

RESOLUTION No. 589

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITE SULPHUR SPRINGS, MONTANA, ESTABLISHING A POLICY FOR ANIMALS BROUGHT IN TO LAW ENFORCEMENT WITHIN THE CITY LIMITS REGARDING FEES AND COSTS TO BE PAID.

WHEREAS, the City of White Sulphur Springs has established within its Municipal Code provisions for addressing animal control issues; and

WHEREAS, the City of White Sulphur Springs has a domestic animal and a livestock population in addition to its human population; and

WHEREAS, animals are frequently brought in to Law Enforcement and surrendered rather than through the City Animal Control Officer; and

WHEREAS, the City has costs to hold and place or transition animals brought in regardless of how they come to be in the City's program; and

WHEREAS, the City frequently has animals brought in by individuals and the owner is not identified; and

WHEREAS, the Council believes the cost for care and keeping of these animals should be borne by the owner, and in the absence of the owner by the individual who took responsibility for the animal and turned the animal in; and

WHEREAS, the Council desires to give fair warning to those bringing in animals of their responsibility in the event the owner is not identified.

NOW, THEREFORE, BE IT RESOLVED the City Council of White Sulphur Springs adopts the following policy and procedure for animals at large who are brought in to the City Animal Control Officer or Law Enforcement as follows:

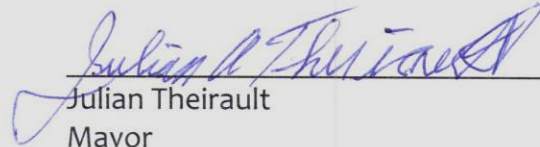
1. Any animal brought in and surrendered to the City Animal Control Officer or Law Enforcement shall be documented to include the following in addition to information as required by Municipal Code:
 - a. Name of Owner on tag or if known in the absence of the tag;
 - b. Name and/or description of the animal;
 - c. Name and contact information, to include mailing address, for the individual turning in the animal;

- d. A photograph of the animal and the individual turning in the animal if possible;
 - e. Description of the location where animal found.
2. The Animal Control Officer and holding area shall have posted the following sign in a conspicuous location:

Animals brought into the City "Pound" is subject to the White Sulphur Springs Municipal Code, which includes licensing fees, release fee, impound costs, and related fees as may be established by City Resolution. The Owner is responsible for these fees and costs. If the Owner cannot be identified, the individual turning in the animal shall be responsible for assuming such costs.
3. The same notice shall be posted in a conspicuous location at the Sheriff's Department.
4. The Animal Control Officer and Law Enforcement are required, upon accepting an animal under the Municipal Code to advise the individual turning in the animal of the potential the individual is assuming the costs of licensing, release, impound, and other related fees as may be incurred by the animal.
5. An individual who has turned in an animal and is required to assume responsibility for the animal when an owner cannot be identified, may provide to the City the name and address of the owner. If the ownership can be verified and the Owner pays the costs, then the individual may be released from further responsibility.
6. If the individual is unwilling to accept responsibility for the costs as stated in this policy, then the Animal Control Officer or Law Enforcement shall not take the animal in. The individual must sign a form indicating they have been advised of the policy and obligations and indicate whether they accept or decline to be responsible.
7. A form shall be provided by the City for the use of the Animal Control Officer and Law Enforcement.

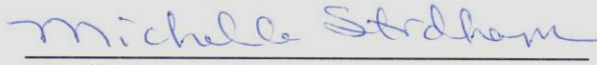
This policy and procedure shall be effective upon passage.

PASSED AND ADOPTED by the City Council of the City of White Sulphur Springs, Montana,
on this 21st day of November, 2017.



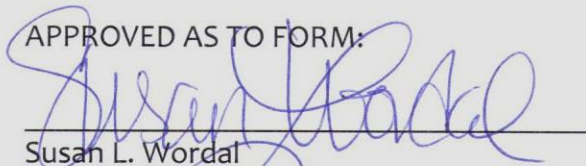
Julian Theirault
Mayor

ATTEST:



Michelle Stridham
City Clerk

APPROVED AS TO FORM:



Susan L. Wordal
WORDAL Law, PLLC
City Attorney