

PERRY COUNTY FISCAL COURT

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE USE OF LETHAL FORCE BY GUNSHOT BY PERRY COUNTY ANIMAL CONTROL PERSONNEL.

Whereas, KRS 258.505 prohibits killing an animal by gunshot in animal shelter settings;

Whereas, killing an animal by gunshot is categorized as an "inhumane method" of killing;

Whereas, the Perry Fiscal Court desires to enact ordinances properly defining the acceptable methods of euthanizing animals in animal shelter settings in Perry County;

Now, Therefore, be it ordained by the Perry Fiscal Court, as follows:

ARTICE I. LETHAL FORCE BY GUNSHOT WITHIN AN ANIMAL CONTROL FACILITY.

The Court hereby establishes that no Perry County Animal Control Personnel shall use lethal force by gunshot as a routine method of euthanasia in any animal control facility located within Perry County. This prohibition shall not apply if the animal presents a threat to the health or safety to anyone who is lawfully on the premises of the facility. In the event an animal is killed by gunshot in any animal control facility within Perry County, the person responsible for the gunshot shall complete an incident report setting forth the specific reasons for the killing by gunshot, and the specific circumstances which made the killing by gunshot a necessity. All such reports shall be submitted to the Perry Fiscal Court within five (5) days of the event.

ARTICLE II. LETHAL FORCE BY GUNSHOT OUTSIDE AN ANIMAL CONTROL FACILITY.

The Court hereby establishes that no Perry County Animal Control Personnel shall use lethal force by gunshot outside any animal control facility in Perry County unless the following conditions exist:

1. the animal cannot be seized;
2. the animal presents a danger to the health or safety of the general public; or
3. the animal has an injury or physical condition which causes the animal to suffer.

In the event an animal is killed by gunshot outside of an animal control facility, the person responsible for the killing by gunshot shall complete an incident report setting forth the specific reasons for the killing by gunshot, and the specific circumstances which made the killing by gunshot a necessity. All such reports shall be submitted to the Perry Fiscal Court within five (5) days of the event.

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ARTICLE III. EFFECTIVE DATE

The effective date of the provisions of this Ordinance shall be the 15th day of November, 2005.

Motion made by : Jimmy Darrell Neace

Seconded by: Earl Randy Bailey II

Votes in favor: Jimmy D. Neace
Magistrate

Jimmy D. Neace
Magistrate

Johnny Blair
Magistrate

Denny Kildes
Perry County Judge Executive

Attest: Sharon Adams
Perry County Court Clerk

Prepared by:
John Carl Shackelford
Perry County Attorney