

ORDINANCE NO. 420 OF THE CITY OF BUCKHANNON, AMENDING ORDINANCE NOS. 300 AND 397, KNOWN, CITED AND REFERRED TO AS "THE BUCKHANNON ANIMAL CARE AND CONTROL ORDINANCE"

WHEREAS, pursuant to Chapter 8, Article 12, Section 5 (26) of the West Virginia Code, as amended, municipalities are granted plenary power and authority to regulate or prohibit the keeping of animals or fowls and to provide for impounding, sale or destruction of animals or fowls kept contrary to law or found running at large within the corporate limits; and,

WHEREAS, the Council of the City of Buckhannon, through Ordinance Nos. 300 and 397 has adopted comprehensive regulations respecting animals kept, maintained or otherwise brought or coming into the corporate limits; and,

WHEREAS, the City has established the "City of Buckhannon Dog Park", which necessitates amendment of the Animal Care and Control Ordinance to provide a legal space where dogs may be off-leash.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BUCKHANNON, AS FOLLOWS:

A dog shall not be considered "running at large" if it is not under the "direct control" of its owner or handler, under the meaning of those terms as defined in Ordinance No. 397, if that dog is within the fenced enclosure located and situate in a facility designated as a City of Buckhannon Dog Park, as said Park or Parks is or are designated from time-to-time by the City.

This Ordinance shall be deemed effective thirty (30) days following the second (2nd) reading, passage and adoption by the Council of the City of Buckhannon, i.e., October 7, 2017.

FIRST READING:	August 17, 2017
SECOND READING, PASSAGE AND ADOPTION:	September 7, 2017

David W. McCauley, Mayor

CERTIFICATE OF ENACTMENT

I, Susan Aloi, City Recorder, do hereby certify that the foregoing Ordinance No. 420 was lawfully ordained and enacted by the Council of the City of Buckhannon at a regular session of the said Council assembled on September 7, 2017.

Susan Aloi, City Recorder