

ORDINANCE NO. 38

AN ORDINANCE TO PREVENT AND REGULATE THE RUNNING AT LARGE OF CERTAIN ANIMALS WITHIN THE LIMITS OF THE TOWN OF GRANITE FALLS, WASHINGTON, PROVIDING FOR THE IMPOUNDING AND SALE OF THE SAME AND PRESCRIBING THE PUNISHMENT FOR VIOLATIONS THEREOF.

BE IT ORDAINED by the council of the town of Granite Falls, Washington, as follows:

Section 1: No horse, sheep, goat, swine, ass, mule, jennie, colt or filley and no cattle of any kind except cows giving milk, shall be allowed to run at large during any hour of the day or night and no such milk cows while giving milk shall be allowed to run at large between the hours of Eight o'clock p.m. and six o'clock a.m. upon any uninclosed lands, public or private, within the limits of said town or upon any public street, avenue, alley or other public place in said town.

Section 2: No stallion, bull, boar, or any vicious animal shall be permitted to run at large or be herded or be driven or led, when said animal is not safely secured, upon any uninclosed lands, public or private, or upon any public street, avenue, alley or other public place in said town.

Section 3: The enclosure and barn known as Earls Livery Stable on Granite Avenue near Stanley Street is hereby declared to be and established as the public pound of said town.

Section 4: Any animal described in this ordinance found running at large within the limits of said town in violation of the provisions of this ordinance may be taken up by any person and delivered to the town marshal or pound master, and it shall be the duty of said officer to receive any animal or animals so delivered, and to take up any and all animals described in this ordinance found violating the provisions thereof, within the limits of said town and to impound the same; such animals so taken up and impounded shall be provided with proper care, food and water while so confined. The town marshal or pound master impounding any animal shall give written notice thereof within twenty-

four hours of said impounding, said notices containing the description of the animal or animals so impounded to the owner if known or if not known, by posting notice in a conspicuous place at the entrance of the town pound, and posting a similar notice at the front entrance of the town hall and also by posting similar notices in two other public places in said town which notices shall state that the animal or animals described therein have been taken up and impounded and will be sold at public auction to the highest bidder for cash, at a time named therein, which time shall be not less than three days after the time of service or posting of said notice, to pay the legal fees and costs and expenses of taking up, keeping and selling the same; and such sale shall take place between the hours of nine o'clock a.m. and four o'clock p.m. and said notice may be given by either the Town marshal or the pound master.

Section 5: If at any time before such sale the owner of any animal or animals so taken up or impounded shall claim the same he shall be entitled to the possession thereof upon presentation to the town marshal, pound master or other person in charge of said pound. The receipt of the town treasurer for all legal fees charges and expenses incident to such taking, up keeping and impounding.

Section 6: At the time named in said notice, if such animal or animals be not prior thereto claimed or redeemed, as in the next preceding section prescribed the town marshal or pound master shall sell such animal or animals at public auction to the highest bidder for cash, and shall immediately pay the proceeds of such sale into the town treasury and give a receipt thereof to the purchaser.

Section 7: If the owner or owners of any animal or animals sold under the provisions of this ordinance, shall at any time within one year of the date of such sale make satisfactory proof of ownership, he or they shall be entitled to receive the net proceeds of such sale so paid into the town treasury after the deducting of all legal charges, costs and expenses.

Section 8: It shall be the duty of the pound master or other person in charge of said pound, upon the receipt of any animal to forthwith report to the town marshal the name of the person delivering the same to him, and the day and hour of its receipt and a description to a reasonable certainty of the animal or animals and the name of the owner or owners if known; he shall also report to the town marshal the release of all animals coming under his

charge, showing the name of the owner, to whom delivered, together with the amount realized on said release. The town marshal shall keep a correct record of all matters about described and the same shall be preserved, as one of the records of his office and be open to public inspection.

Section 9: The town council may by resolution appoint any suitable person as pound master and special marshal and fix the amount of his compensation. The person so appointed shall be subject to removal at the will of the council.

Section 10: If any person shall willfully prevent or hinder or attempt to prevent or hinder the impounding of any animal found running at large in said town or by force or otherwise, remove or attempt to remove any animal from the public pound, without authority of the public pound master or person in charge of said pound, or aid in any attempt to remove any animal or animals from said pound, such person shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding twenty dollars (\$20.00) or by imprisonment not exceeding twenty days or by both fine and imprisonment.

Section 11: The owner or persons having in charge any animal or animals described in this ordinance who shall suffer permit or allow the same to go out at large or violate any of the provisions of this ordinance shall on conviction thereof be subject to a fine not exceeding ten dollars (\$10.00) or to imprisonment not exceeding five days or to both said fine and imprisonment for each offence.

Passed February 5, 1907.

D. I. CARPENTER, Mayor

ATTEST:

CHARS T. SMITH
Town Clerk