

**CITY OF WINCHESTER, KENTUCKY  
ORDINANCE NO. 17-2006**

**SUMMARY OF ORDINANCE**

**AN ORDINANCE AMENDING CHAPTER 4 ARTICLE III OF THE CODE OF  
ORDINANCE OF THE CITY OF WINCHESTER, KENTUCKY CREATING  
SECTION 4-36 IN ORDER TO UTILIZE THIS SECTION TO ESTABLISH  
VICIOUS DOG REGULATIONS**

**SUMMARY**

Any person violating any of the provisions of this section shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) for each offense. In addition to any other penalties provided herein, if a dog inflicts serious injury on a person or domestic animal in an unprovoked attack, the dog may be confiscated and humanely destroyed after a ten-day quarantine period.

I hereby certify that the foregoing caption is an accurate summary of the contents of the Ordinance.

/s/William A. Dykeman  
William A. Dykeman  
Attorney-At-Law

**CITY OF WINCHESTER, KENTUCKY**  
**ORDINANCE NO. 17-2006**

**AN ORDINANCE AMENDING CHAPTER 4 ARTICLE III OF THE CODE OF  
ORDINANCE OF THE CITY OF WINCHESTER, KENTUCKY CREATING  
SECTION 4-36 IN ORDER TO UTILIZE THIS SECTION TO ESTABLISH  
VICIOUS DOG REGULATIONS**

**WHEREAS**, the Board of Commissioners of the City of Winchester, Kentucky deems it advisable to amend Chapter 4 Article III to create Section 4-56 Vicious Dog

**NOW, THEREFORE, BE IT ORDAINED** by the City of Winchester, Kentucky as follows:

**SECTION I.** That Chapter 4, Article III, of the Code of Ordinances of the City of Winchester, Kentucky (hereinafter "Code"), be and it is hereby amended to read in full as follows:

**ARTICLE III: Dogs**

**SECTION 4-36. Vicious Dogs**

(a) A "vicious" dog is defined to include:

(1) Any dog owned or harbored primarily or in part for purposes of fighting, or any dog trained for fighting; or

(2) Any dog which attacks a human being or domestic animal without provocation.

(b) It shall be unlawful for any person to keep or harbor within the City of Winchester a dog known to be vicious unless it is at all times kept on the owner's or harborer's property securely confined indoors or in a securely enclosed and locked outdoor pen or shelter suitable to prevent the entry of young children and designed to prevent the dog from escaping. Such pen or structure must have minimum dimensions of five (5) feet by ten (10) feet, must have secure sides and must be at least seven (7) feet high and have a secure top. If it has no concrete, cement or asphalt bottom, the sides must be imbedded into the ground no less than two (2) feet. The enclosure must also provide protection from the elements for the dog. A vicious dog shall be transported to or from the indoors and the securely enclosed and locked outdoor pen or shelter only if such dog is muzzled and restrained by a suitable chain or leash not exceeding six (6) feet in length and under the control of a

responsible adult. The muzzle must be made in a manner that it will not cause injury to the dog or interfere with its vision or respiration but will prevent the dog from biting any person or animal.

(c) Vicious dogs shall be permitted off the owner's or harborer's property only if such dogs are muzzled and restrained by a substantial chain or leash not exceeding six (6) feet in length and under the control of a responsible adult and only for the purposes authorized by KRS 258.235. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but must prevent the dog from biting any person or animal.

(d) When any dog is required by this section to be confined, it shall also be required that a conspicuous notice be posted at the place of confinement of such a nature as to warn the public of the nature of the dog therein confined.

(e) No person under the age of eighteen (18) years shall be permitted to own, harbor or handle a vicious dog.

(f) It shall be unlawful for any person to keep or harbor within the City of Winchester a vicious dog unless it is at all times wearing a vicious dog collar issued by the Clark County Animal Shelter. It shall be unlawful for any person to remove such collar from a vicious dog.

(g) Any person violating any of the provisions of this section shall be fined not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) for each offense. In addition to any other penalties provided herein, if a dog inflicts serious injury on a person or domestic animal in an unprovoked attack, the dog may be confiscated and humanely destroyed after a ten-day quarantine period.

## **SECTION II. Effective Date.**

This act shall be effective upon passage.

**SECTION III.** All portions of this Ordinance amending the Code designate words and figures, which are deleted by including such words and figures stricken with dashed lines through the center. Words and figures added by the amendment are underlined with solid lines. The codifier is instructed to omit the words and figures deleted and the solid underlining when codifying this Ordinance.

**Introduced** and given first reading at a meeting of the Board of Commissioners of the City of Winchester, Kentucky held on October 24, 2006 and finally adopted, after second reading at a meeting of the said Board held on November 21, 2006.

**/s/Dodd D. Dixon**  
**Dodd D. Dixon, Mayor**

**ATTEST:**

**/s/ Sharon Harrison**  
**~~Marilyn Rowe~~ Sharon Harrison, Acting City Clerk**

Reviewed by City Attorney William A. Dykeman on: October 19, 2006