

**ORDINANCE 3067**

**AN ORDINANCE OF THE CITY OF GREAT FALLS AMENDING TITLE 6,  
CHAPTER 8, SECTION 005 OF THE OFFICIAL CODE OF  
THE CITY OF GREAT FALLS**

**WHEREAS**, Title 6, Chapter 8, Section 005 sets forth definitions pertaining to animals; and

**WHEREAS**, the word “livestock” is defined therein and includes the word “poultry;” and

**WHEREAS**, for consistency and clarity within the City Code the definition of “livestock” should be amended; and

**WHEREAS**, the Title 17, Chapter 20, Article 7, Land Development Code, references the definition of “livestock” and “urban chicken;” and

**WHEREAS**, for the purpose of curing any ambiguity, it is appropriate to amend the definition of “livestock” and also define the word “urban chicken” therein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:**

Section 1. That Title 6, Chapter 8, Section 005, of the Official Code of the City of Great Falls (OCCGF) be amended as set forth in Exhibit “A,” which removes any language indicated by a strike-out and adds any language which is bolded, and that is attached hereto and, by this reference, made a part hereof.

Section 2. EFFECTIVE DATE. This ordinance shall be effective 30 days after second reading and final adoption.

**APPROVED** by the City Commission of the City of Great Falls, Montana, on first reading March 15, 2011.

**PASSED, APPROVED AND ADOPTED** by the City Commission of the City of Great Falls, Montana, on second reading April 5, 2011.

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Michael J. Winters, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(Seal of the City)

APPROVED FOR LEGAL CONTENT:

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James W. Santoro, City Attorney

State of Montana     )  
County of Cascade   : ss  
City of Great Falls   )

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do hereby certify that I did post, as required by law and as prescribed and directed by the City Commission, Ordinance 3067 in three places within the limits of said City to-wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Court House;
- On the Bulletin Board, Great Falls Public Library

(Seal of the City)

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Lisa Kunz, City Clerk

**Chapter 8  
ANIMALS**

**Sections:**

- 6.8.005 Definitions
- 6.8.010 Conflict of laws
- 6.8.020 Canine unit exception
- 6.8.030 Vaccination required
- 6.8.040 Dog and cat registration
- 6.8.050 Pet registration, agents, reimbursement
- 6.8.060 Tag-collar
- 6.8.070 Number of dogs/cats
- 6.8.080 Multiple animal permit/multiple animal hobby breeder permit
- 6.8.090 Commercial kennel
- 6.8.100 Removal of excrement
- 6.8.100 Rabies—exposure
- 6.8.120 Rabies—emergency control
- 6.8.130 Contagious disease
- 6.8.140 Animals running at-large
- 6.8.150 Nuisance animal
- 6.8.160 Dangerous animal
- 6.8.170 Impounded animals—redemption—disposition
- 6.8.180 Adoption of animals
- 6.8.190 Surrender/crematory fee – dogs and cats
- 6.8.200 Cruelty to animals
- 6.8.210 Provoking animals
- 6.8.220 Abandonment
- 6.8.230 Duty of driver upon striking a pet animal
- 6.8.240 Wild animals
- 6.8.250 Wild animals—license certificate
- 6.8.260 Steel jaw traps or snares
- 6.8.270 Animal control officer—duties
- 6.8.280 Animal control officer—investigative authority
- 6.8.290 Animal control officer—interference prohibited
- 6.8.300 Copies of regulations
- 6.8.310 Violation—order penalties
- 6.8.320 Persons responsible for violation—transfer of registration

**6.8.005 Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms shall have the meaning ascribed to each:

“Adequate shelter” means a structure designed specifically to shelter an animal, with a roof and three sides free of leaks or openings to the wind and rain, and a fourth side allowing access that is protected from the elements. The structure must be physically located in a dry area allowing the animal dry keeping and access outside the structure to dry ground that is mud free.

"Animal" means any living vertebrate creature, other than human beings, whether wild or domestic including but not limited to all livestock and any domestic pet.

"Animal Control Officer" means any person charged with the duty of enforcement of the City's animal control ordinances. Animal Control Officers shall be peace officers for the limited purpose of animal control. (Ord. 2656, 1992).

"Animal Shelter" means any premise provided for impounding and caring for dogs and other animals. (Ord. 2656, 1992).

“Animal Control Agency” means the agency designated by the City to administer and enforce this Ordinance, the animal shelter and animal control services;

"At large" means off the premises of the owner and not under the immediate, continuous and effective control of its owner or some other competent person.

“Collar” means a restraining or identifying band of leather, metal, nylon, or plastic placed around the neck of an animal.

"Commercial kennel/cattery" means any building, structure, or premise which is used for the business of charging fees for boarding, training, or breeding of animals, exclusive of medical or surgical care, or for quarantine purposes.

“Dangerous Animal” means any animal that:

- A. Has inflicted bodily injury upon or has caused the death of a person or domestic animal; and/or

- B. Has demonstrated tendencies that would cause a reasonable person to believe that the animal may inflict injury upon or cause the death of any person or domestic animal, including but not limited to the following behaviors;
1. Attacked, without provocation, requiring defensive action by any person to prevent bodily injury and/or property damage in a place where such person is conducting himself peaceably and lawfully;
  2. Attacked, without provocation, resulting in an injury to a person in a place where such person is conducting himself peaceably and lawfully;
  3. Attacked, without provocation, resulting in injury or death to other animals unless the other animal is trespassing on the attacking animal owner's property, or injuring or attempting to injure the person, family or property of the owner.
- C. Has engaged in or been trained for animal fighting.

"Hybrid animal" means an animal resulting from the crossbreeding between two different species of animals. These may include, but are not limited to, crosses between wild animal species such as lions, tigers, and wolves. For the purpose of this chapter, a hybrid animal will be considered a wild animal.

"Leash" means a cord, rope, chain, or strap attached to the collar or harness of an animal, and used to lead it or hold it in check.

"License Certificate" for the purpose of this chapter means a certificate issued to an individual who intends to keep or maintain a wild animal on their premises but is not a business.

"Licensing authority" means any designated representative of the City or Animal Control Agency charged with administering the issuance and/or revocation of permits and pet registrations under the provisions of this chapter.

"Livestock" means cattle, sheep, swine, poultry (**except urban chickens**), ostriches, emus, goats, horses, mules and llamas.

"Microchip Implant" means a passive electronic device that is injected into an animal by means of a pre-packaged sterilized implanting device for purposes of identification.

"Multiple Animal Permit" means a permit authorizing a household, individual or family unit to keep, harbor or maintain more than the limited number of dogs and cats permitted by this Chapter.

"Owner" means any person owning or harboring a dog or other animal, who is presumed to be the adult head of the household owning or harboring an animal.

"Pet animal" means any animal sold or kept for the purpose of being kept or domesticated as a household pet. Pet animal includes but is not limited to dogs, cats, birds, rabbits, ferrets, hamsters, guinea pigs, gerbils, rats, mice, non-poisonous arachnids, non-poisonous insects, non-venomous snakes and fish.

"Premises" means a building, group of buildings and/or contiguous parcels of land under the control of a single person and used for a single purpose. Continuous parcels of land separated by a public road are considered to be separate premises. Separate buildings and adjoining buildings in a group of buildings, which are directly accessible to the public and function independently from the others, are separate premises.

"Secure enclosure" means a fence or structure designed to confine an animal in a humane manner.

"Service Animal" means an animal that is individually trained to do work or perform tasks for the benefit of a person with a disability.

"Tether" means a leash or similar device, attached to a well-fitted collar or harness of an animal, and of sufficient strength to restrain and control that animal to which it is attached.

**"Urban Chickens" means the keeping of six or fewer female chickens or male chickens under the age of three months.**

"Vaccination" means the inoculation of a dog, cat, ferret, or horse with anti-rabies vaccine administered under the direction of the public health officer by a licensed veterinarian or with any other vaccine approved by the public health officer and the state veterinarian. "Current vaccination" means the inoculation of a dog, cat, ferret or horse with anti-rabies vaccine. Animals vaccinated initially will receive a booster shot one year after the initial vaccination and thereafter according to manufacturers' recommendations. (Ord. 2534 §2(Exh. B(part)), 1989).

"Wild Animal" means any living vertebrate animal normally found in the wild state and for which there is no FDA approved anti-rabies vaccination

FAILED