



# Fruitland City Dog Kennel License Application

(All Kennel licenses expire on December 31 of the year issued)  
(\$10.00 late fee for all licenses not renewed by January 31)

Annual Kennel License  
(4+ dogs) \$75.00

**PROOF OF RABIES VACCINATION REQUIRED WITH ALL APPLICATIONS**

Owner's Name: \_\_\_\_\_ Owner's Date of Birth: \_\_\_\_\_

Owner's Physical Address: \_\_\_\_\_ Owner's Mailing Address: \_\_\_\_\_

Owner's Home Phone: \_\_\_\_\_ Owner's Business Phone: \_\_\_\_\_

Owner's Mobile Phone: \_\_\_\_\_ Owner's Message Phone: \_\_\_\_\_

In case of Emergency Please Notify: \_\_\_\_\_  
(Name) (Phone)

	<b>Breed of Dog</b>	<b>Color of Dog</b>	<b>Name of Dog</b>	<b>Dog Size</b>	<b>Sex</b>	<b>Spay/Neuter?</b>		<b>ID Chip?</b>	
Dog 1:	_____	_____	_____	<input type="checkbox"/> Sm <input type="checkbox"/> Med <input type="checkbox"/> Lg	M / F	Yes	No	Yes	No
Dog 2:	_____	_____	_____	<input type="checkbox"/> Sm <input type="checkbox"/> Med <input type="checkbox"/> Lg	M / F	Yes	No	Yes	No
Dog 3:	_____	_____	_____	<input type="checkbox"/> Sm <input type="checkbox"/> Med <input type="checkbox"/> Lg	M / F	Yes	No	Yes	No
Dog 4:	_____	_____	_____	<input type="checkbox"/> Sm <input type="checkbox"/> Med <input type="checkbox"/> Lg	M / F	Yes	No	Yes	No

**Owner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
*My signature on this application certifies that I am the legal owner of the listed animals and that all information on this application is accurate, true and correct.*

**FOR OFFICE USE ONLY:**

<b>Dog #1</b>	<b>Dog #2</b>	<b>Dog #3</b>	<b>Dog #4</b>
Fee Paid: _____	Fee Paid: _____	Fee Paid: _____	Fee Paid: _____
Tag #: _____	Tag #: _____	Tag #: _____	Tag #: _____
Rabies Due: _____	Rabies Due: _____	Rabies Due: _____	Rabies Due: _____

**Chief of Police Recommendation:** \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved      **License is:** \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved

\_\_\_\_\_  
**Chief of Police Signature**

\_\_\_\_\_  
**City Clerk Signature**

### **5-2-1: DEFINITIONS:**

**COMMERCIAL DOG KENNEL:** The ownership, possession, keeping or harboring of one or more dogs, over the age of four (4) months, for the purposes of boarding, breeding, feeding, buying or selling or raising of such animals, or any of said purposes, or permitting four (4) or more dogs over the age of four (4) months, to be or to remain upon his or her premises. Commercial dog kennels will not be licensed in any residential area.

**CONFINED:** Keeping an animal within an enclosure that cannot be opened by any person other than the owner or with the owner's assistance or consent and from which an animal cannot escape.

### **5-2-7: KENNEL LICENSE:**

A. It shall be unlawful to keep, maintain, harbor or possess upon any one premises more than three (3) dogs, unless the owner or person in charge thereof has first obtained a noncommercial kennel license. Application for a kennel license shall be made to the city clerk and shall be accompanied by an application fee of seventy five dollars (\$75.00). The kennel license shall not become effective until it is reviewed and approved by the city clerk. At the annual renewal of the license by the holder thereof, after review by the chief of police, the city clerk shall be authorized to renew or deny any existing license. In the event of denial, any applicant aggrieved by any decision of the city clerk may appeal such decision by filing a written notice of appeal with the city council within ten (10) days of such decision and submitting a two hundred dollar (\$200.00) fee to cover the advertising costs. The city clerk shall transmit said notice of appeal to the city council, and shall schedule a public hearing on said appeal, to be held at any regular meeting or special meeting of the city council not later than forty five (45) days after the filing of such notice of appeal with the city clerk. The city clerk shall cause the notice to be published in the official newspaper of the city and shall send notice to any landowner within five hundred feet (500') of the property subject to the appeal. At such hearing, the applicant may appear and speak on his own behalf, be represented by counsel, call witnesses and cross examine any witnesses of the city. The city council shall proceed to determine said appeal, and, if it decides in favor of the applicant, it shall pass a motion to that effect and the city clerk shall, on the next business day thereafter, and upon receipt of the proper fee, issue such license. The city council may defer action upon said appeal for not longer than three (3) weeks from the date of the public hearing. If the city council upholds the city clerk's decision, the applicant may appeal such decision by filing an action with the district court.

B. Dog kennels shall be maintained in accordance with this section. The kennels shall be sufficiently soundproofed so that noises from within cannot be heard by adjoining landowners. No kennel shall be built or constructed, nor shall any building be remodeled into a kennel until all required building permits are obtained and written consent is obtained from the property owner.

C. All kennels will be maintained in such a manner that there shall be no odor emanating from the kennels that can be detected by any adjoining landowners. Sanitation shall be such that the kennel shall not become a breeding area for flies, vermin or insects. All animals kept within the kennel shall be properly fed and sanitarily housed. No animal kept in a kennel shall be mistreated.

D. The license issued by the city clerk may be revoked upon a showing that any requirement of this chapter is not being fulfilled. It shall be in effect from the date of issuance and shall expire on December 31 of each year. A kennel license must be renewed each year.

E. Whenever any kennel is maintained in such manner as to be offensive on account of noise or odors, or otherwise, any person may make a complaint to the city council. Upon filing of such complaint, the city council shall immediately notify the owner or keeper of such kennel to appear before the council to show cause why the kennel license should not be revoked. Such hearing shall not be less than five (5) days nor more than twenty eight (28) days from the date of filing such complaint, and the notice shall be served not less than five (5) days before hearing. After hearing, the council will have the following options: 1) revoke or cancel the license; 2) put the licensee on probation and subject the license to immediate revocation in the event of any additional violations, subject to the terms and conditions as the city council may deem appropriate; 3) dismiss the complaint. (Ord. 617, 12-12-2016)

### **5-2-19: PENALTIES:**

A. Except as provided herein, any person who violates any of the provisions of this chapter, shall be guilty of a misdemeanor and subject to penalty as provided in section [1-4-1](#) of this code for each offense.

B. A first offense conviction of allowing a dog to run at large in violation of subsection [5-2-8A](#) of this chapter or a first offense of harboring a barking dog in violation of subsection [5-2-8D](#) of this chapter, shall be deemed an infraction. A second or subsequent offense of allowing a dog to run at large in violation of subsection [5-2-8A](#) of this chapter or a second or subsequent offense of harboring a barking dog in violation of subsection [5-2-8D](#) of this chapter shall be a misdemeanor and subject to penalty as provided in section [1-4-1](#) of this code for each offense.

C. In addition to what is expressed herein, any dog which attacks a human being, any domestic animal, or any livestock, may be ordered destroyed when, in the court's judgment, such dog represents a continuing threat of harm to human beings, domestic animals, or livestock. In addition, after a hearing, the judge may order any dog destroyed which habitually creates a nuisance to any neighborhood or person. The conviction of an owner for a second or subsequent offense of allowing a dog to bark or create noise which is a nuisance to the neighborhood or another person, shall be sufficient to establish that a dog habitually creates a nuisance.

D. Any person found guilty of violating this chapter shall pay all expenses, including shelter, food, any veterinary expenses necessitated by the seizure of the dog for the protection of the public, and such other expenses as may be required for the care or destruction of any such dog. (Ord. 617, 12-12-2016)