

Microfilm No. 521835  
26th Day Mar 20 09  
At 1:56 O'Clock PM  
ABBIE MACE  
FREMONT COUNTY RECORDER  
Fee \$ 0 Deputy  
Recorded at Request of Clara Abbie Mace

**ORDINANCE 2009-01**

**AN ORDINANCE AMENDING SECTION (3)(B) OF ORDINANCE NO. 92-04, ADDING THE LANGUAGE OF A PRIVATE PROPERTY, IN THE LIVESTOCK RUNNING AT LARGE ORDINANCE, MAKING IT A CRIMINAL ACT TO ALLOW LIVESTOCK TO RUN AT LARGE; ESTABLISHING THE PURPOSE THEREOF; PROVIDING DEFINITIONS; PROVIDING THAT THE ORDINANCE DOES NOT APPLY IN OPEN RANGE AREAS; PROVIDING FOR PENALTIES VIOLATION HEREOF; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.**

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO AS FOLLOWS:

1. Name of the Act. This ordinance shall be known as the, A Livestock Running at Large Ordinance.

2. Purpose. The purpose of this ordinance is to protect the health and safety of the general public in non-open range areas, from wandering livestock.

3. Definitions.

A. Livestock shall be defined to include all hoofed animals, including but not limited to, sheep, swine, cattle, horses, and goats.

B. Running at large shall be defined as the livestock being upon public areas and upon private property in Fremont County, when such livestock is/are not confined within a lawful fence, and are not under the physical control of a herder or some other person.

4. Prohibited Activity.

A. It shall be unlawful for any person to wilfully or negligently allow or permit any livestock owned by him, or in his care or custody, to be at large, or be running at large, or to be on any public lands in Fremont County, unless the livestock is being herded or is on such public lands by permit.

B. It shall be prima-facia evidence of negligence if the owner or caretaker of livestock fails to comply with the fencing statutes of the State of Idaho, as set out in Idaho Code ' 35-101 through ' 35-112.

5. Open Range. This ordinance shall not apply to areas in Fremont County which are designated as open range.

6. Violation and Penalties. Violation of this ordinance shall be a general misdemeanor, and shall be punishable by a term in the county jail of not more than six (6) months, and/or a fine of not more than Five Hundred Dollars (\$500.00).

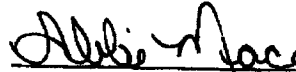
7. Effective Date. This ordinance shall be in full force and effect from and after publication.

PASSED this 2nd day of March, 2009, by the Board of Commissioners of Fremont County, Idaho.

BOARD OF COUNTY COMMISSIONERS  
Fremont County, Idaho

  
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Paul Romrell, Chairman

ATTEST:

  
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Abbie Mace, Clerk