

CHAPTER 4.

ANIMALS AND FOWL.

For state law as to authority of city to regulate or prohibit keeping, provide for impounding, etc., of animals or fowl, see W. Va. Code, § 8-12-5(26). As to authority of city to levy license tax on domestic animals, see W. Va. Code, § 8-13-10. As to nuisances generally, see ch. 13 of this Code.

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Article I. In General.Sec. 4-1. Permitting animals or fowl other than dogs and cats to run at large.

It shall be unlawful for any person to permit any animal or fowl owned, harbored or maintained by him except dogs, the running at large of which shall be governed by article II of this chapter, and cats to run at large within the city limits.

Article II. Dogs.

For state law as to dogs generally, see W. Va. Code, § 19-20-1 et seq. As to rabies vaccinations, see W. Va. Code, § 19-20A-1 et seq.

Sec. 4-2. "Dog" defined.

The term "dog" shall mean dogs of either sex at least three months old, unless otherwise specified. (1-22-73.)

Sec. 4-3. Running at large.

It shall be unlawful for any dog to run at large in the city and in the event that a dog is running at large in the city and not then being accompanied by its owner or other authorized person, it shall be impounded by the city. (10-4-62, § 1; 1-22-73.)

Sec. 4-4. Keeping vicious dog.

No person shall own, keep or harbor any dog, known by him to be vicious, dangerous or in the habit of biting or attacking persons, whether or not such dog wears a tag or muzzle. (1-22-73.)

Sec. 4-5. Muzzling dogs.

Whenever it shall be made to appear to the mayor that there is good reason to believe that any dog within the city is mad, he may issue a proclamation requiring that all dogs shall, for a period to be defined in the proclamation, wear good, substantial muzzles, securely put on, so as to prevent them from biting or snapping. Any dog going at large, during the period defined by the mayor, without such muzzle shall be taken by the police department and impounded. (1-22-73.)

Sec. 4-6. License--Required; tag.

Every person owning or harboring a dog in the city shall pay a license fee to the assessor for a license for each dog so owned or harbored, and at the time of payment of such fee shall provide information as to the sex of such dog. After the payment of the fee hereinafter provided, the assessor shall issue to such person a license together with an official tag, which tag shall be fastened to the collar of the dog so licensed.

In the event of a dog being acquired, a license shall be obtained as aforesaid immediately after the date the animal is acquired. (1-22-73.)

As to licenses generally, see ch. 9 of this Code.

Sec. 4-7. Same--Fee; term; exceptions.

The fee for obtaining a dog license shall be three dollars for a female dog and three dollars for a male dog. Such license shall expire December 31 following date of issue; provided, that the license fee mentioned shall not apply to dogs in a licensed kennel or veterinary hospital. (1-22-73; 7-1-82.)

Sec. 4-8. Same--Tampering with tags.

No person shall attach a license tag to any dog to which it was not issued, or remove a license tag from the collar of any dog without the consent of its owner. (1-22-73.)

Sec. 4-9. Impoundment.

Any dog seized and impounded as provided in section 4-3 shall be detained for a period of five days, and if it is not claimed or redeemed by its owner, or other authorized person, within said period of five days, then it shall be disposed of in such manner and by such person that the mayor may designate; provided, that whenever the name of any person appears on the collar of any dog so seized, such person shall forthwith be notified of such seizure in writing by post card addressed to him and deposited in the United States Mail. (10-4-62, § 2.)

Sec. 4-10. Redemption of impounded dog.

The owner of an impounded dog or other authorized person shall be entitled to redeem such dog upon establishing his title thereto to the satisfaction of the person designated by the mayor to have charge of such animal, and then paying to the recorder a redemption fee of twenty-five dollars plus four dollars for each day such dog has been impounded. (10-4-62, § 3; 3-4-82.)

