

CITY OF DAYTON, KENTUCKY
ORDINANCE NO. 2024-#11

AN ORDINANCE AMENDING CHAPTER 91 OF THE CITY OF DAYTON CODE OF ORDINANCES REGARDING THE REMOVAL OF ANIMAL EXCREMENT IN THE CITY, INCLUDING CIVIL FINES FOR THE FAILURE TO COMPLY WITH THE ORDINANCE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF DAYTON, CAMPBELL COUNTY, KENTUCKY, AS FOLLOWS:

Section 91.07 of Chapter 91, Animals, is hereby amended as follows, with words being deleted being ~~lined through~~ and words being added underlined:

CHAPTER 91: ANIMALS

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§ 91.07 REMOVAL OF EXCREMENT REQUIRED.

(A) No person shall allow any animal under his or her control to be upon public property or upon the property of another, absent the consent of the owner or occupant of the property, without some device, such as pooper scooper or disposable plastic bag, for the removal and containment of the animal's excrement;

(B) ~~No person~~ ~~nor~~ shall ~~person~~ fail to remove and/or properly dispose of any excrement deposited by any animal under his or her control on public property or private property of another, absent the consent of the owner or occupant of the property. To properly dispose of excrement, it must be placed in a private or public trash receptable.

(C) This section shall not apply to guide dogs under the control of blind persons.

(D) This section may be enforced by peace officers in the Police Department and inspectors and employees of the Code Enforcement Department and Public Works Department, who are hereby authorized as citation officers for enforcement of this ordinance pursuant to KRS 83A.087.

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§ 91.99 PENALTY.

(A) Any person, firm, or corporation who allows an animals, which has not been spayed or neutered, to run at large or otherwise violate § 91.05 of this chapter has committed a civil offense with a civil fine of one hundred dollars (\$100.00) for the first offense and one hundred twenty-five dollars (\$125.00) for the second offense and subsequent offenses.

(B) Any person who allows an animal, which has been spayed or neutered, to run at large or otherwise violate § 91.05 of this chapter has committed a civil offense with a civil fine of eighty-

five dollars (\$85.00) for the first offense and one hundred dollars (\$100.00) for the second offense and subsequent offenses.

(C) Any person, firm, or corporation who violates §§ 91.04, or 91.06, ~~or 91.07~~ has committed a civil offense with a civil fine of fifty dollars (\$50.00) for the first offense and one hundred dollars (\$100.00) for the second offense and subsequent offenses.

(D) Any person, firm, or corporation who violates § 91.07 has committed a civil offense with a civil penalty of one hundred dollars (\$100.00) for the first offense and two hundred fifty dollars (\$250.00) for all subsequent offenses. If the offender does not pay the civil penalty imposed within the time period set forth in the citation, then the fine set forth in that citation shall double and the city may recover this penalty in a civil action filed in a court of appropriate jurisdiction pursuant to KRS 83A.065(4) and the city shall be entitled to recover any attorney fees, expenses, and legal costs incurred by it in pursuing this civil action.

(E) Any person found in violation of any other section of Chapter 91 for which no other penalty has been specifically provided shall be guilty of a Class B misdemeanor and shall be subject to a fine of not more than two hundred fifty dollars (\$250.00) or confinement of not more than ninety (90) days or both

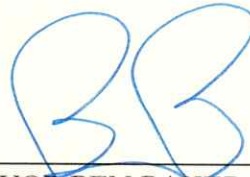
Adopted by City Council of the City of Dayton, Campbell County, Kentucky assembled in regular session.

First Reading: July 9, 2024

Second Reading: Aug 13, 2024

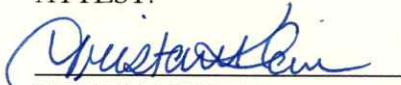
Published: Aug 21, 2024

Ayes: 5 Nays: 0 Abstained: 0



MAYOR BEN BAKER

ATTEST:



TRISTAN KLEIN

CITY CLERK/TREASURER