

Fifty-seventh
Legislative Assembly
of North Dakota

SENATE BILL NO. 2315

Introduced by

Senators Andrist, Lindaas

Representatives D. Johnson, Schmidt

1 A BILL for an Act to amend and reenact sections 58-13-01, 58-13-03, 58-13-04, and 58-13-05
2 of the North Dakota Century Code, relating to pounds and poundmasters.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 58-13-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **58-13-01. Poundmaster to have direction of pound.** Any pound established by the
7 township electors must be under the care and direction of ~~such a~~ poundmaster ~~as is chosen or~~
8 ~~appointed for that purpose~~ by the board of township supervisors. If a poundmaster is not
9 appointed, the chairman of the board of township supervisors may contract with the county
10 sheriff to perform the duties. The poundmaster shall enforce any ordinance, bylaw, or
11 resolution enacted by the board of township supervisors.

12 **SECTION 2. AMENDMENT.** Section 58-13-03 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **58-13-03. Poundmaster ~~has lien~~ - Lien for all legal charges and expenses.** The
15 poundmaster has a lien on every ~~horse, ass, mule, sheep, lamb, goat, hog, and neat~~ animal
16 taken into the pound for the full amount of the poundmaster's legal charges and expenses and
17 is entitled to the possession of any ~~such~~ animal until the ~~same~~ charges and expenses are paid.

18 **SECTION 3. AMENDMENT.** Section 58-13-04 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **58-13-04. Notice of ~~impounding~~ impoundment - Foreclosure of lien.** If the legal
21 charges and expenses of the poundmaster are not paid and the animals are not removed within
22 ~~ten~~ five days after they are impounded, the poundmaster shall give notice by ~~posting in the~~
23 ~~three most public places in~~ publication in the official newspaper of the township ~~notices that if~~
24 one has been designated or, if one has not been designated, in the official newspaper of the

1 county in which the animals, describing them, are impounded and. The notice must provide
2 that unless they the animals are taken away removed and the fees charges and expenses paid
3 within thirty five days after the date of the notice, the poundmaster will shall sell them the
4 animals at a public auction at the place where the township meetings usually are held sale, as
5 provided in the notice. On the day designated in the notice, the poundmaster shall expose the
6 animals for sale and sell them to the highest bidder.

7 **SECTION 4. AMENDMENT.** Section 58-13-05 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **58-13-05. Humane treatment of animals - Poundmaster may destroy worthless**
10 **animals.** The poundmaster shall provide humane treatment and care for any animal in the
11 pound. If any animal taken up by the poundmaster is deemed by the poundmaster to be
12 worthless and cannot be sold, the poundmaster may offer the animal for adoption. If after five
13 days the animal has not been adopted, the poundmaster shall destroy the animal and dispose
14 of it, and the. The board of township supervisors shall pay the poundmaster out of the general
15 fund of the township.