
CITY OF DEER LODGE

**Public Health & Safety
COMMITTEE**

AGENDA

March 14, 2024 – 5:00 P.M. | Council Chambers, City Hall

- 1. Call Meeting to Order:**
- 2. Approval of Minutes:**
 - a. Regular Meeting: February 8, 2024
- 3. Public Comment on Non-Agenda Items – (Limit to three minutes per person)**
- 4. Old Business: (Public Comment period prior to each topic)**
 - b. Title 8: Kennel Review Language – Jordan
- 5. New Business:**
 - a. Department Reports: (Accept reports as presented)
 1. PD Report - Chief Smith
 2. Code Enforcement Report – Kody Ryan
 3. FD Report – Chief Pierson
 4. County Health Report – Ida Miller
- 6. Staff or Committee Comments or Concerns:**
- 7. Announcement of the Next Meeting:**
 - a. Regular Meeting: Thursday, April 11, 2024, at 5:00 PM.
- 8. Adjournment:**

Public Health & Safety Committee

Members

John Molendyke (Chair) | Kirk Hayes | Rian King-Chavez

Public Health & Safety Committee MINUTES

February 8, 2024, at 5:00pm | Council Chambers

- Members Present:** John Molendyke, Kirk Hayes, Rian King-Chavez
- Members Absent:** None
- Mayor:** Absent
- CAO:** Jordan Green
- Staff:** Cyndi Thompson, Fire Chief Pierson, Police Chief Smith, Kody Ryan
- Guests:** Ida Miller, County Health

1. Call Meeting to Order:

Chairperson Molendyke called the meeting to order at 5:00pm.

2. Approval of Minutes for

- a. September 14, 2023 – No October Meeting
- b. November 9, 2023
- c. December 14, 2023
- d. January 11, 2024

Member Hayes motioned to approve as presented. Member King-Chavez seconded the motion. 3 Ayes, 0 Nos. Motion passed.

3. Public Comment – Limited to Three Minutes Per Person

- a. None

4. Old Business:

- a. None

5. New Business:

- a. Department Reports: *Department Reports Accepted as presented.*

- 1. Police Police Chief Smith

Police Chief Smith summarized recent department activities for January based on 157 calls for service 117 reports generated, 38 traffic stops and 18 Citations issued.

2. Code Enforcement.....Kody Ryan

Kody summarized recent department activities for January based on 15 dogs at large calls, 17 citizen complaints, 1 temporary foster, 2 dogs at shelter, 1 citation issued, 44 year-to-date dog tags issued, 1 vicious dog detained at shelter, 1 stop work order issued, 1 junk vehicle removed.

3. Fire..... Fire Chief Pierson

Fire Chief summarized recent department activities for January based on 1 call for service.

4. County Health Report.....Ida Miller

Child Safety: Powell County Public Health has car seats available on a sliding scale basis and a trained child seat technician to help with installation and questions. We gave away one car seat and did one car seat inspection in January.

Public Health Office: The Powell County Public Health office has regularly scheduled office hours every Thursday from 11 am to 2 pm. The office is on the lowest level of the courthouse in Suite 106.

The Public Health office employees participated in a Narcan training program.

Influenza/Covid: There were 15 cases of COVID-19 reported in January and 32 cases of Influenza. Currently 3 active cases of covid for January and currently 6 active cases of influenza. January had 5 cases of RSV.

Animal Bites: 0 bites in January

Cold vs Influenza vs RSV:

<u>Signs and Symptoms</u>	<u>Cold</u>	<u>Flu</u>	<u>RSV</u>
Symptom onset	Gradual	Abrupt	Gradual
Fever	Rare	Common	Common
Aches	Slight	Common	No
Chills	Uncommon	Fairly Common	No
Fatigue, weakness	Sometimes	Usual	No
Sneezing	Common	Sometimes	Common
Chest Discomfort	Mild/moderate	Common	Wheezing
Cough	Hacking	Severe coughing	Common
Stuffy nose/sore throat	Common	Sometimes	Maybe
Headache	Rare	Common	No

Frostbite: A concern when outside in cold temperatures. Limit time outdoors in cold, wet, or windy weather. Pay attention to weather forecasts and wind chill readings. In very cold, windy weather, exposed skin can develop frostbite in a matter of minutes. Signs of frostbite include cold skin and a prickly feeling followed by numbness and color changes to the skin.

b. Whether to Allow Hunting on City Property – Jordan

Primary City Property off Emery Road, there is a large number of Deer and do we allow hunting to control the Deer population. Reached out to several other cities in Montana, the only other city that allows any hunting on city property is Haver (?) only because they have a Deer infestation problem. Other cities see this as too much of a liability.

Fire Chief Pierson is a County Hunter Educational Instructor for 16 years. If you are looking at doing this you should contact FWP, Fish Wildlife & Parks, to get more information. You can look into archery, slug shots or short range arms. You can look into Block Management Funds which is a cooperative program between private landowners and FWP, Block Management helps landowners manage hunting activities and provides the public with free hunting access to private land, and sometimes to adjacent or isolated public lands.

Jordan: There are several options for the 80 acres. The one thing important to remember is site 2 is close to a County Subdivision. Will need to consider any noise violation out on the land.

Ida Miller: Should consider, if there are dead deer laying on the side of the road at least one once a week, then this could be hazardous situation to drivers with deer trying to cross.

A Police Shooting Range was discussed with Police Chief Smith.

Discussion only, no motion required.

c. Title 8: Kennel Review – Jordan

The owner of the mobile dog grooming service, MT Muddy Paws, Halie Walsted approach City Council for the ability to operate a store front location for dog boarding, grooming, and provide more options for the residents in Deer Lodge. The City Council granted a waiver to that specific ordinance.

We will need to look at an amendment to City Code Title 8 language for dogs. Reviewed Title 8, section 8.02.200 KENNELS PROHIBITED (a) No Kennels shall be lawful within the corporate limits of the city, except for those established, licensed and operating immediately prior to the passage of this chapter on June 6, 1977. The recommendation would be to add a subsection that states: A dog boarding business may hold more than maximum number of dogs and will require approval of the City Council and hold a valid Business License.

The committee discussed City Code, noise ordinance, sanitation, dog waste, dog walking.

Discussion only, no motion required. Jordan will write up some language and bring this back to the committee at March's meeting.

d. Committee 5-Year Goals – Jordan

The 5 year goals that were established from the last committee were provided. Reviewed last committee goals and made the following changes.

PREVIOUS GOALS:

- Review Public Health & Safety Codes
- Seek More Opportunity for Public Outreach
- Reader Board at the Fire Hall
- Publish and Promote Public Health & Safety Topics for Departments
- Assist Fire Department Rural Water Supply

NEW GOALS:

- Review Public Health & Safety Codes
- Seek more opportunities for public outreach
- Reader board at the Fire Hall
- Research and recommend safety policy & procedures for all City Staff
- Assist Fire Department Rural Water Supply
- Pursue increased funding for Police Department

Discussion only, no motion required. Bring this back to the committee at March's meeting.

6. Staff Comments or Concerns:

- a. None

7. Announcement of the Next Meeting:

- a. Regular Meeting: Thursday, March 14, 2024 at 5:00PM.

8. Adjournment:

- a. Meeting was adjourned at 5:59PM.

Prepared by: Cyndi Thompson, City Clerk

Chairperson: _____
John Molendyke

Date: _____

Public Health & Safety Committee
Members

John Molendyke (Chair) | Kirk Hayes | Rian King-Chavez

CHAPTER 8.02: DOGS

Section

- 8.02.010 Definitions
- 8.02.020 Enforcement
- 8.02.025 Number of dogs
- 8.02.030 Licensing
- 8.02.040 Tag and collar
- 8.02.050 Restraint
- 8.02.060 Animal shelter
- 8.02.070 Impoundment and disposition
- 8.02.080 Redemption and destruction
- 8.02.090 Impoundment fees
- 8.02.100 Confinement of certain dogs
- 8.02.110 Rabies control
- 8.02.120 Reports of bite cases
- 8.02.130 Responsibilities of veterinarians
- 8.02.140 Exemptions
- 8.02.150 Dog census
- 8.02.160 Interference
- 8.02.170 Records
- 8.02.180 Barking dogs
- 8.02.181 Chasing vehicles
- 8.02.182 Animal waste; removal
- 8.02.190 Destruction of vicious dogs
- 8.02.200 Kennels prohibited
- 8.02.210 Teasing or unauthorized releasing of animals
- 8.02.220 Violations; penalty

§ 8.02.010 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANIMAL CONTROL DESIGNEE. Any designee of the Chief Administrative Officer, Mayor or Police Chief as all law enforcement officers as defined in state law, with all necessary police powers incident to the animal control authority.

ANIMAL SHELTER. Any premises provided by the city or other designated facility used to impound and temporarily care for dogs or other animals.

ANIMAL SHELTER ATTENDANT. A duly appointed and trained employee whose responsibility is to provide safe and humane shelter and provide food and water as necessary for animals kept in the city animal shelter.

AT LARGE. Off the premises of the owner and not on a leash or other restraint or properly controlled by the owner or responsible person.

DISPOSED OR DESTROYED IN A HUMANE MANNER. A lethal injection of pentobarbital sodium or an equivalent, administered by a veterinarian.

EXPOSED TO RABIES. A dog has been exposed to rabies if it has been bitten by any animal known to be or suspected of being infected with rabies or has come in contact with a rabid animal.

KENNEL. A building, enclosure, or portion of any premises in or at which dogs are boarded or kept for hire or for sale; in or at which dogs are kept or maintained by any person other than the owner thereof; or in or at which six or more dogs over the age of six months are kept or maintained.

OWNER. Any person, firm, corporation, organization or department possessing harboring, keeping, having an interest in, or having control or custody of an animal. If the OWNER is a juvenile, a parent or other custodian of such juvenile shall for the purposes of this chapter, be treated as the OWNER of the animal.

PET BOARDING BUSINESS. The use of a building, structure, or parcel for the short-term boarding of dogs and cats for purposes other than veterinary medical procedures and observation. A pet boarding business is solely for boarding and is NOT for the commercial or private breeding, selling, bartering, or giving of any pet.

NEUTERING (CASTRATION). The surgical procedure during which both testicles are removed in order to sterilize (make infertile) a male animal, therefore stopping its ability to reproduce. The owner must be able to provide suitable proof of surgery.

RESTRAINT. Any dog controlled by a leash, at heel beside a competent person and obedient to that person's commands. Animals may be on or within a vehicle being driven or parked on the streets, or within the property limit of its owner. Voice command is not an acceptable method of RESTRAINT.

SPAYED. The surgical procedure used to completely remove the ovaries and uterus in order to sterilize a female animal, therefore stopping its ability to reproduce. The owner must be able to provide suitable proof of surgery.

STRAY ANIMAL. Any animal at large, the owner of which cannot be ascertained.

(Prior Code, § 8.02.010) (Ord. 1, passed 1-17-1980; Ord. 79, passed 5-20-1996; Ord. 2019-8, passed 8-19-2019; Ord. 2021-12, passed 12-20-2021; [Ord. 2024-X, passed X-XX-2024, effective X-XX-2024](#))

§ 8.02.020 ENFORCEMENT.

The provisions of this chapter shall be enforced by the animal control designee and law enforcement officers, or either of them, of the city.

(Prior Code, § 8.02.020) (Ord. 1, passed 1-17-1980)

§ 8.02.025 NUMBER OF DOGS.

(A) (1) It is unlawful for any person or family to keep, harbor or maintain more than two dogs over six months of age, in or upon any premises, without first obtaining an excessive dogs permit.

(2) A multi-family dwelling (where two or more families reside) shall not be allowed more than two dogs over the age of six months, because of the nuisance value.

(B) The excessive dogs permit allows the person or family to keep up to five dogs.

(C) An excessive dogs permit shall cost \$25 per year, on the same schedule as the regular dog licensing fees.

(D) Persons purchasing an excessive dogs permit will also be required to pay twice the normal licensing fee for each dog over two and up to five dogs.

(Prior Code, § 8.02.025) (Ord. 2019-8, passed 8-19-2019)

§ 8.02.030 LICENSING.

(A) No person shall own, keep or harbor any dog within the city limits, unless such dog is licensed as herein provided.

(1) Application for such license shall be made to the City Treasurer or such agent as shall be designated by the City Treasurer, which shall state the name and address of the owner and the name, breed, color, age, sex and intact/alterd status of the dog.

(2) The license fee shall be paid at the time of making application, a numbered receipt given to the applicant and a numbered metallic tag shall be issued to the owner.

(3) The yearly license fee shall be set by resolution and is required for all dogs over the age of six months.

(4) The license fee shall be set such that the fee for an altered dog shall be less than the fee for an unaltered dog. In order to be eligible for the lesser fee, proof from a veterinary must accompany the application for license.

(5) (a) All dog licenses shall be issued for one year and will go into effect January 1 of that year.

(b) Any license issued for any dog for the year, immediately preceding, shall be valid to, but not including, March 1 of the current year.

(6) No application for a dog license shall be accepted until the applicant has produced satisfactory evidence that the dog for which the license is to be issued has been vaccinated for rabies with a strain of rabies vaccine certified to be effective for a two-year period. Rabies vaccine will be administered only by a licensed veterinarian.

(7) Any person licensing a dog on or after March 1 of any year shall pay a late fee set by resolution in addition to the ordinary license fee, unless such person can present evidence satisfactory to the City Treasurer that the animal being licensed has not been kept, held or owned within the city for a period in excess of one week immediately prior to the date on which application is made.

(B) In the event that a license tag issued for a dog shall be lost, the owner may obtain a duplicate tag upon payment of \$2 to the City Treasurer.

(C) If there is a change of ownership of a dog during the license year, the new owner shall purchase a current license transferred to his or her name upon application to the City Treasurer for one-half the original fee for that license year.

(D) (1) No person shall use for any dog, a license, receipt or license tag, or evidence of vaccination for rabies, issued for any other dog.

(2) Any person keeping any unlicensed dog or dogs contrary to §§ 8.02.025 and 8.02.030(A) shall be deemed guilty of a misdemeanor and shall, upon conviction therefore, be punished by a fine for each dog. This fine will be set by resolution.

(Prior Code, § 8.02.030) (Ord. 1, passed 1-17-1980; Ord. 96, passed 11-19-2001; Ord. 110, passed 1-1-2006; Ord. 2019-8, passed 8-19-2019)

§ 8.02.040 TAG AND COLLAR.

Every licensed dog shall at all times wear a choke chain, collar or harness to which is attached its license tag.

(Prior Code, § 8.02.040) (Ord. 1, passed 1-17-1980)

§ 8.02.050 RESTRAINT.

(A) Control required; penalty for violation. It is unlawful for any person, owner or party in control of any dog within the city limits to allow the same to be at large off the owner's property or other property where the dog is kept, and the owners or persons in control of any dog are required to keep all dogs securely confined upon privately-owned property, except that dogs may be allowed upon a street, alley or sidewalk when properly controlled by a competent person as defined in § 8.02.010. Upon conviction, the minimum fine for violation of this provision shall be set by resolution.

(B) Failure to have control; impoundment.

(1) Any dog not controlled or not securely confined upon privately-owned property may be taken and impounded by the animal warden, any of his or her assistants, or any law enforcement officer and the same may be impounded for the period otherwise provided in this chapter.

(2) Any dog impounded which is not claimed by the owner within the period prescribed in this chapter shall be disposed of by the animal warden as in other cases.

(Prior Code, § 8.02.050) (Ord. 1, passed 1-17-1980; Ord. 44, passed 4-18-1988; Ord. 59, passed 4-15-1991; Ord. 2019-8, passed 8-19-2019)

§ 8.02.060 ANIMAL SHELTER.

The city shall maintain a suitable shelter for the impounding of dogs, such shelter shall be so constructed that dogs of different sizes, sexes, licensed or unlicensed, and healthy and unhealthy dogs may be segregated, and shall be maintained in a safe and sanitary condition. Such shelter may either be constructed and operated by the city, or the city may enter into a contract with a veterinarian or other suitable person for the supplying and operation of the same. All animals confined in such shelter shall be regularly fed and watered and treated in a humane manner.

(Prior Code, § 8.02.060) (Ord. 1, passed 1-17-1980)

§ 8.02.070 IMPOUNDMENT AND DISPOSITION.

(A) All dogs found running at large may be taken up by the animal control designee and impounded in the animal shelter, and there confined in a humane manner for a period of up to ten days.

(1) Dogs impounded and not claimed by their owner at the expiration of ten days, after notice to the owner, if known, may be disposed of at the discretion of the said animal

control designee or police officer, except as hereinafter provided in the cases of certain dogs.

(2) When dogs are found running at large, and their ownership is known to the animal control designee, such dogs need not be impounded, but the animal control designee or police officer may, at his or her discretion, cite the owner of such dogs to appear in court to answer the charge or violation of this chapter.

(B) If any impounded dog or other animal is not redeemed within ten days after notice has been given to the owner, if known, or posted at the city hall if the name of the owner is not known, the owner thereof shall forfeit all right, title and interest therein.

(1) In the event that any impounded dog or other animal is not redeemed by the owner, it may be disposed of by the animal control designee or police officer in a humane manner.

(2) Any dog or other animal suffering from an infectious disease shall not be redeemed, but must be put to death, unless the public health officer shall otherwise order, or it may be given to any suitable and responsible person upon payment of the fees and charges set forth by resolution.

(Prior Code, § 8.02.070) (Ord. 1, passed 1-17-1980; Ord. 2019-8, passed 8-19-2019)

§ 8.02.080 REDEMPTION AND DESTRUCTION.

(A) The owner shall be entitled to redeem possession of any impounded dog, except as hereinafter provided in the cases of certain dogs, upon compliance with the license provisions contained in § 8.02.030 of this chapter and the payment of the fees and charges provided for in §§ 8.02.030 and 8.02.090 of this chapter. Any other animal impounded under the provisions of this chapter may be reclaimed by the owner upon the payment of the fees and charges provided for in §§ 8.02.025, 8.02.030 and 8.02.090 of this chapter.

(B) Any dog impounded under the provisions of this chapter and not reclaimed by its owner within ten days may be humanely destroyed by the animal control designee or placed in custody of some person deemed to be responsible or suitable person to be the owner of such animal; upon payment of fees and charges set forth in §§ 8.02.030 and 8.02.090 of this chapter.

(Prior Code, § 8.02.080) (Ord. 1, passed 1-17-1980; Ord. 2019-8, passed 8-19-2019)

§ 8.02.090 IMPOUNDMENT FEES.

(A) Any dog impounded under this chapter may be reclaimed by the owner upon payment to the city of an impounding fee and a daily boarding fee for each calendar day the dog is impounded, with such fees to be set periodically by the City Council.

(B) For purposes of this section, each calendar day begins at midnight and daily boarding fees will not be apportioned.

(Prior Code, § 8.02.090) (Ord. 1, passed 1-17-1980; Ord. 27, passed 8-1-1985; Ord. 123, passed 6-2-2008; Ord. 2019-8, passed 8-19-2019)

§ 8.02.100 CONFINEMENT OF CERTAIN DOGS.

(A) The owner shall confine within a building or secure enclosure, every fierce, dangerous or vicious dog and not take such dog out of such building or secure enclosure unless such dog is securely muzzled.

(B) Every female dog in heat shall be confined in a building or secure enclosure, or in a veterinarian hospital or boarding kennel, in such manner that such female dog cannot attract another animal, except for breeding purposes.

(Prior Code, § 8.02.100) (Ord. 1, passed 1-17-1980)

§ 8.02.110 RABIES CONTROL.

(A) Every animal which bites a person shall promptly be reported to the animal control designee and shall thereupon be securely quarantined at the direction of the animal control designee for a period of not less than 15 days and shall not be released from such quarantine, except by written permission of the animal control designee. Such quarantine may be on the premises of the owner, at the shelter designated as the city animal shelter, or at the owner's option if vaccinated for rabies as set forth in § 8.02.030(A) thereof, in the veterinary hospital of his or her choice, all at the expense of the owner. In the case of stray animals, or in the cases of animals whose ownership is not known, such quarantine shall be at the shelter designated as the city animal shelter.

(B) The owner upon demand made by the animal control designee or police officer or either of them, shall forthwith surrender any unvaccinated animal that has bitten a human, or which is suspected of having been exposed to rabies, for supervised quarantine which expense shall be borne by the owner, and may be reclaimed by the owner if adjudged free of rabies, as set forth in § 8.02.080 thereof, and upon compliance of licensing provisions set forth in § 8.02.030 thereof.

(C) When an animal under quarantine has been diagnosed as being rabid, or suspected by a licensed veterinarian as being rabid, and dies while under such observation, the animal control designee shall immediately send the head of such animal to a competent laboratory for pathological examination and shall notify the proper public health officer of reports of human contacts and the diagnosis made of the suspected animal.

(D) When one or both reports give a positive diagnosis of rabies, the animal control designee shall recommend a city-wide quarantine of a period of 30 days and upon the

invocation of such quarantine, no animals shall be taken into the streets or prelisted to be in the streets during such period of quarantine.

(E) Every unvaccinated animal bitten by an animal showing positive symptoms of rabies shall be forthwith destroyed, or shall at the owner's option and expense, be held not less than 15 days in quarantine, and thereafter in the discretion of the veterinarian said animal may be quarantined to a period not exceeding 90 days.

(F) In the event there are additional positive cases of rabies occurring during the period of quarantine, such period of quarantine may be extended, in the interest of the public safety, for additional periods of 30 days, at the discretion of the animal control designee.

(G) No person shall kill, or cause to be killed, any rabid animal, any animal suspected of having been exposed to rabies, or animal biting a human, except as herein provided, nor remove the same from the city limits without written permission from the animal control designee. The animal control designee shall direct the disposition of any animal found to be infected with rabies. No person shall fail or refuse to surrender any animal for quarantine or destruction as required herein when demand is made therefore by the animal control designee.

(Prior Code, § 8.02.110) (Ord. 1, passed 1-17-1980; Ord. 2019-8, passed 8-19-2019)

§ 8.02.120 REPORTS OF BITE CASES.

It shall be the duty of every physician or other practitioner to report to the animal control designee the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control.

(Prior Code, § 8.02.120) (Ord. 1, passed 1-17-1980; Ord. 2019-8, passed 8-19-2019)

§ 8.02.130 RESPONSIBILITIES OF VETERINARIANS.

It shall be the duty of every licensed veterinarian to report to the animal control designee his or her diagnosis of any animal observed by him or her as a rabies suspect.

(Prior Code, § 8.02.130) (Ord. 1, passed 1-17-1980; Ord. 2019-8, passed 8-19-2019)

§ 8.02.140 EXEMPTIONS.

Hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this chapter, except where such duties are expressly stated. The licensing and vaccination requirements of this chapter shall not apply to any animal belonging to a non-resident of the city and kept within the city for not longer than 30 days, providing all such dogs shall at all times while in the city, be kept within a building, enclosure or vehicle, or be under restraint by the owner.

(Prior Code, § 8.02.140) (Ord. 1, passed 1-17-1980)

§ 8.02.150 DOG CENSUS.

At least once every two years, a complete census may be taken of all dogs in the city and anyone found to be harboring an unlicensed dog required to be licensed by the provisions of this chapter shall be required immediately to obtain a license for such dog or shall be cited into court to answer to charges of violation of this chapter.

(Prior Code, § 8.02.150) (Ord. 1, passed 1-17-1980)

§ 8.02.160 INTERFERENCE.

No person shall interfere with, hinder or molest the animal control designee or police officer or either of them in the performance of any duty of their office, or seek to release any animal in the custody of the animal control designee or police officer, except as herein provided.

(Prior Code, § 8.02.160) (Ord. 1, passed 1-17-1980; Ord. 2019-8, passed 8-19-2019)

§ 8.02.170 RECORDS.

It shall be the duty of the animal control designee or shelter attendant designee to keep or cause to be kept, accurate and detailed records of the impoundment and disposition of all animals coming into his or her custody.

(Prior Code, § 8.02.170) (Ord. 1, passed 1-17-1980; Ord. 2019-8, passed 8-19-2019)

§ 8.02.180 BARKING DOGS.

It is unlawful for any owner to allow any dog to stay about any premises occupied or controlled by him or her, which dog by loud and continuous barking, howling or yelping constitutes an annoyance or disturbance to the neighborhood. Any such dog creating such disturbance is declared to be a nuisance.

(Prior Code, § 8.02.180) (Ord. 1, passed 1-17-1980; Ord. 59, passed 4-15-1991; Ord. 78, passed 10-2-1995)

§ 8.02.181 CHASING VEHICLES.

It is unlawful for any owner keeping or harboring any dog or other animal to suffer or permit such dog to chase, run after or jump at vehicles lawfully using the public streets,

avenues, alleys and ways within the city and the same is declared to be a nuisance, and any such dog or animal may be seized and impounded.

(Prior Code, § 8.02.181) (Ord. 1, passed 1-17-1980; Ord. 59, passed 4-15-1991)

§ 8.02.182 ANIMAL WASTE; REMOVAL.

(A) The owner of an animal shall be responsible for the immediate removal of any excreta deposited by his or her animal on any public walk, recreation area or private property.

(B) It shall be unlawful for the owner to fail to dispose of the excreta in a sanitary manner.

(Prior Code, § 8.02.182) (Ord. 1, passed 1-17-1980; Ord. 59, passed 4-15-1991)

§ 8.02.190 DESTRUCTION OF VICIOUS DOGS.

(A) Whenever an affidavit shall be filed with the City Judge that any dog has bitten a person in the city and that the person so bitten was not at the time trespassing or injuring the person or property of the owner thereof or his or her family at the time, or has not unduly provoked such dog into such an attack, the City Judge shall issue an order in writing directing the owner of such dog to destroy such dog within 24 hours after receiving such order, unless there is reason to believe the animal was rabid, in which case the procedure in § 8.02.110 shall be followed. Such order shall be personally served upon such owner or possessor if he or she be known, and if unknown, shall be posted in one public place in said city for the same length of time. The owner of such dog may have a hearing upon the question of fact involved. After full hearing, the City Judge shall order that the dog be released to its owner or that it shall be destroyed.

(B) If, after 24 hours from the time of service or posting of such notice of service of the order, the owner of such dog has neither destroyed the same nor demanded a hearing upon the facts the animal control designee shall cause such dog to be destroyed.

(C) Upon the demand of the animal control designee, the owner of said dog shall catch and deliver the possession of such dog to the animal control designee or any police officer of the city authorized to take such possession. If the owner of said dog refuses to comply with such request or cannot be found or is unknown, the animal control designee shall make a reasonable effort to capture said animal, and if he or she is unable to do so without killing the animal, same shall be shot with a tranquilizer gun. The provisions of this chapter shall apply whether the dog in question is licensed or not.

(Prior Code, § 8.02.190) (Ord. 1, passed 1-17-1980; Ord. 2019-8, passed 8-19-2019)

§ 8.02.200 KENNELS PROHIBITED.

(A) No kennels shall be lawful within the corporate limits of the city, except for those established, licensed and operating immediately prior to the passage of this chapter on June 6, 1977.

(B) No residence shall keep, own or harbor more than two dogs over the age of six months without obtaining an excessive dogs permit, which allows up to five dogs over the age of six months.

(C) A pet boarding business as defined by §8.02.010 may be exempted from the provisions of this section if it has obtained approval from the City Council and holds a valid business license with the City.

a) The approval of a pet boarding business may be subject to additional conditions as required by the City Council to reduce the potential that the business creates public nuisance. Failure to adhere to these conditions will result in the revocation of its business license.

b) A pet boarding business may not engage in the commercial or private breeding, selling, bartering, or giving of any pet.

(Prior Code, § 8.02.200) (Ord. 1, passed 1-17-1980; Ord. 2019-8, passed 8-19-2019; Ord. 2024-X, passed X-XX-2024, effective X-XX-2024)

§ 8.02.210 TEASING OR UNAUTHORIZED RELEASING OF ANIMALS.

It shall be unlawful for any person or persons to tease, harass or bother by any means, any dog which is upon the premises of the owner thereof. It shall further be unlawful for any person or persons to release any dog from the premises of the owner, or to in any manner or by any means lure such dog from the premises of the owner, or the property, vehicle, or enclosure in which such dog is contained.

(Prior Code, § 8.02.210) (Ord. 1, passed 1-17-1980)

§ 8.02.220 VIOLATIONS PENALTY.

Any person who shall violate any of the provisions of this chapter, shall, upon conviction, be punishable as provided in § 1.08.010 of this code.

~~—Any violation of this chapter shall be a misdemeanor for which a court may impose the conditions set forth in the state laws, or such other conditions relating to the disposition of any animal as the court may determine, but in no event shall a fine exceed \$500, nor shall any imprisonment in any jail exceed six months.~~

(Prior Code, § 8.02.220) (Ord. 1, passed 1-17-1980; Ord. 2024-X, passed X-XX-2024, effective X-XX-2024)



DEER LODGE Police Department

February 2024 Monthly Report

Chief George Smith

- 173 Calls for Service
- 122 Reports Generated
- 33 Traffic Stops
- 38 Citations Issued
- Highlighted Calls
 - 14 Arrests
 - 8 Domestic Violence one of which involved a firearm.
 - 2 Unattended Deaths
 - 2 Restraining order Violations
 - 1 Stalking
 - 9 Medical Assists
 - 1 Fraud/Theft of ID
 - 4 Thefts
 - 2 Weapons Brandished
 - 1 Custodial interference
 - 6 Unwanted Persons
 - 4 Traffic Accidents
 - 2 Hit and Runs

Officer Highlights

Sergeant Slauson- With the assistance of PCSO Capt. Micu responded to an adult male making threats with a firearm in hand. The suspect was arrested, and the firearm was located.

Officer Schmidt- Responded to an unattended death call that also resulted in a juvenile having to be placed in foster care.

Officer Malcomb- Responded to an out of control and suicidal juvenile. The Crisis Response Team was initiated, and the juvenile began receiving professional help.

Officer Denend- Responded to a domestic call between a mother and her teenaged son. Officer Denend deescalated the situation and got the proper medical care for the injured party. He also made the proper notifications to Child Protective Services and The Juvenile Probation Officer.



CODE COMPLIANCE REPORT

JANUARY/FEBRUARY 2024

HIGHLIGHTS

- 15 Dog at Large Complaints
- 17 Citizen Complaints
- 1 Temporary Foster
- 120 Dog Tags Sold, Year-to-Date
- 2 Dogs at the Shelter
- 1 Citation Issued
- 1 Vicious Dog Detained at Shelter Pending Court Ruling
- 1 Stop Work Order Issued
- 1 Junk Vehicle Removed
- Enforcement of Parking Ordinances
- Culvert Inspections and Clearing (if needed)
- Property Cleanups (slow process)
- Daily Patrols

INTEREST ITEMS FOR CITY COUNCIL

- None



Montana's Undiscovered Treasure

FIRE DEPARTMENT REPORT

FEBRUARY 2024

HIGHLIGHTS

1 Call for Service:

- Structure fire at the Montana State Prison in one of the sawmill buildings. We found heavy smoke on arrival. Between the smoke and fridged temps it was a tough one to pinpoint the fire. We sent a couple members in air packs into the smoke, and they determined it was a piece of heavy machinery parked in the building on fire and the building was starting to catch. Crews got the flames extinguished while we attacked the hotspots on the building and managed to save the structure.

INTEREST ITEMS FOR CITY COUNCIL

Department Happenings:

- Captain Smith conducted a Sunday morning training that was mostly based on getting our newer members comfortable with air packs and using attack hoses.

Powell County Public Health
FEBRUARY 2024

Child Safety: Powell County Public Health has car seats available on a sliding scale basis and a trained child seat technician to help with installation and questions. We will be hosting a child seat inspection and installation on April 30th from 2:30-5 pm at the Community Center in conjunction with Safe Start.

Public Health Office: The Powell County Public Health office has regularly scheduled office hours every Thursday from 11 am to 2 pm. The office is on the lowest level of the courthouse in Suite 106.

The Public Health office employees participated in a Narcan training program.

Animal bites: 2 dog bites and one cat bite in February

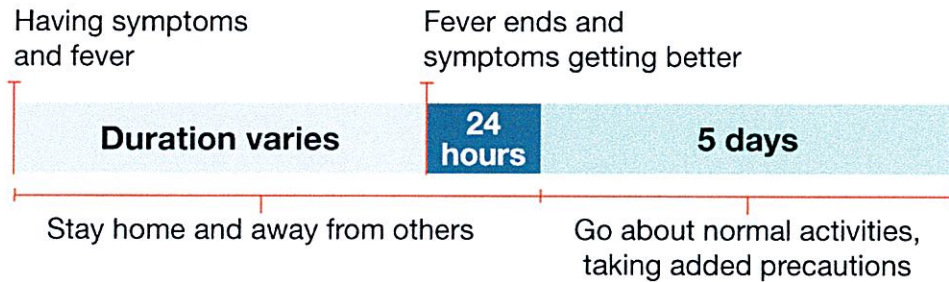
Influenza/Covid: There were 8 cases of COVID-19 reported in February and 51 cases of Influenza. Currently 3 active cases of covid for March and currently 4 active cases of influenza.

RESPIRATORY VIRUS GUIDELINES as of 03/04/2024:

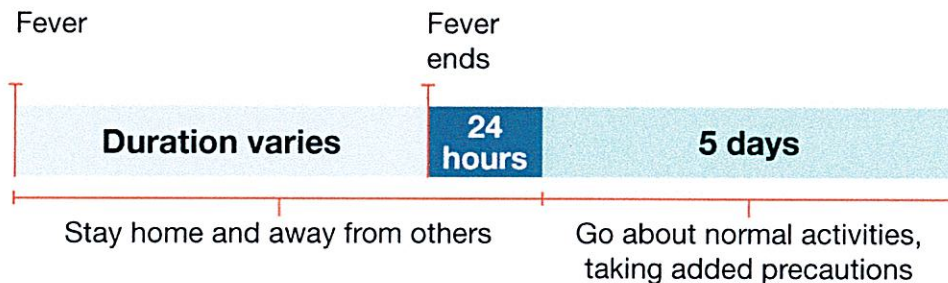
- You can go back to your normal activities when, for at least 24 hours, both are true:
 - Your symptoms are getting better overall, **and**
 - You have not had a fever (and are not using fever-reducing medication).
- When you go back to your normal activities, take added precautions over the next 5 days, such as taking additional [steps for cleaner air](#), [hygiene](#), [masks](#), [physical distancing](#), and/or [testing when you](#) will be around other people indoors.
 - Keep in mind that you may still be able to spread the virus that made you sick, even if you are feeling better. You are likely to be less contagious at this time, depending on factors like how long you were sick or how sick you were.
 - If you develop a fever or you start to feel worse after you have gone back to normal activities, stay home and away from others again

until, for at least 24 hours, both are true: your symptoms are improving overall, and you have not had a fever (and are not using fever-reducing medication). Then take added precautions for the next 5 days.

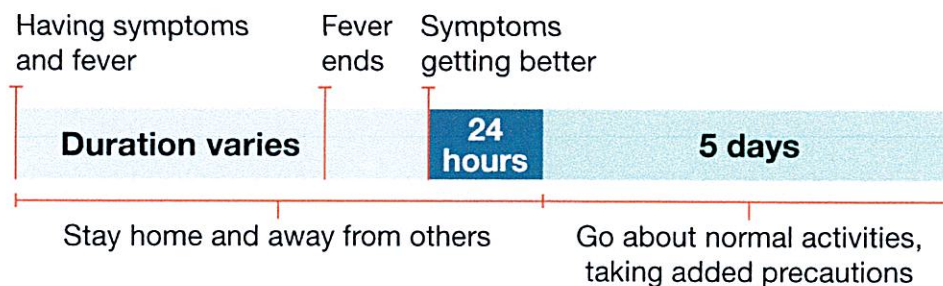
Example 1: Person with fever and symptoms.



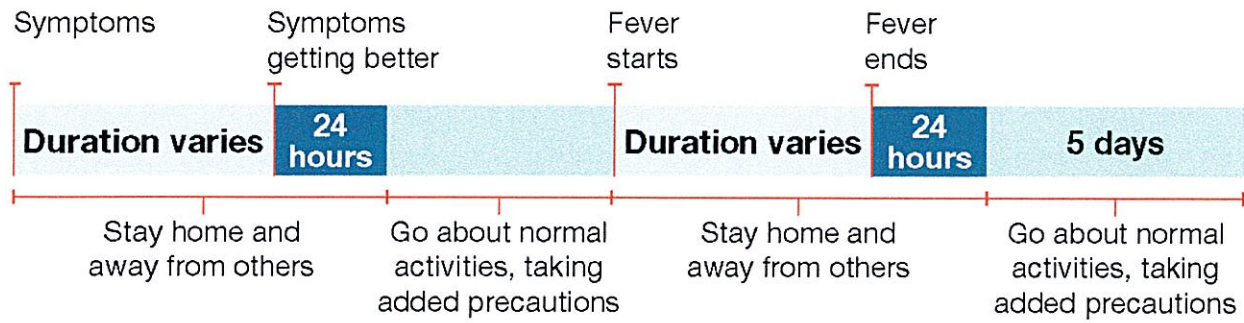
Example 2: Person with fever but no other symptoms.



Example 3: Person with fever and other symptoms, fever ends but other symptoms take longer to improve.



Example 4: Person gets better and then gets a fever.



Cold vs Influenza vs RSV

Signs and Symptoms

	Cold	Flu	RSV
Symptom onset	Gradual	Abrupt	Gradual
Fever	Rare	Common	Common
Aches	Slight	Common	No
Chills	Uncommon	Fairly Common	No
Fatigue, weakness	Sometimes	Usual	No
Sneezing	Common	Sometimes	Common
Chest Discomfort	Mild/moderate	Common	Wheezing
Cough	Hacking	Severe coughing	Common
Stuffy nose/sore throat	Common	Sometimes	Maybe
Headache	Rare	Common	No