

**RESOLUTION NO. 17-23 OF
CONVERSE COUNTY, WYOMING**

**A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR THE
CONTROL OF DOGS AND CATS WITHIN
THE UNINCORPORATED AREAS OF CONVERSE COUNTY**

WHEREAS, pursuant to the authority granted under the authority of Sections 11-31-214 and 11-31-301, Wyoming Statutes, 1977, as amended, the Converse County Board of Commissioners (“Commission”) is empowered to promulgate reasonable rules and regulations for the control of animals within the unincorporated area within the county; and

WHEREAS, it is deemed to be in the best interests of the health, safety, and welfare of the citizens of Converse County that the Commission establish and promulgate reasonable rules and regulations for the control of animals in the unincorporated areas of this county; and

WHEREAS, the Commission hereby designates all the unincorporated areas of Converse County as the Converse County Rabies Control District; and the Converse County Animal Control District; and

WHEREAS, the Commission has held a public hearing prior to adopting this Resolution and has duly considered those matters presented at such hearings and being otherwise advised; and

WHEREAS, the Commission has previously adopted Resolution 26-08 on December 16, 2008, pertaining to animal control.

NOW THEREFORE, it is resolved that the rules and regulations contained in Resolution 26-08 are hereby rescinded, and the following rules and regulations are in effect:

**RULES AND REGULATIONS OF CONVERSE COUNTY RELATING TO DOG
AND CAT CONTROL**

SCOPE AND RESPONSIBILITY: These rules and regulations shall only apply to animals as defined herein and shall be effective in unincorporated areas of Converse County.

1. **DEFINITIONS:** For the purposes of these rules and regulations, the following terms shall have the following definitions, unless the context of any particular rule or regulation requires otherwise.
 - a. “Person” shall mean an individual, partnership, association, corporation, or other public or private entity.
 - b. “Owner” shall mean any person who shall possess as personal property, keep, harbor, shelter, or feed any animal irrespective of the method by such possession, harboring, or keeping is accomplished.
 - c. “Animal Control Facility” shall mean any facility owned or operated by the State, County or Municipality for the purpose of impounding or caring for animals under authority of law.
 - d. “Kennel” shall mean any place where more than five (5) dogs are possessed, kept, harbored, sheltered, or fed.
 - e. “At Large”: A dog is deemed at large if it is on public or private property without prior permission of the property owner and the dog is not under restraint or control of the owner or his agent.

Official Record on file at County Commissioner's Chamber, Converse County
Courthouse, Douglas, Wyoming

- f. "Animal" means a dog or cat.
2. **RABIES:** Every animal three (3) months of age or older must be vaccinated against rabies. A rabies vaccination must be renewed as recommended by the vaccine manufacturer. Any animal suspected of being rabid shall be reported to an animal control officer, a peace officer, or to a public health authority: W.S. 11-31-213.
3. **DOGS NOT ALLOWED TO BE AT LARGE:**
- a. It is a public nuisance for a dog to be running at large in unincorporated areas:
 - (1) Any peace officer may arrest or issue a summons to the owner of any dog which is running at large or has attacked a person. A first conviction is punishable by a fine of not more than fifty dollars (\$50.00). Each subsequent conviction is punishable by a fine of not more than one hundred dollars (\$100.00): W.S. 11-31-301.
 - (2) Unidentified dogs running at large whose ownership cannot be determined shall be turned over to an Animal Control Facility.
 - b. A dog caught in the act of injuring livestock or threatening livestock with injury not on the owner's land may be killed by the owner of the livestock or his agent or any Peace Officer: W.S. 11-31-107; W.S. 11-31-301(d).
 - c. The owner of any dog is liable for all damages that accrue to a person, firm, or corporation by reason the dog killing, wounding, worrying, or chasing any sheep or other domestic animals belonging to the person, firm, or corporation: W.S. 11-31-105.

4. **VICIOUS DOGS:**

- a. Any dog attacking any person in a vicious manner may be impounded by the County Sheriff and held in quarantine for at least ten (10) days after the attack to determine whether the dog has any disease which may be communicated to humans, except that no dog shall be quarantined if the dog's owner or custodian presents a valid rabies vaccination certificate showing the dog has been vaccinated against rabies by a licensed veterinarian. The costs of impoundment, quarantine and testing shall be paid by the owner or custodian of the dog: W.S. 11-31-301(e).
 - b. Any dog which attacks any person or animal in a vicious manner may be declared, by the County Court, a public nuisance and ordered destroyed or the owner or custodian of the dog may be fined not more than two hundred dollars (\$200.00) or both. Proof of the fact that the dog has bitten or attacked any person at any place where a person is legally entitled to be is evidence that the dog is vicious within the meaning of this section.
 - c. Any dog which has killed or injured sheep or livestock may be declared by the County Court a public nuisance and ordered destroyed and/or the owner or custodian of the dog may be fined not more than two hundred dollars (\$200.00) or both.
 - d. A dog at large threatening injury to a person/peace officer may be killed to protect the person/peace officer.
5. **KENNELS PROHIBITED IN CERTAIN AREAS:** It shall be unlawful for any person to keep, operate, or maintain a kennel within one-half mile of, or within the geographical limits of, the County Subdivisions in the Unincorporated Areas of Converse County without obtaining a license as set out below:

Official Record on file at County Commissioner's Chamber, Converse County
Courthouse, Douglas, Wyoming

- a. Any person who desires to keep, operate, or maintain a kennel shall first secure a license upon application to the Converse County Commissioners. Such application shall be made in writing and shall be accompanied by a fee of Twenty-five and No/100 dollars (\$25.00). Such application shall contain the following information: (1) the name and address of the owner of the kennel; (2) the location of the kennel; (3) the number of dogs to be placed in the kennel; (4) a certification that the dogs to be placed in the kennel are licensed; (5) the purpose of which the kennel is to be operated or maintained; (6) whether the kennel is permitted by any restrictive covenants applicable to the land where the kennel is to be located, and (7) whether the use of the land for kennel purposes has been approved by the Homeowner's Association governing the subdivision where the kennel is to be located.
- b. Upon receipt of an application for a kennel license, the Converse County Commissioners shall determine whether or not the kennel would constitute a public nuisance in the neighborhood where it is to be located. If the County Commissioners determine that the proposed kennel would constitute a public nuisance, the application will be denied, and the application fee shall be returned to the applicant. In the event the County Commissioners determine that the proposed kennel license would not constitute a public nuisance, a kennel license shall be issued, and the application fee shall be retained. A kennel license shall be valid for two years from the date of its issuance and may be renewed upon the same requirements and determination as the original application, upon the payment of a renewal fee of Twenty-five and No/100 Dollars (\$25.00). The owner of a valid current kennel license issued pursuant to this section may also make application for an Animal Breeder's license pursuant to Section 6 of these Rules and Regulations and any license or renewal fee paid by the owner of a kennel license shall constitute a credit towards the payment of any application, license, or renewal fee chargeable under Section 6.
- c. **MINIMUM REQUIREMENTS FOR KENNELS:**
 - (1) All kennels must provide not less than six (6) square feet of approved housing for each dog.
 - (2) Each dog must have a minimum of 24 square feet of fenced area.
 - (3) All fences shall be at the minimum 6-foot-high chain link.
 - (4) All fences shall have a cement curb and foundation or shall be placed in the ground so dogs cannot dig under the fence.
 - (5) All space provided for dogs shall be constructed as to facilitate cleaning.
 - (6) No new kennel license or renewal of kennel license shall be approved until these minimum requirements are met.
 - (7) The County may require any other conditions which shall be necessary for the health, safety, and welfare of Converse County residents.
- d. **ENFORCEMENT AND PENALTIES:** Any person who operates a kennel without a license and who knowingly and intentionally violates any of the provisions of these rules and regulations is guilty of a misdemeanor. Upon conviction, said person shall be fined not less than one hundred dollars (\$100.00) for each offense.

6. **ANIMAL BREEDER'S LICENSE:** Any person who causes the breeding of any male or female dog for commercial purposes shall be required to procure an Animal Breeder's License.
 - a. An application for an Animal Breeder's License shall be made in writing and shall be accompanied by an application fee of Fifty and No/100 Dollars (\$50.00). Such application shall contain the following information: (1) the name and address of the animal breeder; (2) the location of the place where the dogs are to be bred and litters offered for sale; (3) the number of breeding pairs expected to produce litters in the one-year period following the date of application; and (4) a certification that the dogs to be used for breeding are licensed.
 - b. If the applicant is in compliance with the provisions of these Rules and Regulations the Converse County Commissioners shall issue an Animal Breeder's license and the application fee shall be retained. An Animal Breeder's license shall be valid for one (1) year from the date of its issuance and may be renewed on the payment of a renewal fee of Fifty and No/100 Dollars (\$50.00).
 - c. No licensee under this Section shall publish or advertise the sale or transfer of ownership of any dog unless said publication or advertisement contains the number of the Animal Breeder's license authorizing such sale or transfer of ownership.
 - d. The owner of an Animal Breeder's license issued pursuant to this section shall not allow the whelping of more than one (1) litter for each female dog in any twelve (12) month period. The owner of an Animal Breeder's license shall not sell or offer to sell any dog less than six (6) weeks of age. The owner of an Animal Breeder's license shall not sell or offer to sell any dog unless such dog has been immunized against distemper. Any violation of the provisions of this subsection shall constitute just cause for the denial, revocation, or non-renewal of an Animal Breeder's license.
 - e. Each licensee shall keep written records of the name and address of all persons to whom dogs are sold or transferred.
7. **ENFORCEMENT AND PENALTIES:** The owner of any animal who violates any of the provisions of these rules and regulation is guilty of a misdemeanor and may be prosecuted according to the statutes of the State of Wyoming and the Rules of Criminal Procedure for County Courts. Upon conviction, and unless otherwise stated, said owner shall be fined not less than one hundred dollars (\$100.00) and not more than four hundred dollars (\$400.00) for each offense.
8. **ANIMAL CARE:** No owner shall fail to provide his dogs with sufficient food and water, proper shelter and protection from weather and veterinary care when needed to prevent suffering.
 - a. If a shelter with a chain is used as a primary shelter for a dog kept out of doors the chain used shall be so placed or attached that it cannot become entangled with other objects or the chains of other animals.
 - b. Any fenced area or other enclosure used as a primary shelter for dogs shall be large enough to accommodate the size and number of animals kept therein in a safe, healthy, and humane manner.

PASSED, APPROVED, AND ADOPTED this ____ day of _____ 20__.

**FOR THE BOARD OF COMMISSIONERS
CONVERSE COUNTY, WYOMING**

ATTEST:

James H. Willox, Chairman

Karen Rimmer, Converse County Clerk

DRAFT