

## TITLE 6

### ANIMALS AND FOWL

#### Chapters:

- 6.04 Dogs
- 6.08 Humane Officer
- 6.12 Other Animals

#### CHAPTER 6.04

#### DOGS

#### Sections:

- 6.04.01 Definitions
- 6.04.02 Vicious dog
- 6.04.03 Pit bull dogs banned
- 6.04.04 Vaccination and collar
- 6.04.05 Confinement of dogs
- 6.04.06 Confinement other than on premises of owner
- 6.04.07 Running at large
- 6.04.08 Dogs suspected rabid
- 6.04.09 Barking and howling
- 6.04.10 Inspection and confinement of certain dogs
- 6.04.11 Condition of pen and premises
- 6.04.12 Notice of offenses and violations
- 6.04.13 Penalties and fines
- 6.04.14 Cats

6.04.01 Definitions The following words and phrases shall for all purposes of the ordinance have the following meanings:

**At large** Any dog not confined to the premises of the owner or within a house or other building or enclosure or restrained on the premises of the owners by a leash sufficiently strong to prevent the dog from escaping and restricting the dog to the premises, or not confined by leash or confined within an automobile when away from the premises of the owner.

**Dogs** When used herein shall include animals of all ages, both female and male, which are members of the canine or dog family.

**Owner** Every person, firm, partnership, or corporation, owning, keeping or harboring a dog within the corporate limits of the city.

**Vaccination** An injection of any vaccine for rabies approved by the state veterinarian and administered by a licensed veterinarian or agent of the Health Officer.

**Vicious dog** A dog which has a disposition to bite humans and any dog which has bitten or attempted to bite any person within the six months immediately past; however, the fact that a dog has bitten or attempted to bite some person when that person was teasing the dog shall not constitute the dog a vicious dog within the sense of the this ordinance. (Ord. No. 91-135, Sec. 1.)

6.04.02 Vicious dog It shall hereafter be unlawful for any person, firm, or corporation to keep within the corporate limits of the city any vicious dog unless the said dog is muzzled or confined in a pen or tied in such a manner that he cannot bite utility meter readers, delivery men or other licensees or invitees coming onto the premises. (Ord. No. 91-135, Sec. 2.)

6.04.03 Pit bull dogs banned It shall hereafter be unlawful for any person, firm, or corporation to keep within the corporate limits of the city any Pit Bulldog. (Ord. No. 91-135, Sec. 3.)

6.04.04 Vaccination and collar All dogs from two (2) months of age kept in the city of Lake City shall be vaccinated at least once a year against rabies, and it is made the duty of all owners of dogs, or persons having the possession or control of dogs within the city to have such animals vaccinated with vaccine against rabies in an amount, quantity and quality to be approved by the state veterinarian. It shall be the duty of said owner or person having control of said dog to cause a metal vaccination tag to be securely attached around the dog's neck and kept there at all times. All dogs within the corporate limits of the city of Lake City, Arkansas, shall be required to have attached to a collar or harness, a tag which shall state the name, address, and telephone number, if applicable, of the owner.

Any dog picked up without a tag shall be considered to be a stray or abandoned dog for the purposes of this ordinance, and may be humanely destroyed within seven (7) days unless reclaimed by its owner within the seven (7) day period. (Ord. No. 91-135, Sec. 4.)

6.04.05 Confinement of dogs From and after the passage of this ordinance, any person owning, possessing, or keeping a dog or dogs, whether vaccinated or unvaccinated, shall confine such dog or dogs within an adequate fence or enclosure, or within a house, garage, or other building, or shall confine such dog or dogs by a chain or leash affixed to the dog's collar and attached to some substantial stationary object adequate to prevent the dog or dogs from running at large. (Ord. No. 91-135, Sec. 5.)

6.04.06 Confinement other than on premises of owner At all times when not confined as stated in 6.04.05, the owner of any dog or dogs shall confine such dog or dogs within an automobile or by having an end of a rope or leash affixed to a substantial stationary object, or held by some person competent to control such dog or dogs. (Ord. No. 91-135, Sec. 6.)

6.04.07 Running at large No person owning possessing or keeping a dog shall allow the same to run at large within the city of Lake City. (Ord. No. 91-135, Sec. 7.)

6.04.08 Dogs suspicioned rabid Any dog or dogs having rabies, or symptoms thereof, or suspected of having rabies, or which has been exposed to rabies shall immediately be released by the owner or custodian of such dog or dogs to the police or Animal Control Officer of the city of Lake City for disposal or confinement in the dog pound of the city of Lake City or in a veterinary hospital approved by the city. Such dog or dogs shall be immediately and securely confined by the attachment of a chain of good quality and kept under the supervision of the Animal Control Officer for a period of thirty (30) days or for a longer period of time if in the opinion of the veterinarian additional confinement is determined necessary. (Ord. No. 91-135, Sec. 8.)

6.04.09 Barking and howling It shall hereafter be unlawful for any person, firm or corporation to keep on his premises, or under his control, any dog which by loud and frequent barking and howling shall disturb the peace and quiet of any person who may reside within reasonable proximity of the place where such dog is kept. (Ord. No. 91-135, Sec. 9.)

6.04.10 Inspection and confinement of certain dogs When any dog has bitten, scratched or otherwise attacked a person, that person or anyone having knowledge of such incident shall immediately notify the Chief of Police or Animal Control Officer, and such dog shall be confined in the city pound or at a veterinary hospital for a period of ten (10) days at the expense of the owner, or shall be immediately and securely confined by the owner by attaching it to a chain of good quality for a period of ten (10) days in such a place that no person or animal may be bitten by it and such dog shall during such period of confinement be subject to inspection by the Animal Control Officer or a licensed veterinarian. (Ord. No. 91-135, Sec. 10.)

6.04.11 Condition of pen and premises It shall be unlawful for any person, firm or corporation keeping or harboring dogs to fail to keep the premises where such dogs are kept, free from offensive dog odors to the extent that such odors are disturbing to any person residing within reasonable proximity of the said premises, and it shall be unlawful to allow premises where dogs are kept to become unclean and a threat to the public health by failing to diligently and systematically remove all animal waste from the premises. (Ord. No. 91-135, Sec. 11.)

6.04.12 Notice of offenses and violations The Police Department and Animal Control Officer or persons employed by such departments are authorized, for violation of any portion of the ordinance to give the offender a notice to appear in District Court, Criminal Division, Craighead County. Such notice to appear shall state the name and address of the violator and the date of the violation, shall contain a statement of the nature of the violation and be signed by the person having knowledge of any such violation and who is also a member of one of the

departments of the city of Lake City before mentioned. The notice shall contain a printed statement in which the violator promises to appear in the District Court, Criminal Division, without issuance of any warrant or other process and which statement is to be signed by the violator. Upon failure to sign the agreement to appear, the officer or employee shall swear out a complaint and the usual procedure upon the filing of complaints in the District Court shall govern the arrest and trial of the violator. Upon the violator's signing the agreement to appear and his appearance as set out in the notice, no warrant shall issue for the arrest of the violator. (Ord. No. 91-135, Sec. 12.)

6.04.13 Penalties and fines Any person violating any portion of this ordinance shall be deemed guilty of a misdemeanor and shall be punished, upon conviction, by assessment of a fine of from Twenty-Five Dollars (\$25.00) for the first offense, Fifty Dollars (\$50.00) for the second offense committed within three (3) years of the first offense, and Seventy-Five Dollars (\$75.00) for the third offense committed within three years of the first. . (Ord. No. 2000-181, Sec. 1.)

6.04.14 Cats Ord. No. 72 (superseded by Ord. No. 135) is hereby amended to include cats under all sections set forth therein. (Ord. No. 99, Sec. 1.)

## **CHAPTER 6.08**

### **HUMANE OFFICER**

#### Sections:

- 6.08.01 Humane Officer
- 6.08.02 Fine

#### 6.08.01 Humane Officer

- A. There is hereby created the office of Humane Officer whose salary shall be fixed by the City Council.
- B. The Humane Officer shall be appointed by the Mayor, subject, however, to the consent and approval of the Lake City City Council. The Humane Officer shall exercise the powers and duties as provided in this ordinance, and, in addition thereto, shall perform such duties as provided in this ordinance, and, in addition thereto, shall perform such duties as may be delegated to him by the Mayor and/or City Council.

- C. It is hereby made the duty of the Mayor and Humane Officer to provide a suitable place to be known and designated as the City Dog Pound to carry out the provisions of this ordinance, and including the construction of a suitable number of individual pens where dogs may be kept separate. (Ord. No. 1977-72, Sec. 3.)
- D. The Humane Officer shall be authorized to enforce the provisions of Ord. No. 72, and shall issue a warning to an owner giving said owner twelve (12) hours' notice to correct any violation of Ord. No. 72 before a warrant of arrest can be issued. (Ord. No. 1989-121, Sec. 1.)

6.08.02 Fine Any person who violates the provisions of Ord. No. 72 shall upon conviction be subject to a fine of Twenty Dollars (\$20.00) for first offense, Thirty-Five Dollars (\$35.00) minimum, and Seventy-Five Dollars (\$75.00) maximum for second and third offenses. (Ord. No. 1989-121, Sec. 2.)

## **CHAPTER 6.12**

### **OTHER ANIMALS**

**Sections:**

- 6.12.01 Other animals
- 6.12.02 Offense

6.12.01 Other animals It shall henceforth be unlawful to keep any swine, horses, mules, cows, sheep, goats, rabbits and fowls of any kind within the corporate limits of the city of Lake City, Arkansas for any purpose. (Ord. No. 2008-231, Sec. 1.)

6.12.02 Offense The owner or possessor of any such animals within the city limits shall be deemed guilty of a misdemeanor and each separate possession of each and every animal shall be considered a separate and complete offense for which the party in violation thereof shall be punishable. It shall be unlawful to keep any fowls of any kind within the corporate limits of the city of Lake City, Arkansas, for any purpose. (Ord. No. 2008-231, Sec. 2.)