

CHAPTER 5-5 ANIMALS AT LARGE AND IMPOUNDMENT

5-5-1 ANIMALS RUNNING AT LARGE-IMPOUNDMENT-NOTICE

- (a) All dogs and other animals found running at large in violation of any provision of this chapter may be taken by the police officer and impounded in the city animal shelter, and there confined in a humane manner for a period of not less than 3 days, except as otherwise provided in Section 5-5-2. When dogs or other animals are found running at large and their ownership is known to the police officer, such dogs or other animals need not be impounded, but the police officer may, at his discretion, cite the owners of such dogs or other animals to appear in court to answer to charges of violation of this title.
- (b) Immediately upon impounding any animal, the police officer shall make every possible effort to notify the owner of such animal and inform him of the condition whereby he may regain possession of the animal. If a dog or other animal wearing a license tag is impounded, the police officer shall, immediately after impounding such dog or other animal, and before the animal is destroyed or otherwise disposed of, ascertain the name of the owner from the records of the City Finance Officer and inform such owner of the conditions whereby he may regain possession of such dog or other animal.

Authority: SDCL 9-29-12

5-5-2 IMPOUNDMENT-REDEMPTION AND DESTRUCTION

- (a) Subject to the provisions of subsection (c) of this section, the owner shall be entitled to regain possession of any dog or cat impounded under Section 5-5-1, upon compliance with the vaccination and licensing provisions contained in this title, and upon payment of the fees and charges provided for in subsection (b) of this section. Any other animal impounded under the provisions of Section 5-5-1 may be reclaimed by the owner upon payment of fees and charges provided for in subsection (b) of this section.
- (b) Any animal impounded under Section 5-5-1 may be reclaimed as provided for in this section upon payment by the owner to the City of the impoundment fee for each animal reclaimed, the sum for each day each animal has been kept in the shelter and any charges for veterinarian services rendered. The impoundment fee and the per diem charge for each day the animal was kept in the animal shelter shall be set by resolution of the City Council. Fees collected pursuant to this section shall be immediately transmitted to the City Finance Officer along with all required reports. The impoundment fee set by resolution shall be due to the city regardless of whether the animal is reclaimed, and the City Finance Officer shall exercise every means available for collection against the owner. In the case of a contracted animal control agent, fees shall be handled in accordance with the guidelines set forth by the mutually agreed upon contract or binding instrument.
- (c) Any animal impounded under Section 5-5-1 and not reclaimed by its owner within 10 days may be humanely destroyed by the animal control officer or police officer or sold. A fee set by resolution of the City Council shall be charged, or in the case of a contracted agent, the fee is to be determined by said agent. The animal control officer or police officer may destroy any sick or injured or feral animal which has been impounded

without holding it for 10 days, if its condition is such as to make its earlier destruction necessary or desirable. Any animal that is euthanized prior to the ten day impoundment period will be euthanized by a licensed veterinarian. The brain of this animal will be submitted to an approved laboratory for a rabies examination. All animals destroyed shall be destroyed by a humane procedure.

Authority: SDCL 9-29-12, 40-1-34