campbell County Clerk

BOARD OF COUNTY COMMISSIONERS
CAMPBELL COUNTY, WYOMING

I certify that the attached is a true and correct copy of the rules of the Board of Campbell County Commissioners relating to Animal Control Regulations adopted in accordance with W.S. 11-31-301(g).

This is an amendment of the previously adopted Animal Control Regulations changing Section II, I increasing the daily impound fee from \$5.00 per day to \$10.00 per day.

Prior to adoption, the rule was made available for public inspection and comment on May 6, 2014 with notice being provided as required by law.

The attached rules are effective immediately upon filing with the County Clerk.

Signed this 15th day of July, 2014.

BOARD OF COUNTY COMMISSIONERS
CAMPBELL COUNTY, WYOMING



Mark Christensen, Chairman