

**ORDINANCE NO. B2015 – ANIMALS PENALTY**

**AN ORDINANCE AMENDING AND ADOPTING AS AMENDED AN ORDINANCE RELATING TO CHAPTER 90 ANIMALS OF THE CITY OF BARDSTOWN’S CODE OF ORDINANCES.**

**WHEREAS**, the City Council of the City of Bardstown, Kentucky authorized the creation of a Code Enforcement Board with the authority to issue remedial orders and impose fines in order to provide an equitable, expeditious, effective, and inexpensive method of ensuring compliance with the ordinances in force within the City; and

**WHEREAS**, through the orders assessed by the Code Enforcement Board, the penalty phase of this chapter will be strengthened; and

**WHEREAS**, the penalties assessed and enforced by the Code Enforcement Board must be specified in the penalty section of a chapter, with that chapter being determined to be the particular section amended to reflect such penalties for this chapter.

**NOW THEREFORE, BE IT ORDAINED** by the City of Bardstown, Kentucky, that Section 90.99 Penalty (A) and (B) of the Code of Ordinances relating to Animals be amended as follows:

**SECTION 90.99 PENALTY**

(A) Any person, firm, or corporation violating the provisions of §§ 90.10 and 90.24 shall be deemed guilty of a violation and shall be subject to a fine of not less than \$10 nor more than \$100 for each offense, and each day that the violation continues shall constitute a separate offense. **Violators of this chapter may be issued a citation by the officer in charge of enforcement. In addition or in the alternative, any person determined to be in violation of this chapter may be assessed civil penalties or fines, those fines assessed through the Code Enforcement Board process as provided for in Ordinance B2015-28 in the amount of no less than \$25 nor more than \$100 for the first offense, no less than \$50 nor more than \$200 for the second offense and no less than \$100 nor more than \$300 for any subsequent offense.**

(B) Sections 90.01-90.03, 90.11-90.13, and 90.20-90.23 shall be enforced by citation issued to the owners of any dogs not under restraint, or the owner of any animal is in violation of the above listed sections of this chapter. If any violation continues, each day the violation continues shall be deemed a separate offense and shall be separately disposed of in the manner set out above. Upon conviction for a first offense, the penalty shall constitute and be prescribed as a violation, subject to a fine of not more than \$250. Second and subsequent offenses shall constitute and be prescribed as a misdemeanor, subject to a fine of not more than \$250, imprisonment not exceeding 90 days, or both. **Violators of this chapter may be issued a citation by the officer in charge of enforcement. In addition or in the alternative, any person determined to be in violation of this chapter may be assessed civil penalties or fines, those fines assessed through the Code Enforcement Board process as provided for in Ordinance B2015-28 in the amount of no less than \$25 nor more than \$100 for the first offense, no less than \$50 nor more than \$200 for the second offense and no less than \$100 nor more than \$300 for any subsequent offense.**

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict.

This ordinance shall be in full force and effect following publication as required by law.

**CITY OF BARDSTOWN**

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John Royalty, Mayor

**ATTEST:**

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Barbara Bryant, City Clerk

Dated: \_\_\_\_\_