ORDINANCE NO. 117

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SHERIDAN, MONTANA PROHIBITING ANIMALS RUNNING AT LARGE; CRUELTY TO ANIMALS; KEEPING LARGE ANIMALS OR LIVESTOCK WITHIN THE TOWN; REQUIRING REMOVAL OF ANIMAL FECES; AND PROVIDING A PENALTY FOR VIOLATION.

BE IT ORDAINED by the Town Council of the Town of Sheridan, Montana, that:

Section 1. No person shall permit any animal to run at large at any time within the jurisdictional limits of the Town of Sheridan, and any person having in his possession or under his or her control, any animal, who shall suffer or permit the same to run at large in said Town, shall be deemed guilty of a violation of this ordinance.
   (1) The term "animal" includes dogs, cats and livestock.
   (2)The term "at large" means off the premises of the owner or keeper of said animal, and not under the leash control of a competent person.

Section 2. Each act of permitting any such animal to run at large shall be deemed a separate offense and each day or portion of a day that said act of permission or suffering an animal to run at large, shall be deemed a separate offense.

Section 3. This ordinance shall not apply to livestock when passing through the Town under the direct control of a herder or herders provided that such herders be of sufficient number to control said animals effectively.

Section 4. All female dogs, while in heat, shall be kept in a secure enclosed shelter or area in such manner so as not to come in contact with male dogs except for planned breeding.

Section 5. No person shall subject an animal to mistreatment or neglect by overworking, beating, tormenting or injuring any animal; or fail to provide an animal in his or her custody with proper drink, food or shelter; or abandon a helpless animal; or abandon any animal on any public street or highway or in any other place where it may suffer injury, hunger, or exposure, or become a public charge; or promote, conduct, or participate in any fight between animals,

Section 6. Any person owning, keeping, possessing or harboring any dog, cat or other animal shall promptly remove and dispose of all feces left by the dog, cat or animal on any public property and on any private property not owned by such person or lawfully occupied by such person.

Section 7. No horses, cows, goats, pigs, sheep, llamas, or other bovine or equine livestock may be kept within the limits of the Town of Sheridan except on land parcels larger than two acres.

Section 8. Any person violating the provisions of this ordinance is guilty of a misdemeanor and, upon conviction, shall be fined not less than $25 nor more than $50.

Absolute Liability
Section 9. It is the legislative purpose of the Sheridan Town Council, pursuant to the provisions of 45-2-104, M.C.A., to impose absolute liability for the misdemeanor offenses(s) enacted by and set forth in this ordinance. Those offenses shall not require proof of the mental status described in 45-2-101, M.C.A.

Repealer
Section 10. All resolutions, ordinances and sections of the Sheridan Municipal Code and parts thereof in conflict herewith are hereby repealed.

Severability
Section 11. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

Effective Date
Section 12. This ordinance shall be in full force and effect thirty (30) days after passage on second reading.

References:
7-23-4101, MCA.

PASSED AND ADOPTED by the Town Council of the Town of Sheridan, Montana at a regular session thereof held on the 13th day of August, 2007.

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ATTEST: Dean Derryberry, Mayor

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Gail Leary, Town Clerk

          PASSED, ADOPTED AND FINALLY APPROVED by the Town Council of the Town of Sheridan, Montana at a regular session thereof held on the 27th day of August, 2007.

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ATTEST: Dean Derryberry, Mayor

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Gail Leary, Town Clerk

APPROVED AS TO FORM:

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Douglas Smith, City Attorney