

**ORDINANCE 3199**

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 1, SECTION 090, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO MULTI-ANIMAL PERMIT/MULTIPLE ANIMAL HOBBY BREEDER PERMIT.**

\* \* \* \* \*

**WHEREAS**, the City Commission established Title 6, Chapter 1, of the OCCGF outlining provisions pertaining to Animals; and

**WHEREAS**, the City Commission established the criteria for the issuance of Multi-animal and multiple animal hobby breeder permits in Section 090; and

**WHEREAS**, a correction is required to clarify that all animals subject to the issuance of such a permit must be registered with the Great Falls Animal Shelter; and

**WHEREAS**, the City Commission wishes to make said correction to clarify said criteria.

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

Section 1. OCCGF Title 1, Chapter 6, Section 090 shall be amended as depicted in Exhibit "A" attached hereto, with deleted language identified by ~~strikeout~~ and inserted language **bolded**; and

Section 2. This Ordinance will become effective thirty (30) days after adoption by the City Commission.

ACCEPTED by the City Commission of the City of Great Falls, Montana on first reading February 5, 2019.

ADOPTED by the City Commission of the City of Great Falls, Montana on second reading February 19, 2019.

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Bob Kelly, Mayor

ATTEST:

(CITY SEAL)

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Darcy Dea, Deputy City Clerk

APPROVED FOR LEGAL CONTENT:

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Sara R. Sexe, City Attorney

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

I, Darcy Dea, Deputy City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3199 on the Great Falls Civic Center posting board and the Great Falls City website.

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Darcy Dea, Deputy City Clerk

(CITY SEAL)

Exhibit "A"

Title 6 - ANIMALS

Chapter 1 ANIMALS

## Chapter 1 ANIMALS

### 6.1.090 Multiple-animal permit/multiple animal hobby breeder permit.

A Multiple Animal Permit is required for any person, family, or household owning or harboring any more than the number of domestic dogs and cats permitted by Section 6.1.060 for more than thirty (30) days. A Multiple Animal Hobby Breeder Permit is required for any person, family, or household owning or harboring any more than the number of dogs and cats permitted by Section 6.1.060 who intends to breed their animals. The holder of a regular Multiple Animal Permit or a person holding no Multiple Animal Permit must apply for a Multiple Animal Hobby Breeder Permit within ten (10) days of the birth of a litter. Application for these permits shall be made with the Animal Shelter. The intended facilities are subject to inspection by an Animal Control Officer. The permit shall be issued upon the following conditions:

- A. All dogs and cats must be registered, **and** collared, or Microchipped;
- B. There must be adequate shelter and secure enclosure for animals on the premises;
- C. The owner uses suitable means of cleaning and/or disposing of animal excrement so that it does not become a nuisance or a health hazard;
- D. That in the investigating Animal Control Officer's opinion, the animals receive proper care, food, water, shelter, and humane treatment;
- E. Cat Hobby Breeders are allowed to have a maximum of four (4) litters per year. Other than any animals intended to be kept as pets by the breeder, kittens must be sold or given away within four (4) months of birth. Dog Hobby Breeders are allowed to have maximum of two (2) litters per year, and other than any animals intended to be kept as pets by the breeder, puppies must be removed within four (4) months.
- F. For a Hobby Breeder Permit, the puppies and kittens can only be sold, given as a gift or other transfer or conveyance from the location listed on the Hobby Breeder Permit.
- G. The Hobby Breeder Permit shall list the maximum number of animals over the age of four (4) months allowed on the premises and if the holder of the permit exceeds that number, it shall be grounds for revocation of all permits for that location.
- H. Animal Control Officers shall contact the persons residing in the adjoining premises to inquire their opinion regarding the application. The investigating Animal Control Officer shall consider this information in making their recommendation regarding the application; however, this information is not dispositive, only a factor in consideration of approval.
- I. The Animal Shelter shall approve or deny the application based on the information submitted by the applicant and on the recommendation of the investigating officer. The Animal Shelter may issue a conditional permit, but must state the permit conditions on the document and ensure that the applicant is advised of the conditions;
- J. After receiving notification of the Animal Control Officer's approval, the applicant must pay the Animal Shelter an application fee which shall be established by resolution of the City Commission;
- K. All premises for which a multiple animal permit is issued may be subject to annual inspections by the Animal Control Officer. The inspections may also be instigated if a complaint is filed. The

## Exhibit "A"

### Title 6 - ANIMALS

#### Chapter 1 ANIMALS

Animal Control Officer, on determining that such premises are not being maintained or the conditions of the permit are not met, may recommend a revocation or denial of the permit, if it is deemed necessary. The permittee shall be given a thirty-day written notice of the Animal Control Officer's recommendation, revocation, or denial;

- L. A permit authorized by the Animal Shelter must contain the following information:
  - 1. Name and address of the person to whom the permit is granted;
  - 2. The number of domestic dogs or cats for which the permit is granted;
  - 3. Any special conditions required by the Animal Control Officer;
  - 4. A Hobby Breeder Permit must state whether it is for dogs or cats or both; and
  - 5. Identifying information for the domestic dogs or cats for which the permit is granted.
- M. If the holder of a Multiple-Animal permit or a Multiple Animal Hobby Breeder permit moves, he or she must provide written notice of their new address if it is within the city limits of Great Falls within thirty (30) days of moving. The Animal Shelter will then conduct an inspection and take appropriate action under this section based on any changes at the permit holder's new residence, including but not limited to amending or revoking the Multiple Animal Permit.
- N. Upon denial, amendment, or revocation of a Multiple Animal Permit, the applicant/permittee shall be given written notice of the Animal Control Officer's recommendation and the appeal procedure.
- O. The applicant or permittee may appeal the denial or revocation of a permit by filing a written request for reconsideration with the Deputy City Manager. The written appeal must state the applicant's name and address and should clearly outline the applicant's rebuttal to the reason(s) stated for denial and should include any additional information which may be pertinent to the applicant's request for a permit. The appeal shall be heard by the Deputy City Manager. The applicant or permittee may appeal an affirmation of the denial of a permit to the City Manager in the same manner as the appeal to the Deputy City Manager. Finally, the applicant or permittee may appeal an affirmation of denial by the City Manager to the City Commission by filing an appropriate written request, which shall review the application in a public meeting and uphold, reverse, or revise the decision on the application. The applicant or permittee shall have the burden of proving by clear and convincing evidence he or she is entitled to a permit.

**(Ord. 3199, 2019; Ord. 3160, 2017).**