

ORDINANCE NO. 2015-10

AN ORDINANCE OF THE CITY OF VIBORG, SD, AMENDING THE REVISED MUNICIPAL ORDINANCES OF THE CITY BY AMENDING CHAPTER 5.02, ANIMALS.

BE IT ORDAINED BY THE CITY OF VIBORG, SD:

*Section 1. That Chapter 5.02 of the Revised Municipal Ordinances of Viborg, SD, is hereby amended by adding a section to be numbered 5.0220 to read as follows:*

- 5.0220 Hearing Procedures and License Revocations. This section shall govern hearing procedures for the revocation of dog and cat licenses and related matters. For purposes of this section the terms "dog" and "cat" includes the plural and the term "owner" means the owner or person having charge, care or custody of a dog or cat.
- A. **Hearing.** A City Council hearing pursuant to this Section shall be held to issue or reissue a dog or cat license upon terms, conditions and restrictions. A hearing shall also be held to revoke a dog or cat license that has previously been issued or reissued upon terms, conditions or restrictions where the owner has either failed to comply with the terms, conditions or restrictions or the violation continues to exist or reoccurs. A hearing also may be held in the absence of a dog or cat license or in the absence of a valid license. Following the hearing, the license may be issued or reissued upon terms, conditions and restrictions, or the owner may be ordered to surrender the dog or cat to the City or remove the dog from the City as if the license was revoked.
- B. **Notice of Hearing.** The City Council shall commence a hearing by issuing to and the serving of a written notice upon the owner of the dog or cat. Notice shall be served at least ten (10) days prior to the date set for the hearing. The notice shall state in clear and concise language:
1. The purpose and reason for holding the hearing and the requested remedy or penalty, and
  2. The time and place where the hearing is to be held.
- C. **Revoked License - Removal of Animal from City.** Following a hearing, if a dog or cat license is revoked, or in the absence of a license or a valid license, if the dog or cat has been ordered to be surrendered to the City or removed from the City as if the license were revoked, the owner shall surrender the dog or cat to the City or permanently remove the dog or cat or cause the dog or cat to be permanently removed from the City within five (5) calendar days. The dog or cat shall be impounded by the City if found within the City after the five day period. Failure to remove a dog or cat from the City or surrender it to the City as provided herein is punishable according to Section 11.0101.

Adopted this 5<sup>th</sup> day of October, 2015.

  
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Mayor

ATTEST:

Lori L. Jorgensen  
Finance Officer

Seal

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Second Reading & Adoption: October 5, 2015  
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