

ORDINANCES OF THE CITY OF HELENA, MONTANA

ORDINANCE NO. 3178

AN ORDINANCE AMENDING CHAPTER 2 OF TITLE 5 OF THE HELENA CITY CODE TO CLARIFY THE ANIMAL CONTROL REGULATIONS

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE
CITY OF HELENA, MONTANA:

That Chapter 2 of Title 5 of the Helena City Code is hereby
amended as follows:

CHAPTER 2

ANIMAL CONTROL

SECTION:

- 5-2- 1: Definitions, ~~General~~
- 5-2- 2: Vaccination Required . . .
- 5-2-14: Animals Running At Large
- 5-2-15: Animals Deemed A Nuisance
- 5-2-16: Vicious Animals; Procedure
- 5-2-17: ~~Confinement of Certain Animals~~ Reserved
-

5-2-1: DEFINITIONS, ~~GENERAL~~: The following words and terms as
used in this chapter shall have the meanings respectively
ascribed to them:

ANIMAL CONTROL OFFICER: All duly appointed and qualified
deputies, as well as the duly
appointed and qualified city
animal control officer.

. . . .

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~~AT LARGE:~~

~~Off the premises of the owner and
not under the immediate,
continuous and effective control
of its owner or some other
competent person.~~

. . .

ENCLOSURE:

A vehicle, pen, cage, kennel or
other similar object surrounded on
all sides sufficient to prevent an
animal from escaping.

. . .

~~RESTRAINT:~~

~~Controlled by a leash, at "heel"
beside a competent person and
obedient to that person's command,
within a vehicle with permission
of the owner, or within the
property limits of the premises
controlled by the owner or other
person consenting thereto.~~

. . .

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WILD ANIMAL: Any animal which is not a domesticated animal. (Ord. 2193, 8-10-1981- amd. Ord. 2488, 1-23-1989; amd. Ord. 3123, 7-12-2010; amd. Ord. 3178, 6-24-2013.

5-2-2 through 5-2-13: No change.

5-2-14: **ANIMALS RUNNING AT LARGE:** ~~No animal shall be allowed to run at large within the corporate limits of the city.~~ Any person who owns, harbors or keeps an animal, or the parent or guardian of any such person under the age of eighteen (18) years, ~~shall be~~ is strictly liable for any violation of this section. All animals not confined within an enclosure or on the owner's property ~~shall~~ must be kept on a leash not more than ten feet (10') long that is physically held by a responsible person, ~~securely restrained,~~ or must be securely held by a responsible person so as to prevent the animal from running at large, with the following exceptions: All dogs must be kept under control, either on a leash or within sight and under voice control of their owners or other ~~competent~~ responsible persons when they are within any "natural park" as defined in section 7-12-1 of this code and as designated by the city commission- or within a

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fenced area of a dog park as designated by the city commission.

Dogs must be kept on a leash as described above within one hundred (100) yards of any trailhead ~~in~~ to any natural park.

(Ord. 3023, 4-11-2005; amd. Ord. 3178, 6-24-2013)

5-2-15: ANIMALS DEEMED A NUISANCE:

A. It is a ~~public nuisance~~ unlawful for any person to own, harbor, keep, or maintain ~~for any dog or other animal to chase vehicles in public streets, ways or parks; to that~~ causes annoyance to any person by prolonged barking, howling, yelping, or other means; ~~to run at large; or to be owned, kept or maintained without a current license. All female dogs or other animals in heat (estrus) shall be kept in a confined area or enclosure not accessible to male animals which may be running at large.~~

B. ~~Any such nuisance animal may be taken up and impounded by the animal control officer or any law enforcement officer. It is unlawful for any person to own, harbor, keep or maintain any such nuisance animal, and it shall be the duty of the animal control officer and all law enforcement officers to issue tickets and file complaints for all such violations. Any person aggrieved by a nuisance may file a~~

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~~complaint in the municipal court, charging the owner with the violation of this section. (Ord. 3121, 1-11-2010, eff. 3-1-2010; amd. Ord. 3178, 6-24-2013)~~

5-2-16: No change.

5-2-17: ~~CONFINEMENT OF CERTAIN ANIMALS:~~ ~~Every female dog or cat in heat shall be confined in a building or secure enclosure or in a veterinary hospital or boarding kennel, in such manner that such female dog or cat cannot attract another animal, except for breeding purposes. No wild animal may be kept within the city limits, except under such conditions as shall be fixed by the city, provided, however, that wild animals may be kept for exhibition purposes by circuses, zoos and educational institutions in accordance with such regulations as shall be established by the city. Any animal as described herein found at large shall be impounded by the animal control officer and may not be redeemed by the owner unless such redemption is authorized by the animal control officer. Reserved. (Ord. 2193, 8-10-1981; amd. Ord. 2452, 9-14-1987; amd. Ord. 3178, 6-24-2013)~~

5-2-18 through 5-2-37: No change.

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FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 10th DAY OF JUNE, 2013.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION

FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 24th DAY OF JUNE, 2013.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION