

CODE ORDINANCE

By: Assemblymember Vehrs
Introduced: 09/06/05
Public Hearing: 09/20/05
Amended: 09/20/05
Adopted: 09/20/05

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 05-165**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 24.05.080(A)(4), TO FURTHER DEFINE HUMANE ANIMAL CARE, AND MSB 24.26.080(A)(2), ALLOWING THE ANIMAL CARE AND REGULATION BOARD TO MAKE A RECOMMENDATION, AFTER THE HEARING PROCESS, TO SHORTEN THE TIME FRAME IN WHICH THE CHIEF OF ANIMAL CARE AND REGULATION OFFICER CAN REMOVE, REDUCE, OR MODIFY A CLASSIFICATION OF AN ANIMAL THAT HAS BEEN CLASSIFIED AT A LEVEL 3 OR 4.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough code.

Section 2. Amendment of subsection. MSB 24.05.080(A) is hereby amended to read as follows:

(A) Humane animal care includes, but is not limited to, providing:

(1) sufficient wholesome and nutritious food daily which will keep the animal in healthy physical condition;

(2) sufficient daily quantities of fresh water which meet the hydration requirements for the animal;

(3) adequate shelter which provides adequate air and ventilation and which prevents the animal from being exposed to inclement or adverse weather conditions, overheating from sunlight, unsanitary conditions, and dirty, wet, and uncomfortable conditions which may

endanger the health or welfare of the animal; and

(4) veterinary care when needed to treat the animal for sickness, [OR] disease, injury, or to prevent suffering of the animal.

Section 2. Amendment of subsection. MSB 24.26.080(A) is hereby amended to read as follows:

(A) An owner of a classified animal, including an animal classified under a repealed classification scheme, may apply to the chief animal care and regulation officer, in writing, to have the classification reduced, modified, or removed in accordance with this section upon payment of outstanding fees, including a review fee of \$35, and showing that:

(1) a Level 1 or Level 2 animal has been classified for one year without any further incident, including any violation of this title; or

(2) a Level 3 or Level 4 animal has been classified for two years, or 18 months if recommended by the animal care and regulation board after a hearing on the classification, without any further incident, including any violation of this title; [AND]

(3) the owner has attended and presents evidence of the owner's and animal's satisfactory completion of an obedience training course;

(4) notwithstanding the two-year time

provision of subsection (A) (2) of this section, the chief animal care and regulation officer must review the classification of an animal upon an application presented after eighteen months if advised to do so by the animal care and regulation board. The advisement by the board must be in writing made after a hearing on the classification and must specify the facts and circumstances which support the advisement.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this 20 day of September, 2005.

/S/

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/S/

MICHELLE M. MCGEHEE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Woods, Allen, Colberg, Kvalheim, Simpson,
Colver, and Vehrs