

#53

ORDINANCE NO. 53

AN ORDINANCE OF THE CITY OF MALTA, AMENDING ORDINANCE NO. 45 SECTIONS 3 AND 5 OF THE CITY OF MALTA, IDAHO; ESTABLISHING AN INFRACTION FOR VIOLATIONS OF SECTIONS 3 AND 5 OF ORDINANCE NO. 45; ESTABLISHING THE ELEMENTS OF THE OFFENSES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MALTA;

SECTION 1. Section 3 of Ordinance No. 45 of the City of Malta, Idaho shall be, and the same is hereby amended to read as follows:

SECTION 3: LICENSE AND REGISTRATION REQUIRED:  
All dogs owned, kept, harbored, or maintained by their owners in the municipality shall be licensed and registered. Dog licenses shall be issued by the Clerk upon payment of a license fee of fifteen dollars (\$15.00) for each calendar year, payable by December 31. If paid within two (2) weeks of year end, no penalty will be assessed, thereafter a penalty of five dollars (\$5.00) will be levied. The owner shall state at the time application is made for such license and upon printed forms provided for such purpose his name and address, and the name, breed, color and sex of each dog owned or kept by him. The provision of this Section shall not be intended to apply to dogs whose owners are nonresidents temporarily within the Municipality for less than two (2) weeks, nor dogs brought into the Municipality for the purpose of participating in any dog show, nor to "seeing eye" dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place. Any person who owns, keeps, harbors or maintains a dog within the limits of the City of Malta without having said dog licensed and registered pursuant to this Section shall be guilty of an infraction punishable by a fine of fifty dollars (\$50.00).

SECTION 2. Section 5 of Ordinance No. 45 of the City of Malta, Idaho shall be,

and the same is hereby amended to read as follows:

SECTION 5. RUNNING AT LARGE PROHIBITED. It shall be unlawful for any owner or keeper of any dog to knowingly or unknowingly allow such dog to be at large within the Municipality, and it shall be unlawful for any dog to run at large within the Municipality at anytime. Any person committing a violation of this Section shall be guilty of an infraction punishable by a fine of fifty dollars (\$50.00).

SECTION 3. This Ordinance shall be effective upon adoption by the Malta City Council, approval by the Mayor, attestation by the City Clerk and publication in accordance with Idaho law.

PASSED April 7, 2005.  
APPROVED April 7, 2005.

CITY OF MALTA

By: Tina Hook  
Tina Hook

ATTEST:  
Marilyn Lightfoot  
Marilyn Lightfoot  
City Clerk

**ORDINANCE NO. 53**

AN ORDINANCE OF THE CITY OF MALTA, AMENDING ORDINANCE NO. 45 OF THE CITY OF MALTA, IDAHO, ESTABLISHING AN INFRACTION FOR VIOLATIONS OF SECTIONS 3 AND 5 OF THE ORDINANCE NO. 45; ESTABLISHING THE ELEMENTS OF THE OFFENSES; AND PROVIDING AN EFFECTIVE DATE.  
BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MALTA;

SECTION 1. Section 3 of Ordinance No. 45 of the City of Malta, Idaho shall be, and the same is hereby amended to read as follows:  
SECTION 3: LICENSE AND REGISTRATION REQUIRED:

All dogs owned, kept, harbored, or maintained by their owners in the municipality shall be licensed and registered. Dog licenses shall be issued by the Clerk upon payment of a license fee of fifteen dollars (\$15.00) for each calendar year, payable by December 31. If paid within two (2) weeks of year end, no penalty will be assessed, thereafter a penalty of five dollars (\$5.00) will be levied. The owner shall state at the time application is made for such license and upon printed forms provided for such purpose his name and address, and the name, breed, color and sex of each dog owned or kept by him. The provision of this Section shall not be intended to apply to dogs whose owners are nonresidents temporarily within the Municipality for less than two (2) weeks, nor dogs brought into the Municipality for the purpose of participating in any dog show, nor to "seeing eye" dogs properly trained to assist blind persons when such dogs are actually being used by blind persons for the purpose of aiding them in going from place to place. Any person who owns, keeps, harbors or maintains a dog within the limits of the City of Malta without having said dog licensed and registered pursuant to this Section shall be guilty of an infraction punishable by a fine of fifty dollars (\$50.00).

SECTION 2. Section 5 of Ordinance No. 45 of the City of Malta, Idaho shall be, and the same is hereby amended to read as follows:  
SECTION 5. RUNNING AT LARGE PROHIBITED. It shall be unlawful for

any owner or keeper of any dog to knowingly or unknowingly allow such dog to be at large within the Municipality, and it shall be unlawful for any dog to run at large within the Municipality at anytime. Any person committing a violation of this Section shall be guilty of an infraction punishable by a fine of fifty dollars (\$50.00).

SECTION 3. This Ordinance shall be effective upon adoption by the Malta City Council, approval by the Mayor, attestation by the City Clerk and publication in accordance with Idaho law.

PASSED April 7, 2005.  
APPROVED April 7, 2005.

CITY OF MALTA  
B/s/Tina Looock  
Tina Looock

ATTEST:  
/s/Marilyn Lightfoot  
Marilyn Lightfoot  
City Clerk

#53

# SOUTH IDAHO PRESS BURLEY, IDAHO AFFIDAVIT OF PUBLICATION

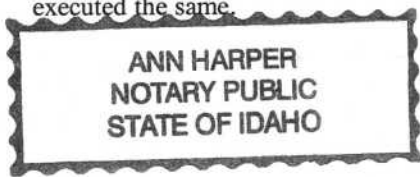
County of Cassia )  
 )ss  
STATE OF IDAHO )

Ruth Anne Holmes, being first duly sworn, deposes and says that she is the Legal Clerk of the South Idaho Press, a weekly newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for one consecutive week(s), commencing with the issue dated 21st day of April, 2005 and ending with the issue dated 21st day of April, 2005

Ruth Anne Holmes

STATE OF IDAHO )  
COUNTY OF )ss  
Cassia )

On this 2nd day of May, 2005, before me, a Notary Public, personally appeared Ruth Anne Holmes, know or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Ann Harper  
Notary Public for Idaho  
Residing at Burley, Idaho.

My commission expires: 9-14-05

Cost of Publication \$ 89.04  
Affidavit Fee \$ 5.00  
Total Cost \$ 94.04

LEGAL STATEMENT

#53

# South Idaho Press

MEMBER OF ASSOCIATED PRESS

ESTABLISHED 1904  
 230 East Main  
 Burley, Idaho 83318  
 MAY 5, 2005.

PUBLISHED DAILY  
 MONDAY THRU  
 FRIDAY  
 AND SUNDAY  
 MORNINGS

PHONE 678-2201

CITY OF MALTA  
 1456 S 2200 E  
 MALTA, IDAHO 83342

Account # 10312  
**TERMS:**  
 All Accounts  
 Due and Payable  
 on 20th of Month  
 Following Charge  
 \$ 94.04

Please detach this stub and mail with your remittance. Your cancelled check serves as your receipt.

DATE	DESCRIPTION	TIMES RAN	LINES	COST PER LINE	CHARGES	BALANCE
------	-------------	-----------	-------	---------------	---------	---------

04/21	Ordinance No. 53	1	53	89.04	89.04	89.04
-------	------------------	---	----	-------	-------	-------

	AFFIDAVIT FEE			5.00	94.04	94.04
--	---------------	--	--	------	-------	-------

PAY LAST  
 AMOUNT IN  
 THIS COLUMN



Thank  
 You

\$ 94.04

*2<sup>nd</sup> time  
 Times News  
 paid to  
 5.5.05*