



**ORDINANCE NO. 15**

**AN ORDINANCE PROHIBITING CATTLE RUNNING AT LARGE ON ANY OF THE STREETS OR ALLEYS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF REXBURG; ESTABLISHING A POUND, CREATING THE OFFICE OF POUND-KEEPER AND DEFINING HIS DUTIES AND PROVIDING FOR THE GIVING OF NOTICE OF ANIMALS IMPOUNDED; AND PROVIDING FOR THE SALES OF UNREDEEMED ANIMALS AND FOR HANDING SAME; AND PROVIDING FOR A RECORD TO BE KEPT OF ALL ANIMALS IMPOUNDED, AND ALL ANIMALS SOLD, AND PROVIDING FOR THE FEES OF POUND-KEEPER AND REGULATING THE CHARGES AGAINST ALL ANIMALS IMPOUNDED AND AGAINST ALL ANIMALS SOLD; AND MAKING IT A MISDEMEANOR FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE, AND PROVIDING A PENALTY FOR THE SAME.**

BE IT ORDAINED BY THE CHAIRMAN AND THE BOARD OF TRUSTEES OF THE VILLAGE OF REXBURG, FREMONT COUNTY, IDAHO:

**SECTION I:** That it shall be unlawful for any animal or animals to run at large on any of the streets, alleys or public places within the corporate limits of the Village of Rexburg.

**SECTION II:** That a pound shall be established within the corporate limits of the Village of Rexburg for the purpose of impounding animals running at large within the corporate limits of said Village.

**SECTION III:** That the Chairman of the Board of Trustees of the Village of Rexburg by and with the consent of the aforesaid Board, shall select a location for aforesaid pound and prescribe its strengths, capacity and height thereof.

**SECTION IV:** The Village Marshal is hereby made pound-keeper for the Village of Rexburg, and he shall be his duty to impound all stock, or animals running at large within the corporate limits of said Village; he shall drive the animal or animals to the pound and claim such fees as are provided for in Sec. 10 of this ordinance.

**SECTION V:** The pound-keeper shall within twenty-four hours after impounding any animal, or animals notify the owner thereof, if known to him and collect payment of all charges thereon, and if said animal, or animals are not taken away and all charges thereon paid within three days from date of impounding, the pound-keeper shall give notice of all such animal or animals impounded by publishing a full description of the same in two issues of some news paper of general circulation within the Village of Rexburg; he shall describe the kind of animal, its age as near as possible, all natural marks thereon, and all brands thereon, to the best of his knowledge; he shall also give notice that said animal or animals will be sold to defray all expenses thereon, at public auction to the highest responsible cash bidder in twenty days after date of impounding said animal or animals, giving date when said animal or animals were impounded, and date and place where said animal or animals will be sold; unless said animal or animals are claimed and charges thereon paid before date set for said sale.

**SECTION VI:** Whenever any animal or animals are not claimed, and charges thereon paid within twenty days after date of impounding, as provided for in Sec. 5 of this ordinance, the pound-keeper shall proceed to sell, and shall sell at public auction said animal or animals to the highest responsible cash bidder, and apply the proceeds of such sales to the payment of impounding, feed, advertising, sale and branding of said animal or animals; and any balance of money that may be left he shall pay over to the Village Treasurer within two days from date of said sale taking the Village Treasurer's receipt therefore.

**SECTION VII:** The Village Treasurer shall retain all moneys paid to him from the sale of animals sold in trust for the owner of said animals sold and if not claimed by the owner of said

animals sold within six months from date of said sales, the Treasurer shall then pay the money into the general fund of the Village of Rexburg.

**SECTION VIII:** Any animal sold as provided for in Sec. 6 of this ordinance shall be branded with the following described brand, to-wit: the letters R P (said letters representing the R.E.P., i.e. Rexburg Estray Pound) the same to be placed on the left side, or ribs of all horned stock, and on the left shoulder of all other stock. It shall be the duty of the pound-keeper to see that all animals sold as heretofore provided for are branded as herein provided for before they are given into the possession of the purchaser.

**SECTION IX:** The brand as provided for in Sec. 8 of this ordinance shall be recorded with the County Recorder of Fremont County Idaho.

**SECTION X:** The following shall be the fees charged as poundage to wit: for each seizure and impounding of swine, horses, cattle, mules, asses, goats, or sheep fifty cents per head; for each days retention of any of the aforesaid animals; ten cents per head for advertising each animal twice, seventy-five cents per head; for each auction sale, seventy-five cents per head; for branding each animal fifty cents per head.

**SECTION XI:** The pound-keeper shall keep a record of all animals impounded, all natural marks and brands thereon, the date when impounded, date when redeemed, (if redeemed) by who claimed and redeemed, the date when advertised, (if advertised) the date when sold, (if sold) to whom sold, for what amount sold all expenses accrued thereon by reason for seizure and impounding, feed, advertising sale and branding, and the balance of moneys paid over to the Village Treasurer. He shall deliver to the Village Clerk a copy of said record at the end of each calendar month, said copy of record shall be kept on file in the Clerk's office.

**SECTION XII:** Any person or persons violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding fifty dollars and costs of conviction, in default of payment of said fine and costs, shall be imprisoned in the Village Jail and work upon the streets of the Village of Rexburg one day for each two dollars of said fine and costs.

PASSED BY THE BOARD OF TRUSTEES AND APPROVED BY THE CHAIRMAN this 6<sup>th</sup> day of November, 1899.

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John L. Jacob, Chairman

(SEAL)

ATTEST:

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A.L. Blackburn, Village Clerk