

~~that the foregoing is a true and correct copy of Ordinance No 52 as read before the council and passed on the date herein mentioned and that the same was published according to law~~

Wm W Eaton  
Clerk

see I  
amended  
by ord.  
93

An Ordinance prohibiting certain animals and fowls from running at large within the limits of the Town of Yakolt, Washington, providing for the impounding and sale of such animals or fowls, and providing a penalty for the violation thereof.

Be it Ordained by the Council of the Town of Yakolt as follows:

Section I It shall be unlawful for the owner of any horses, mules, cattle, sheep, swine, goats, geese, ducks, chickens or other fowls to permit the same to run at large within the limits of the Town of Yakolt or to stake, tie or herd same on any street in the town or on premises of which the owner of such horse, mule, sheep, swine, goats, geese or ducks is not the owner or entitled to the possession.

Section II The owner or person having charge of any fowl or animal mentioned in section I of this

code who shall suffer or allow the same to go at large contrary to the provisions of this ordinance, or shall suffer or permit any horse, mule, sheep, swine, goats, geese or ducks to be staked, tied or herded, prohibited in section I of this code, shall on conviction by the police justice be fined five dollars ~~of~~ for each offense

Section III Any and all horses, mules, cattle, sheep, swine or goats found running at large within the limits of the said Town of Yacolt, shall be taken up by the Town Marshall or his deputy and impounded in a pound or enclosure, and while so impounded shall be provided with proper care, food and water

Section IV The Town Marshall or his deputy shall, after taking up any animal or animals mentioned in section III of this code and after keeping same twenty-four hours, make and file with the police ~~Justice~~ <sup>Justice</sup> an Affidavit or Complaint describing the ~~same~~ animal or animals so

taken up, and stating that they were found running at large within the limits of the Town of Yacolt, stating the names of the owner, if known, and, if unknown so stating.

Section V Upon filing the Affidavit or Complaint mentioned in Section IV, the Police Justice shall issue a notice stating that the animals or animals, describing them, have been taken up for running at large within the limits of the Town of Yacolt, in violation of this Ordinance and that the matter will come on for hearing before the said Justice at his office on a day to be fixed in said notice, not less than <sup>ten</sup> (10) days from the date thereof and that if the owner of said animals or animals does not on or before said day appear and pay all costs of taking up and keeping said animal or animals and the cost of the proceedings before the said Justice that the said animal or animals will be sold at Public Auction to the highest bidder for cash on

the day fixed as aforesaid for the hearing.

Section VI A copy of this notice mentioned in Section V shall be personally served upon the owner of the said animal or animals, if such owner is known or is ascertained before the hearing aforesaid; and said notice shall be published once in the newspaper of the town during the town printing, and a copy of the notice shall be posted in each of three public places in said Town not less than five days before the hearing and sale mentioned in said notice. The original notice shall be returned and filed with the Justice together with the affidavit of publication thereof of the printer or publisher of the newspaper and the certificate of the officer or other proof showing personal service thereof on the owner of the animal or animals, if known or ascertained, and posting as provided herein.

Section VII On the day of the hearing and sale mentioned in the notice,

Justice aforesaid shall in open Court inquire into the facts alleged in the affidavit or complaint and examine upon oath the marshal or his deputy or such other or persons who may appear as witnesses and may also examine on oath the owner of said animal or animals and his witnesses if said owner shall appear and defend, and shall forthwith render judgment and enter same in the docket.

Section VIII If the judgment of the Justice shall be that the said animal or animals were running at large in violation of this Ordinance, the marshal or his deputy shall forthwith, or at the time to which sale by the Justice be adjourned, proceed according to the notice to sell the same at public auction to the highest bidder for cash, and after paying all the costs of taking up, keeping, pasturing, advertising and selling the animal or animals and the Justice fees and costs out of the proceeds of the sale, shall pay the balance, if any

into the town treasury.

Section IX If at any time before such sale the owner of any animal so taken up shall claim the same, he or she shall be entitled to the possession thereof upon the payment of all the costs, charges and expenses incurred pursuant to this ordinance. Such owner shall also, at any time within one year from the date of sale be entitled to receive the net proceeds deposited in the town treasury upon making satisfactory proof to the Town Council of the ownership of the animal or animals sold.

Section X The following fees and costs shall be allowed the Town Marshall or his deputy for the use and benefit of the <sup>Marshall or his Dep. as Cont. Payment on sales not to exceed</sup> ~~City, except~~ <sup>with</sup> the Commission on sale of stock, provided that no fees shall be charged until after twenty-four hours have elapsed after taking up and impounding said stock, except one dollar per head, and all necessary feed, and the Police Justice for services pursuant to this Ordinance ~~to wit:~~

710 vol. per value of stock

Marshall's Fees and Costs

- Taking up and impounding horses mules and cattle per head ..... \$ 1.00
- Taking up and impounding goats, sheep, swine, sucking colts and calves per head ..... \$ 0.25
- Personal service on owner besides mileage ..... .50
- Making and Posting each copy or notice ..... .25
- Keeping and feeding horses, mules and cattle per head per day ..... .50
- Keeping and feeding goats, swine, sheep, per head, per day, ..... .25

He shall also receive ten (10) per cent of the gross receipts of sale up to (\$30.00) thirty dollars and five (5) percent on all over that sum at any sale, and in no case shall fees for sale be less than one dollar.

Police Justice fees and Costs

Taking and filing affidavit for

<del>Complaint</del> .....	<del>.25</del>
<del>Dating <del>at</del></del>	
<del>Issuing notice</del> .....	<del>.50</del>
<del>Hearing on affidavit for Com- plaint</del> .....	<del>.50</del>
<del>Entering Judgment</del> .....	<del>.50</del>
<del>Filing any paper</del> .....	<del>.10</del>

Section XI The building enclosure within which any animal named in this ordinance is confined or kept in pursuance hereof shall be kept properly cleaned and free from stench, under penalty of not less than Five Dollars (\$5.00) for each offense, upon conviction before the police Justice

Section XII It shall be unlawful for the owner of any horses, cattle, sheep, swine or goats to tie or stake said animals so that they can trespass upon any of the side walks or streets of said town, and any and all animals so tied, staked or permitted to trespass upon any of the sidewalks or streets of said town of Yacolt shall be deemed as running at large, and shall be taken up and

dealt with the same as stock running at large as provided in sections I to XI

Sec XIII This Ordinance shall be in effect from and after its passage by the town Council, approval by the mayor and publication according to law.

Read first time April 6, 1914

Read second time April 6, 1914.

Read third time and passed April 20, 1914

Approved by the mayor April 20, 1914

Signed Vasco Christy  
Mayor

Attest:  
Louise Eaton  
Town Clerk

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 53, as read before the Council and approved on the date herein mentioned and that the same was published according to law  
Louise Eaton  
Town Clerk