

COMMONWEALTH OF KENTUCKY  
BRECKINRIDGE COUNTY  
ORDINANCE NO. 2026-0420

AN ORDINANCE AMENDMENT REPEALING AND REPLACING ORDINANCE NO. 2010 - 0913, AND ESTABLISHING A COMPREHENSIVE COUNTY ANIMAL CARE AND CONTROL ORDINANCE.

WHEREAS, Breckinridge County has experienced and continues to experience a population growth with a corresponding growth in its animal population.

WHEREAS, the Fiscal Court of Breckinridge County hereby recognizes that Breckinridge County is a rural, agricultural/farming community and that this ordinance in no way is intended to hinder or restrain the livelihood of our livestock producing farmers.

WHEREAS, the Fiscal Court of Breckinridge County hereby finds, determines and declares that this Ordinance is necessary for the preservation of the public welfare, health and safety.

NOW, THEREFORE, Be it ordained by the Fiscal Court of Breckinridge County, Kentucky:

SECTION I

DEFINITIONS

As used in this Ordinance, the following definitions shall apply:

1. ANIMAL – Any living non-human creature, domestic or wild, including but not limited to livestock, canines, felines, pet rodents, pet birds, bovine, equine, swine, and poultry.
2. ANIMAL CONTROL - The department of county government designated by the Fiscal Court to enforce animal control and protection statutes of the Commonwealth of Kentucky and the provisions of this Ordinance.
3. ANIMAL CONTROL OFFICER – (abbreviation ACO). An individual employed and appointed by Breckinridge County Fiscal Court who works under the direct supervision of the Animal Shelter Director and Breckinridge County Judge Executive to maintain and operate the Breckinridge County Animal Shelter and enforces the provisions of Kentucky law and local animal ordinances.
4. ANIMAL SHELTER DIRECTOR - An individual appointed by Breckinridge County Fiscal Court who works under the direct supervision of the Breckinridge County Judge Executive to supervise the day-to-day operations of the

Breckinridge County Animal Shelter. The Animal Shelter Director manages all aspects of the animal shelter and animal control.

5. ANIMAL SHELTER ASSISTANT DIRECTOR – An individual employed by Breckinridge County Fiscal Court who works under the direct supervision of the Animal Shelter Director to perform the function of the Animal Shelter Director in his/her absence, and supervise the day-to-day operations of the Breckinridge County Animal Shelter.
6. ANIMAL SHELTER KENNEL ATTENDANT - Responsible for the daily cleaning of the Animal Shelter and assisting in the daily operational duties as requested by Shelter Director or Animal Shelter Assistant Director. Handle incoming and outgoing animals including checking health, cleanliness, and necessary medical treatment for animals and taking necessary precautions such as putting animals in quarantine and removing animals from cages/cars to sort into appropriate cage area in the Animal Shelter.
7. ANIMAL RESCUE ORGANIZATION - A non-profit organization incorporated under the law of any state and exempt from federal taxation under Section 501(c)(3) of the federal Internal Revenue Code, as amended, and whose principal purpose is the prevention of cruelty to animals and whose principal activity is to rescue sick, injured, abused, neglected, unwanted, abandoned, orphaned, lost, or displaced animals and to adopt them to good homes. "Animal Rescue Organization" does not include any entity that breeds animals or that (1) is located on the same premise as; (2) has any personnel in common with; (3) obtains, in exchange for payment or any form of compensation, dogs or cats from; or (4) facilitates the sale of dogs or cats obtained from a person that breeds animals.
8. ANIMAL SHELTER - Any premise designated and/or operated by Breckinridge county animal shelter for the purpose of impounding and caring for animals seized, stray, homeless, abandoned, running-at-large, unwanted or surrendered animals held under authority of state and local regulations.
9. CAT - "Cat" means any domestic feline Four (4) months of age or older.
10. COMMUNITY CAT - Any free-roaming cat or kitten with no apparent owner or identification.
11. COMMUNITY CAT PROGRAM - The program for managing community cats by humanely trapping, sterilizing, vaccinating, ear tipping, and returning the community cat to the location it was found, often referred to as TNVR (trap-neuter-vaccinate-return).

12. AT-LARGE - Not restrained by leash, cord, chain or otherwise confined in an enclosure.
13. BREEDER- Any person who causes the breeding of more than one litter per female cat or dog in a 12-month period; makes more than one cat or dog available for breeding purposes in a 12-month period; or offers for sale, trades, receives any compensation or gives away more than one litter of dogs or cats in a 12-month period.
14. BOVINES – Cattle including bulls, cows, bullocks, steers, heifers, calves, and buffalo.
15. COMMERCIAL KENNEL OR CATTERY – An establishment where canines and/or felines are kept for the purpose of breeding, buying, selling, or boarding such animals, or engaged in the training of dogs for guard or sentry purposes for a fee, and which establishment is so constructed so that the animals cannot stray there from. Commercial kennels or catteries must be licensed, regardless of the number of animals it may house.
16. CRUELTY – Shall mean failing to provide adequate food and water; or failing to detect the need for or withholding veterinary care; creating or allowing unhealthy living conditions; infliction of pain, injury or death to an animal by striking, beating, dropping, kicking, dragging, choking or use of object or weapon; causing pain, injury or death by means of caustic, flammable, boiling or heated substances; causing suffocation or drowning; failure to provide health-related grooming; conducting or allowing to conduct animal fighting; mutilation by performing ear cropping, tail docking, or castration on an animal (other than livestock) by someone other than a licensed veterinarian (Exemptions: standard livestock practices); failure to provide shade from the sun or shelter from extreme temperatures.
17. DOG – Any domestic canine four (4) months of age or over (less than 4 months is considered a puppy). Wolf hybrids are considered to be wildlife and are prohibited in Breckinridge County.
18. DOG FIGHTING - "Dog fight" or "dog fighting" means any event that involves a fight conducted or to be conducted between at least two (2) dogs for purposes of sport, wagering, or entertainment.
19. EAR TIPPED CAT - A cat with approximately a quarter inch of the left ear removed in a straight line cut, indicating that the animal has been sterilized and vaccinated against rabies. An ear tipped cat may be exempt from provisions directed toward owned animals.

20. GUARDIAN - A person with control, custody, possession, or other legal interest in an animal.
21. DOMESTICATED ANIMAL – Animal adapted to live in human environment or to be of use to humans.
22. EQUINE – Horses, ponies, mules, jackasses, jennies, donkeys, and burros, and all miniature versions of.
23. HUMANE SOCIETY – Any organization existing for the purpose of the prevention of cruelty to animals incorporated under the laws of the Commonwealth of Kentucky. Such an organization must have an IRS non-profit authorization letter.
24. LIVESTOCK – Bovine, sheep, goats, swine, llamas, alpacas, vicunas, ostriches, emus, rheas, and poultry. For the purposes of this ordinance, equine is addressed independent of livestock.
25. NON-COMMERCIAL KENNEL – an establishment of residence where ten (10) or more dogs are kept for the purpose of sporting use, showing, companionship, rescue, or for a hobby. Non-commercial kennels require a kennel license.
26. OWNER – Any person, partnership, company, or corporation owning, keeping or harboring animals.
27. PERSON – An individual, partnership, company or corporation.
28. PET BOARDING FACILITY - A facility that provides temporary housing and care for pets while their owners are away. They are also known as boarding kennels, pet hotels, doggy daycares, and veterinarian boarding kennels with no dog or cat breeding activities.
29. PET SHOP/ Pet Store – Any person, partnership or corporation engaged in the business of buying, or selling at retail any non-livestock species not prohibited by law for profit-making purposes.
30. PUPPY- Any domestic canine younger than (4) four months of age.
31. QUARANTINE – Confinement for the observation of symptoms of rabies, of dog, cat, or ferret that has bitten a human being. The animal will be held at the Breckinridge County Animal Shelter, or other approved facility, in a secure enclosure that prevents contact with other animals or humans for a period of ten (10) days from the date of a bite incident.

32. MICROCHIP - A passive transponder that can be implanted in an animal and is a radio frequency identification (RFID) system component. The system must be compatible with a scanner used by Animal Control.
33. MINIMUM CARE - All animals shall be provided "Minimum care". This means care sufficient to preserve the health and well-being of an animal and includes, but is not limited to, the following requirements:
- Food of sufficient quantity and quality to allow for average growth or maintenance of body weight.
  - Open or adequate access to potable water of a drinkable temperature in sufficient quantity to satisfy the animal's needs.
  - Access to a barn, house, or other enclosed structure sufficient to protect the animal from wind, rain, snow, or sun and adequate bedding to protect against cold and dampness.
  - Veterinary care deemed necessary by a reasonably prudent person to relieve distress from injury, neglect, or disease.
  - Continuous access to an area with adequate space for exercise is necessary for the health of the animal. Indications of inadequate space include evidence of debility, stress, or abnormal behavior patterns. With air temperature suitable for the health of the animal. With adequate ventilation. With regular diurnal lighting cycles of either natural or artificial light. Kept reasonably clean and free from excess waste or other contaminants that could create a substantial risk of the animal becoming diseased or affected with life-threatening parasites.
34. RABIES VACCINATION – The injection by a veterinarian or other qualified person of rabies vaccine approved by and administered in accordance with the regulations of the Kentucky State Board of Health.
35. RESTRAINT – An animal shall be deemed to be under restraint if within fences adequate for that species, or on the premises of its owner, or if accompanied by a responsible person and under that person's control.

For puppies and dogs, restraint shall mean on the premises of the owner or on premises which the animals' presence has been explicitly allowed, and confined in a secure enclosure, or accompanied by the owner and under his/her direct control.

If off the premises of the owner, the animal must be restrained by a lead or leash and under the control of a responsible person physically able to control the dog. (Community cats are exempt from restrained requirements)

36. TRAP-NEUTER-RETURN ("TNR") -- The method of managing community cats by humanely trapping, altering, vaccinating, ear-tipping, and returning the community cat to the location where it was trapped where the community cat will be provided with long-term care by one or more caretakers. All community cats shall be vaccinated for rabies
37. VETERINARIAN – A licensed practitioner of veterinary medicine, accredited by the Bureau of Animal Husbandry, United States Department of Agriculture.
38. VETERINARY HOSPITAL – Any establishment maintained and operated by a licensed veterinarian for the diagnosis and treatment of diseases and injuries of animals, or for the boarding of animals.
39. WILDLIFE – Any animal not domesticated, not ordinarily tame, or which by nature lives apart from human beings in a wild state. This includes any animal which is part wildlife, not to include emus, ostrich, rhea (ratites), llama, and alpaca. Wolf hybrids are considered to be wildlife and are prohibited in Breckinridge County.
40. STANDARD ACCEPTED LIVESTOCK PRACTICES – For purposes of this ordinance, acts/actions by livestock owners/producers to maintain herd and/or breed standards and health are considered to be normal and acceptable standards for livestock care, and do not constitute animal cruelty/neglect. These practices include, but are not limited to castration of cattle, hogs, goats, and sheep; dehorning of cattle, sheep and goats; natural/field birthing; calf pulling; ear tagging for identification or fly control; hog teeth and tail trimming/clipping, wing clipping of poultry or fowl; and docking the tail of sheep.

## SECTION II

### LICENSES

Dog tag licenses are to be obtained and renewed annually, on or before July 1 of each year and are available from the Animal Control Officer, Breckinridge County veterinarians, or other persons so designated.

1. DOG TAG LICENSES – Owners of a dog four (4) months of age or over and residents of Kentucky shall obtain a license for each individual dog owned for the required fee per metal tag. Proof of a valid rabies vaccination shall be required to obtain a county license. (Exemptions: Dogs kept in the County thirty (30) days or less by non-residents of Breckinridge County, or dogs kept in a facility that has a commercial kennel license. License fees shall be set and adapted by Breckinridge County Fiscal Court.
2. KENNEL LICENSE - Any person who keeps or operates a commercial kennel, or any person who owns or cares for ten (10) or more dogs at their establishment or

residence shall, in addition to a license for each dog, apply to the Breckinridge County Animal Control Officer for a kennel license. The living conditions of animals as well as the overall health of the animals in a kennel must be inspected and approved by the ACO prior to issuance of a kennel license. Proof of Rabies vaccination and current dog license for every animal four (4) months of age or older housed at the kennel must be provided to the ACO. Kennel licenses expire one year from date of issuance.

3. LICENSE REVOCATION – The ACO may revoke any kennel license due to any violation of this Ordinance or any related state or federal law, or past violations. Failure to permit an ACO to inspect kennels regulated by this Ordinance during reasonable hours shall be grounds for kennel license revocation. License revocation shall be in writing and shall state the grounds therefore. Any person whose kennel license is revoked may appeal such revocation to the Breckinridge County Fiscal Court within thirty (30) days following the date of such revocation. Said appeal shall be in writing and shall state the grounds therefore, and shall be signed by either the person bringing the appeal or his authorized representative. If requested by the appellant, a hearing shall be held on the issues raised by the appeal. The hearing shall be held before the Breckinridge County Fiscal Court. If hearing is denied, owner shall no longer be issued a kennel license in Breckinridge County.

### SECTION III

#### RABIES VACCINATIONS

Rabies vaccinations and tags shall only be given by licensed veterinarian or person granted a permit by the Secretary for Health Services. This Ordinance Section is to be in accordance with KRS 258.015.

1. RABIES VACCINATION – Every Owner shall have their dog, cat, and ferret vaccinated by the age of four (4) months and re-vaccinated against rabies at each expiration of the immunization period and a certificate and metal tag be given to Owner.
2. AFFIXING TAGS – The metal tag furnished shall be affixed to the collar or harness and shall be worn by the dog for which the certificate was issued. No one except the Owner or duly authorized agent shall remove from any dog the collar or harness with the attached tag. Cats and ferrets need not wear a collar or rabies tag, but the owner must provide proof of vaccination upon request by the ACO or peace officer.

### SECTION IV

#### CONTROL OF ANIMALS

All animals shall be kept under control or restraint at all times.

1. DOGS AND CATS IN HEAT – Every female dog/cat (except community cats) in heat shall be confined in a secure enclosure in such a manner that the animal cannot come into contact with an unaltered male dog/cat except for planned breeding. Tying, chaining, or staking an animal in heat in an unfenced area shall not constitute a secure enclosure.
  
2. DANGEROUS/VICIOUS DOGS – Any dog which, unprovoked, in an aggressive manner commits an attack on a human or other animal causing death or injury requiring medical treatment shall be considered a dangerous dog. If the offending animal can be positively identified by a credible witness, the dog will be impounded by the ACO and the Owner cited for violation of this Ordinance. (Exemptions: A dog that bites or attacks anyone assaulting its Owner, entering Owner's property to commit a crime, or any person in the act of tormenting or abusing the animal. These exemptions shall not include any peace officer attempting to subdue or affect the arrest of a suspect with trained police dog while performing law enforcement agency work. Unintentional trespass by a person onto private property shall not be considered provocation for any attack.) At no time shall an owner or guardian permit a dog deemed by a court a "vicious dog" under the provisions of KRS 258.235 (5)(a) to run at large or appear in public except as provided in KRS 258.235(3), and any person found to have violated this section shall be fined not less than one two-hundred fifty dollars (\$250.00) nor more than five hundred dollars (\$500.00) or be imprisoned in the county jail for not less than five (5) days nor more than sixty (60) days, or be subject to both such fine and imprisonment. Further, each day of violation shall constitute a separate offense.
  - a. Any dog determined to be vicious by a court and allowed to be returned to an owner shall follow the provisions of KRS 258.235 (3) on confinement: Vicious dog shall be confined in a locked enclosure at least seven (7) feet high or a locked kennel run with a secured top. The dog may leave the enclosure only to visit the veterinarian or to be turned into an animal shelter. The dog shall be restrained and muzzled if leaving the enclosure for either of these purposes.
  
  - b. Any owner or guardian of a dog deemed by a court a "vicious dog" according to the provisions of KRS 258.235(3) shall, in addition to the confinement requirements specified in such statute:
    - i. The owner of any dog deemed by the court to be vicious shall be at least 21 years of age.
  
    - ii. Annually register the dog with Breckinridge County Animal Shelter in July. Registration shall include the home address and telephone number and email address of the owner or guardian, the address of the premises where the dog will be maintained or kept, and the

identity of the dog by genus and species, name, gender, color, and other distinguishing characteristics, including size and weight.

- iii. License the dog(s) annually at a fee no less than \$100.00.
- iv. Submit two color photographs with the license application showing the color and approximate size of the dog being registered.
- v. Submit, at the time of registration, proof of current rabies vaccination.
- vi. Submit, with initial registration, proof that the dog has been spayed or neutered.
- vii. Submit proof that the owner has proper enclosure
- viii. Submit proof of microchip installation or injection into the dog, which microchip must be installed or injected by a veterinarian or other properly trained and authorized technician and shall be capable, when scanned, of producing the identification of the dog's owner or guardian; nevertheless, if a dog deemed vicious as outlined in this Section is impounded, the required microchip shall be installed or injected, at the cost of the owner or guardian.
- ix. Produce, at the time of registration, proof of the ability to satisfy damages in an amount not less than \$100,000.00 for bodily injury or death or for damage to property that may result from the ownership, possession, or maintenance of a vicious dog; and proof of that financial responsibility shall be in the form of a certificate of insurance or a bond with good and sufficient surety, conditioned upon the payment of such damages. Furthermore, if, any time after registration, the insurance or surety bond is changed, altered, modified, or terminated, the owner or guardian shall resubmit coverage of insurance or surety bond complying with the terms of this subsection.

3. A complaint under this section may be established if an Animal Control Officer has received, from at least two unrelated adults from different residences or from one adult witness with a recorded video showing the alleged violation, a sworn affidavit attesting to the committing of a nuisance pursuant to this subsection or the animal control officer or deputy has witnessed the commission of such a nuisance. Affidavits must come from residents within a 1,000-foot radius of the property where the violation occurred.

4. **NUISANCE** – Owners shall control dogs to prevent excessive, continuous or untimely barking or howling, molesting of passersby, chasing of vehicles, attacking of persons and/or domestic animals, or trespassing upon school grounds or private property.

PUBLIC NUISANCE. Any animal which:

- (1) Molests passers-by or passing vehicles;
- (2) Attacks people or other animals;
- (3) Damages public or private property;
- (4) Is repeatedly at large; two or more times in 12 month period)
- (5) Creates unsanitary conditions;
- (6) Disturbs the peace, comfort or health of persons in any other manner or; a home,

residence, building, shed, yard, property, or other establishment that contains excessive amounts of feces and/or urine, or exudes a foul odor.

5. RESTRAINT REQUIRED – All animals must be under restraint by means of a fence, enclosure, lead, leash, or under control of a responsible person when off the premises of the owner. Animals shall not be required to be on lead or leash if confined to the premises of the owner. Hunting dogs will not be considered in violation if temporarily lost and promptly reported missing to the ACO.

6. ELECTRONIC OR UNDERGROUND FENCE – Property enclosed by a buried wire which produces a signal received by a device attached to a collar worn by a dog or puppy which prevents the animal from leaving the property of the owner will be considered a proper enclosure, provided the device and signal are working and the animal does not leave the property unrestrained. Such property must be clearly marked with a sign posted next to the driveway or entry to the property. This type of enclosure is not acceptable for a female dog in heat or a dog judged to be a dangerous/vicious dog.

7. RUNNING AT LARGE - All animals, excluding community cats, shall be kept under restraint, as defined in Section I or otherwise provided herein.

No person who is the owner of any animal shall permit it to run at large in any public road, highway, street, lane or alley, or upon unenclosed land, or permit it to go on any private yard, lot or enclosure without the consent of the owner of the yard, lot, or enclosure.

The owner of an animal who permits it to run at large in violation of this section is liable for all damages caused by the animal upon premises of another.

8. LIVESTOCK RUNNING AT LARGE - All livestock other than poultry shall be confined by a fence in good repair sufficient to prevent the animal(s) from leaving the owner's property.

Livestock found not restrained by a fence in good repair and which present a threat to public safety may be removed and the owner charged with a violation of this section.

A stray equine may be impounded and posted by any person or entity if it is found running at large outside of its enclosure or if it can be determined from the circumstances that its owner has abandoned it.

9. AUTHORITY TO KILL OR SEIZE DOG. In accordance with KRS 258.235:

- c. Any person, without liability, may kill or seize any dog which is observed attacking any person.
- d. Any livestock owner or his agent, without liability, may kill any dog trespassing on that owner's property and observed in the act of pursuing or wounding his/her livestock.
- e. Any owner whose dog is found to have caused damage to a person, livestock, or other property shall be responsible for that damage.

SECTION V

HUMANE TREATMENT OF ANIMALS

- 1. ABANDONMENT – No person shall abandon any animal on public or private property or roadway, nor shall any person leave any non-pastured animal untended for a period in excess of twenty-four (24) hours without providing an agent to feed, water and check on the animal's welfare. If an animal is found to be abandoned, such animal may be taken by the ACO or police and impounded in the Breckinridge County Animal Shelter or other approved facility in accordance with this Ordinance. No person shall leave/abandon any animal on Breckinridge County Animal Shelter property during or after business hours.
- 2. ABUSE – No person shall neglect, beat, cruelly ill-treat, torment, leave non-pastured animals out in extreme weather, or fail to provide proper nourishment, nor cause or permit any animal to fight.
- 3. CONFINEMENT WITHIN MOTOR VEHICLE – No person shall confine any animal in an unattended motor vehicle in such a manner that places it in a life or health threatening situation by exposure to extreme heat or cold, and without proper ventilation or other protection from such heat or cold. Factors considered in determining a life or health threatening situation include, but are not limited to, estimated time the animal has been unattended in the vehicle, ambient temperature inside the vehicle, and physical condition of the animal. An ACO, firefighter, or peace officer shall have authority to enter such unattended motor vehicles to remove an animal by any reasonable means under the circumstances if there is cause to believe the animal is in imminent danger of physical injury or death, after making a reasonable effort to locate the owner or other person responsible.
- 4. RESTRAINT BY CHAIN – If any dog is restrained by a chain or similar restraint, the restraint shall be no less than ten (10) feet long and either on a swivel or a chain run, and must be attached to a properly fitted collar or harness. Choke collars, prong collars, and collars made from the following materials are prohibited: metal, wire, flat chains, chains with sharp edges, or chains with rusty

or non-uniform links. The restraint must allow the dog convenient access to food, water, and shelter from the elements and must be attached so that the dog cannot become entangled with other objects or come into physical contact with other dogs. An unspayed female dog in heat shall be confined in a secure enclosure in such a manner that the animal cannot come into contact with another animal except for a planned breeding. Livestock shall not be restrained permanently by use of a rope, chain, or similar restraint.

5. ANIMAL FIGHTING – No person shall cause or permit any dog fight, cock fight, or other combat between animals whether for pleasure or for profit. No person shall own, possess, keep or train any bird or animal with the intent that such animal be engaged in fighting. This provision shall not apply to any animal engaged in hunting.

Further, any person who is present at an exhibition fight shall be charged with Animal Cruelty for being a spectator in violation of this Ordinance. Animals shall be confiscated if found on the premises or in the immediate area of a dog fight, cock fight or other arranged combat between animals.

Any bite sticks, weighted chains and/or collars, spears, fighting pens, permanent or temporary, inject-able or ingestible drugs and supplements used to enhance fighting, spring poles, or weight pull harnesses and equipment.

6. MUTILATION – No person shall mutilate any animal whether dead or alive. Cropping ears, docking tails, dental, removing of dewclaws and spaying or neutering of animals shall only be performed by a licensed veterinarian. (Exceptions: Accepted livestock practices.)
7. PENS – Animals confined to outdoor pens or runs shall be provided shelter from the weather, shade during the summer, and constant access to fresh water must be reasonably available. Pen(s) must be kept in good repair with sanitary conditions free of accumulated waste and debris so that the animal(s) shall be free to walk or lie down without coming into contact with said waste and debris. Pen size must be appropriate for the size and quantity of the animal(s) and permit proper exercise and adequate safety.
8. POISONS - No person shall place any poisonous substance which may be harmful to any domesticated animal in any location where it may be readily found and ingested by such animal.
9. REMOVAL OF ANIMAL IN DANGER – Any animal observed by the ACO or peace officer to be in immediate danger shall be removed from such situation by the quickest and most reasonable means available and impounded for its safety and welfare.

10. SEX ACTS – No person shall engage, cause, or allow any others to engage in sexual acts with animals.
11. CRUELTY – A person shall be cited for Animal Cruelty for failing to provide adequate food and water; failing to detect the need for or withholding veterinary or health care that results in suffering, serious illness, or death; creating or allowing unhealthy living conditions; inflicting pain, injury or death to an animal by striking, beating, dropping, kicking, dragging, choking or use of object or weapon; causing pain, injury or death by means of caustic, flammable, boiling or heated substances; causing suffocation or drowning; failing to provide health-related grooming; performing ear cropping, tail docking, or castration on a dog, cat, ferret, or horse, by someone other than a licensed veterinarian (Exemptions: standard livestock practices); conducting or allowing to conduct animal fighting; failure to provide shade from the sun or shelter from extreme cold temperatures.
12. REASONABLE GROOMING- To maintain an animal's coat to prevent conditions which inhibit normal walking or the elimination of body waste or which is medically harmful to the animal.
13. ADEQUATE SHELTER, LIVESTOCK - Adequate shelter shall be provided to all livestock. The shelter shall be either natural or constructed, and must provide relief from the elements. Accepted natural shelters are natural windbreak from tree lines or other low areas, and natural shade under trees. Accepted constructed shelters are barns, three-sided shelters, lean-tos, and widescreens. Constructed shelters should be free of hazards likely to cause injury.
14. ADEQUATE SHELTER, DOMESTIC ANIMALS- Adequate shelter shall be provided to any animal(s), with the exception of livestock, that remain outside more than one continuous hour per day. The shelter must be suitable for the species, age, and condition of the animal. The shelter shall:
  - a. Be structurally sound, with a solid, level, raised floor, enclosed sides or walls, and must be properly ventilated. The shelter shall be sanitary and weather/waterproof. Suitable drainage must be provided so that water is not standing in or around the structure;
  - b. Small enough to allow the animal's body heat to warm the interior of the structure but be large enough to allow the animal to stand up, turn around, and lie down without touching the walls;
  - c. Made from suitable, appropriate, materials to prevent harm or injury to the animal(s). Unsuitable materials include, but are not limited to, lean-tos, metal drums, plastic drums, cardboard or other disposable boxes, vehicles,

- or the area beneath exposed porches or exposed decks;
- d. Provide access to shade from direct sunlight and regress from exposure to inclement weather conditions, hot or cold, but which does not exacerbate existing weather conditions;
  - e. Placed in an area offering the best available protection from inclement weather, hot or cold;
  - f. Have floors that are constructed in a manner that protects the animals' feet and legs from injury, and that, if of mesh or slatted construction, do not allow the animal's feet to pass through the openings of the floor; and
  - g. Cardboard, fiberboard, or any other structure that fails to protect an animal from adverse atmospheric conditions shall not be considered proper shelter.

## SECTION VI

### CONFINEMENT OF ANIMALS

1. IMPOUNDMENT – Unrestrained animals shall be taken by the ACO or peace officer and impounded in the Breckinridge County Animal Shelter or other designated facility. Impounded animals shall be kept for not less than five (5) days unless reclaimed by their owners. The owner of the impounded animal is responsible for all fees associated with the impoundment of the animal. (Exception: If an impounded animal has an injury or physical condition which causes it to suffer, the licensed euthanasia shelter staff member or veterinarian may immediately humanely euthanize the animal.)
2. CONFISCATION – Any animal found involved in violation of this ordinance may be confiscated by any ACO or peace officer, and impounded in a humane manner. The owner or person responsible for violation of this Ordinance, upon conviction in a court of law, shall surrender any confiscated animals which will become the property of Breckinridge County, and such Owner shall pay all veterinary fees, impoundment fees, and any charges incidental to maintaining the animal(s) up to the date of conviction.
3. QUARANTINE – Any animal which has bitten or scratched and broken the skin of a person shall be quarantined for the observation of symptoms of rabies. This shall be in a secure enclosure which prevents the animal from coming into unplanned contact with other animals or persons for a period of ten (10) days from the date of the incident. Quarantined animals will be held at the Breckinridge County Animal Shelter, approved facility, or veterinarian. The animal owner shall be responsible for all quarantine fees.

4. RECLAIMING – Every owner reclaiming an impounded animal shall show proof of ownership and have proof of rabies vaccination (dogs, cats, and ferrets), current dog license, and pay reclaiming fees and any veterinary medical costs before the animal is released from the Breckinridge County Animal Shelter.

## SECTION VII

### STANDARDS OF CARE FOR ANIMALS

1. GENERAL STANDARDS OF CARE –Facilities used to house animals must provide enclosures with adequate protection against weather extremes appropriate for each species of animal housed. Building temperatures and ventilation must be maintained at a suitable level for animals housed within a building. Food shall be free from contamination, wholesome and palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of each animal. Fresh water must be reasonably available. All areas housing animals shall be free of accumulated waste, debris and accumulated or standing water, and shall be maintained regularly to promote proper health. Living conditions for all animals shall be subject to inspection by an ACO during reasonable hours, and failure to meet standards shall be grounds for issuance of citations. In addition to the standards of care listed above, the following specific requirements shall be met.
2. COMMERCIAL KENNEL OR CATTERY – In addition to the general standards of care listed above, facilities shall have floors, enclosures, runs and walls of an impervious material to permit proper daily cleaning and disinfecting. Each animal shall have sufficient space to stand, lie down and turn around without touching the sides or top of enclosures. Cages are to be of material and construction that permit cleaning and sanitizing. Outdoor runs or enclosures may be used for adequate exercise and are to be kept clean, dry and in a sanitary condition. Veterinary care shall be provided to maintain good health and general welfare, and to prevent suffering. Proof of current rabies vaccination and dog license is required for all dogs housed at the facility. Commercial kennels shall be inspected by the ACO annually for kennel license issuance. All commercial animal establishments shall provide proper medical treatment from a licensed veterinarian for sick or injured animals.
3. NON-COMMERCIAL KENNEL – Owners shall comply with all general standards of care listed above. All animals shall be provided with proper veterinary care and humane treatment. All animals must have a current rabies vaccination, and all dogs must have a current dog license. Non-commercial kennels must be inspected annually by the ACO for kennel license issuance.
4. GUARD AND SENTRY DOG CONFINEMENT AREAS – Due to the unique and potentially dangerous nature of dogs specifically trained for guard and sentry activities, the following additional safeguards shall be met. Runs, training areas

and kennels must have fences at least eight (8) feet in height completely surrounding the dog(s). The tops of runs must be completely covered unless anticlimbers are added. All gates and entrances to the runs, kennel and training areas must be kept locked when not in use. Fences must be maintained to prevent escape. Dogs must be confined at all times unless under control of handler, and cannot be trained by use of chemical, electrical or mechanical devices which may cause extreme or excessive pain, injury or death. Any individual involved in training guard or sentry dogs must have completed a recognized course or be able to demonstrate equivalent training to the ACO or peace officer. (Exemptions: Livestock guard dogs for herding or protecting animals.) All dogs housed at the facility must have a current rabies vaccination and dog license.

5. LIVESTOCK – All livestock must be confined by a fence in good repair sufficient to prevent the animal(s) from leaving the owner's property. Livestock found not restrained which present a threat to public safety may be removed and the owner may be charged with a violation of this ordinance provided the owner has been warned on two (2) prior occasions of the owner's livestock being found not restrained which presented a threat to public safety. All livestock must be provided adequate shelter; fresh water must be reasonably available; and wholesome and palatable food of sufficient quantity and nutritive value to meet the normal daily requirements for the condition, size, and species of each animal.
  
6. EQUINE – The following additional standards are required for adequate care of all equine. Unrestricted access to a building, barn, shed, or other structure must be provided for shelter. Pastures containing equine shall have adequate drainage to prevent the animal from having to continuously stand in mud or muck. No horse shall be made to perform by means of any prod, stick, electrical shock, physical force, or by causing pain or discomfort. Any whip or riding crop must be used so as not to cause injury to the animal. No horse shall be overridden or driven to result in overheating or exhaustion.

All working horses shall be provided daily with food and water, free from contamination. Such food shall be wholesome, edible, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition, size, and species of the animal. Sores or abrasions caused or likely to be aggravated by the bearing of services, girth, harness, or bridles, unless padding could be utilized to protect the area. Horses shall not be worked when the temperature of the workplace reaches or exceeds 95°F. Animals which are on heat stress-preventive treatment that has been prescribed by a veterinarian may be worked while under such treatment on contracts entered into prior to the beginning of such treatment.

7. PET SHOPS-. All pet shops, as defined herein, including pet shops run in conjunction with another holding facility, shall comply, in addition to the other

requirements of this Ordinance, with the "minimum care" standards enunciated in Section I (Definitions). Failure to meet those standards shall be grounds for the issuance of a citation or summons subjecting the owner to the penalties provided in this Ordinance.

- a. All pet shops shall be subject to inspection and licensing by an Animal Control Officer upon his or her request during reasonable hours.
- b. Fresh water shall be available to all species at all times. Containers shall be cleaned and disinfected each day. All water containers shall be mounted so that they may not be tipped and be of the type that are removable for cleaning.
- c. Room temperature of the shop shall be maintained at a level that is healthful for every species of animals kept in the shop, taking into consideration the type, age, and condition of the animals being housed.
- d. All cages and enclosures are to be of an impervious material for easy cleaning and disinfecting. Each cage must be of sufficient size that the animal will have room to stand, turn, and lie down in the natural position. Each cage must be cleaned and disinfected each day.
- e. All animals under three months of age are to be fed at least three times daily (24-hour period). All animals from three months to nine months of age must be fed at least twice daily (24-hour period). All other animals must be fed at least one time each day (24-hour period). Food for all animals shall be served in a clean dish so mounted that it cannot be readily tipped and be of the type that is removable for cleaning.
- f. Each bird must have sufficient room to sit on a perch. Perches shall be placed horizontally to each other in the same cage. Bird cages must be cleaned every day, and such cages must be disinfected when birds are sold or otherwise transferred. Parrots and other large birds shall have separate cages from smaller birds.
- g. There shall be sufficiently clean, dry bedding to meet the needs of each individual animal.
- h. All animals must be fed and watered, and all cages cleaned daily, including weekends and holidays.
- i. No animal shall be euthanized without the supervision and assistance of a licensed veterinarian.

#### SECTION VIII

## ANIMAL SERVICES STANDARDS

Standards for humane societies and animal shelter facilities used to humanely house animals include but are not limited to having enclosures to provide adequate protection against weather extremes. Building temperatures and ventilation must be maintained at a comfortable level. Food shall be free from contamination, wholesome and palatable and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of each animal.

Fresh water must be reasonably available. All areas housing animals shall be free of accumulated waste, debris, and accumulated or standing water, and shall be maintained regularly to promote proper health. Animals must be provided daily exercise.

1. RECORDS – must be kept on each animal housed, to include the following: Name and address of Owner or person surrendering the animal or exact location the animal was found if picked up as a stray; date received; animal description, condition and medical information; date reclaimed, adopted, or euthanized; name and address of new Owner or reclaimed; date animal was neutered or spayed and name of veterinarian.
2. ADOPTION – Any person adopting an animal from a Humane Society or Animal Shelter shall complete a questionnaire to determine the prospective Owner's ability to properly care for the animal. Adopter is required to comply with all stipulations and conditions set forth in the Adoption Agreement and the Breckinridge County Animal Ordinance, as well as pay the applicable fees. Failure to comply may result in the issuance of a citation, penalty, and/or possible forfeiture of the animal. The Humane Society or Animal Shelter is not obligated to sell an animal in its custody if it is deemed that a placement would not be in the animal's best interest. No aggressive animal determined by the Animal Shelter Director or Assistant Director will be adopted from a Humane Society or Animal Shelter.
  - a. Prior to the adoption of any animal from Animal Services an application must be completed by the person wishing to adopt the animal. The application is designed to determine the prospective owner's ability to care for the animal. Any person wishing to adopt an animal who has been issued a uniform citation for inhumane treatment of animals will not be able to adopt.
  - b. Breckinridge county animal shelter is not obligated to sell or transfer possession of any animal in their custody.
  - c. dogs and cats adopted from the Animal Shelter must be surgically altered to prevent breeding.

- d. The fee for adoption of animals shall be set annually by the Director of Animal Services, with the approval of Fiscal Court.
3. **SPAYING AND NEUTERING** – All dogs or cats adopted from a Humane Society or Animal Shelter must be spayed or neutered within thirty (30) days of adoption. Proof of this procedure shall be provided within sixty (60) days of adoption.
4. **MICROCHIPING ANIMALS** – All animals release from the county animal shelter are subject to being microchipped prior to release ( exclude community cats).

## SECTION IX

### ANIMAL SHELTER SERVICES

1. **ANIMAL SHELTER** – The Animal Shelter Director will maintain and operate the Breckinridge County Animal Shelter at standards required by state law and county ordinance. A sign shall be posted in the animal shelter advising hours the facility is open for surrender, adoption, reclaiming, and issuance of licenses.
2. **ANIMAL CONTROL** -- All officers of Animal Control shall have the powers of a peace officer to enforce animal control laws or ordinances in Breckinridge County if they otherwise qualify as a peace officer under the laws of the Commonwealth of Kentucky.
  - a. All officers of Animal Control shall comply with KRS 61.300.
  - b. Whenever an Animal Control Officer must perform any duty or enforce any provision of this Ordinance or any applicable state statute, that Officer is empowered to enter the property at a reasonable time and inspect the premises. Animal Control Officers shall have such power only if the consent of the owner or occupant of the property is freely given, a search warrant is obtained, or such exigent circumstances exist that a warrantless, non-consensual search is required.
3. **REPORTS AND MONEY COLLECTIONS**. - The Animal Shelter Director and Animal Shelter Assistant Director shall keep an account of each animal entering or exiting the shelter. Files are to include Surrender/Stray Animal Reports, Lost & Found Reports, Abused Animal Reports, Bite Incident Reports, Adoption Application and Contract forms. All paperwork and records shall be kept on file at the shelter for a period of three (3) years, and all fees collected shall be accounted for. A monthly report is to be prepared for fiscal court with all money turned in to the Breckinridge County Treasurer's office.

4. RESPONSE TO CALLS – The Animal Control Officer (ACO) will respond to emergency animal calls from the Breckinridge County Dispatch or citizens and take action as deemed appropriate to the circumstances. All calls from the general public will be responded to in a timely manner during normal duty hours. The ACO will make reasonable attempts to pick up any stray dogs in Breckinridge County ONLY. The ACO will investigate reports of cruelty, abuse or neglect of all animals, including livestock, and obtain assistance from a licensed veterinarian or law enforcement agency when circumstances require. Any dog or cat that has bitten a person and does not have current rabies vaccination shall be quarantined at the Breckinridge County Animal Shelter or approved boarding facility.
5. LOCATE OWNERS – The ACO and shelter staff will contact owners of impounded animals via identification on license tag, detection of microchip, or coordination with local veterinarians or by other means if available. If the owner is determined, then make every effort to notify them for reclaiming the animal.
6. DOG TAG AND KENNEL LICENSES – BCAS staff will act as primary agents for the sale of licenses and coordinate with the Breckinridge County Judge Executive's staff and county veterinary offices for the control, sale and accountability of all licenses. Inspect kennel facilities to ascertain that they meet the standard requirements of this ordinance.
7. EUTHANASIA – Animal Shelter Staff will employ only euthanasia methods recommended by the American Veterinary Medical Association (lethal injection) by a qualified person.
8. ENFORCEMENT – The ACO will issue uniform citations to any individuals, partnerships or corporations found in violation of this Ordinance and the Kentucky Revised Statutes relating to animals, and will appear in Breckinridge County Court as necessary to pursue a conviction.
9. MANAGED INTAKE – Managed intake is used to schedule animal admissions based on the animal shelter capacity, for owner surrender dogs and stray/owner surrender cats. Managed intake is designed to ensure that the most urgent animals are admitted first and that the shelter can provide humane care and reduce overcrowding. Aggressive owned dogs are not to be admitted.
10. VEHICLE – Animal Shelter Staff shall maintain assigned vehicle in accordance with county vehicle maintenance standards and procedures. Vehicle shall be kept clean and disinfected, and be presentable at all times.

## SECTION X

### ENFORCEMENT

1. CITATIONS – Citations issued by ACO or peace officer shall impose upon the individual the obligation to answer charges specified on the Citation to the Breckinridge County District Court at the time and place indicated.
2. INTERFERENCE WITH ENFORCEMENT – No person shall in any manner interfere with, hinder, molest or abuse any ACO or peace officer authorized to enforce the provisions of this Ordinance.

## SECTION XI

### OTHER CONTROLLING REGULATIONS

1. SALE OF CATS AND DOGS- Notwithstanding any other provision of law, it shall be unlawful for any person to offer for sale any dog or cat at, in or on any street, public right-of-way, median, park, recreation area, festival, outdoor market, indoor market, booth, yard sale, flea market, roadside stand, temporary site or parking lot of which such access is authorized by the owner. It shall be unlawful to sell puppies and kittens under the age of two months.

Nothing in this provision shall be construed to prohibit the provision of space to an animal rescue group or an animal shelter, as defined, to publicly showcase dogs or cats available for adoption; provided that the provider does not maintain an ownership interest in any of the animals offered for adoption or receive a fee for providing such space; nor, shall this section prohibit the display of dogs or cats as part of a state or county fair exhibition, 4-H program, or similar exhibitions or educational programs.

Any person, firm, or corporation cited for the unauthorized sale of a dog or cat, as stated herein, shall be fined \$500 for each separate offense. Each animal for sale shall constitute a separate offense.

2. The provisions of this ordinance shall be enforced in conjunction with the regulations promulgated by the State Board of Agriculture, and if any of the provisions contained herein conflict with a regulation promulgated by the State Board of Agriculture, said provision shall be invalid and the regulation promulgated by the State Board of Agriculture shall be controlling.

## SECTION XII

### ANIMAL PROTECTION VIOLATIONS

TORTURE OF DOG OR CAT Under KRS 525.135 "Torture" means the intentional infliction of or subjection to extreme physical pain or serious injury or death to a dog or cat, motivated by intent or wanton disregard that causes, increases, or

prolongs the pain or suffering of the dog or cat, including serious physical injury or infirmity.

1. Torture shall include situations where the extreme physical pain, serious physical injury or infirmity, or death results from restraint of the dog or cat, which may include being:
  - a. Locked in a cage or kennel;
  - b. Sealed in a plastic bag or box;
  - c. Chained or tied down to restrict motion;
  - d. Pitched in a dumpster;
  - e. Abandonment: Abandoned in a building for three (3) days or more with no intention of returning or having made provisions for the animal's care;
  - f. Physically restrained with tie wraps, rope, chains, or tape;
  - g. Intentionally injured to cause immobility so that the animal cannot save itself from starvation, dehydration, physical impairment, serious physical injury or infirmity, or death; or manually restrained
2. "Serious physical injury or infirmity" means physical injury or physical infirmity that creates a substantial risk of death, protracted loss, or impairment of the function of the limb or bodily organ caused by willful or wanton disregard while restrained. As used in this paragraph:
  - a. "Physical infirmity" includes intentional starvation, dehydration, hypothermia, hyperthermia, muscle atrophy, restriction of blood flow to a limb or organ, mange or other skin disease or parasitic infestation for which medical care has been denied, denial of life-saving medical care or professional euthanasia while intentionally restraining with the intent to cause or the wanton disregard for extreme physical pain, serious injury, or death; and
  - b. "Physical injury" includes substantial physical pain, serious injury, or death intentionally caused by fractures, cuts, burns, punctures, bruises due to crushing, burning, drowning, beating, poisoning, suffocating, hanging, impaling or skinning alive, physical disfigurement, loss of function of a limb or body organ or other wounds or illnesses produced by violence or a thermal or chemical agent while intentionally restrained with the intent to cause or the wanton disregard for extreme physical pain, serious injury, or death.
3. A person is guilty of torture of a dog or cat when he or she, without legal justification, intentionally tortures a domestic dog or cat.
4. Torture of a dog or cat is a Class D felony.
5. Each act of torture of a dog or cat may constitute a separate offense

6. Under recommendation of a veterinarian, a tortured dog or cat may be humanely euthanized after it is seized if it is still alive but suffering from the intentional torture that will lead to its death.

### SECTION XIII

#### PENALTIES

Any person violating the provisions of Section V or Section VII of this Ordinance shall be deemed guilty of a Class A misdemeanor and shall, upon conviction, be punished by a fine not to exceed FIVE HUNDRED (\$500.00) DOLLARS or be imprisoned for not less than ninety (90) days nor more than one (1) year or both so fined and imprisoned. Any person violating the provisions of the remaining Sections of this Ordinance shall be deemed guilty of a Class B misdemeanor and shall, upon conviction, be punished by a fine not to exceed \$250.00 or be imprisoned for not more than ninety (90) days or both so fined and imprisoned. Each day a violation continues shall constitute a separate offense.

In addition to any penalties and fines imposed upon conviction for animal cruelty, the abuser of the animal subjected to cruelty shall pay all costs of housing and caring for the animal while in the care of the Breckinridge County Animal Shelter, including necessary veterinary treatment, and if the abuser is the owner of said animal, the animal, upon the abuser's conviction, shall be forfeited to Breckinridge County Animals Shelter.

In addition to any other sentence it may impose, a court shall require a defendant convicted for violation of the animal protection statutes of the Commonwealth of Kentucky or the pertinent provisions of this Ordinance to repay all reasonable costs incurred, either before or after judgment, by any person or organization, including the Breckinridge County Animal Shelter, in impounding and providing minimum care for each animal subjected to a violation of such statutes or provisions, and for all costs of prosecution.

Restitution- In addition to any other sentence it may impose, a court shall order that restitution be made by the defendant to the owner or guardian of any animal subject to mistreatment by the defendant in violation of the animal protection statutes of the Commonwealth of Kentucky or the pertinent provisions of this Ordinance. The measure for restitution shall be the actual pecuniary value of such loss, including but not limited to the actual veterinary expenses, special supplies, and other costs incurred by the owner or guardian treating the animal and attempting to restore the animal to good health or to ameliorate the effects of the violation otherwise.

### SECTION XIV

#### ANIMAL CONTROL FEES

All fees collected by/on behalf of Breckinridge County Animals Shelter shall be set by fee schedule adapted annually by the Breckinridge County Fiscal Court.

SECTION XV

REPEAL OF OTHER REGULATIONS

All other regulations and Ordinances of Breckinridge County in conflict with the provisions of this Ordinance are hereby repealed.

SECTION XVI

SEVERABILITY

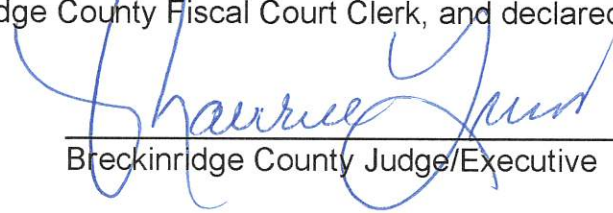
If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION XVII

EFFECTIVE DATE

All Sections of this Ordinance shall take effect upon adoption of the Ordinance by the Breckinridge County Fiscal Court

Read for the first time on 4-20-2026; read for the second time on 5-18-2026; and adopted by the Fiscal Court of Breckinridge County, Kentucky, at a regular meeting on 5-18-2026 and on the same occasion signed in open session by the Breckinridge County Judge Executive as evidence of his approval, attested under seal by the Breckinridge County Fiscal Court Clerk, and declared to be in full force and effect.

  
Breckinridge County Judge/Executive

ATTEST:

  
Clerk of Fiscal Court

APPROVED AS TO LEGAL FORM AND SUBSTANCE:

  
Breckinridge County Attorney