

AN ORDINANCE PROHIBITING THE RUNNING AT LARGE OF DOGS, LEVYING A TAX ON DOGS AND CATS, PROHIBITING VICIOUS DOGS, PROVIDING FOR ENFORCEMENT, PRESCRIBING A PENALTY FOR VIOLATION, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES.

WHEREAS, a large number of dogs, including strays and unclaimed animals, are roaming at large in and about the City of Greenland and because of the depredations of individual dogs and packs of dogs and the threat of (rabies) it is hereby found and declared by the Council that prompt passage of this Ordinance is urgent and necessary for the immediate preservation of the public peace, health and safety, and this Ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENLAND, ARKANSAS:

Section 1. Running at large prohibited

a. From the effective date of this ordinance, it shall be unlawful for the owner or person having charge of any dog to permit or allow such dog to run at large within the corporate limits of the city at any time.

b. For the purposes of this ordinance, the term "at large" shall be construed to mean not under the control of the owner or authorized representative of the owner, either by leash, cord, chain, fence, or other physical control; provided, an animal shall not be considered to be "at large" when on the premises of the owner or keeper thereof and accompanied by said owner or keeper.

Section 2. Annual tax and tag

a. There is hereby levied and there shall be collected an annual tax on each dog or cat owned or kept within the city. Said tax shall be paid to the city clerk before the first day of February each year. For each neutered male or female the tax levied hereby shall be in the amount of two (\$2.00) dollars. The tax for each unspayed female or unneutered male shall be five (\$5.00) dollars. If said tax is not paid on or before the first day of February, there shall be added a penalty of one (\$1.00) dollar for each month thereafter until the tax is paid.

b. The city clerk shall issue a receipt and issue to each person paying said tax a metal tag indicating that said tax has been paid for the current year; provided, a tag for any dog or cat shall not be issued unless a certificate from a licensed veterinarian is presented which indicates that said dog or cat has been vaccinated for rabies within one year prior thereto.

c. It shall be the duty of the owner or keeper of every dog within the City of Greenland to attach the tag provided for in subsection (b) to a collar securely fixed around the neck of said dog; it shall be the duty of the owner or keeper of every cat within the City of Greenland to attach the tag provided for in subsection (b) to said cat in a reasonable manner.

d. Nothing in this section shall be construed to apply to any dog or cat under the age of three (3) months.

Section 3. Confinement when rabies suspected.

a. Upon the request of any person who has been bitten by a dog or other animal within the corporate limits of the city (or by a parent or legal guardian of a person so bitten who is under a disability), the city police officer shall take such dog or animal, or a plurality of same if they are reasonably suspected of the biting, into custody and confine and quarantine same under the supervision of a licensed veterinarian, who shall keep such dog or animal in quarantine until he shall issue his certificate that:

(1) He has complied with the observation provisions of Section 3 of Act 11, First Extraordinary Session of the 1968 Arkansas General Assembly (Rabies Control Act); and

(2) The dog or other animal appears to be free of infection of rabies (hydrophobia).

b. Any dog or other animal having rabies or symptoms thereof, or suspected of having rabies, or which has been exposed to rabies shall be immediately released by the owner or custodian of such dog or animal to the city police officer and the city police officer shall confine such dog or animal in quarantine as provided for above.

c. When the licensed veterinarian supervising the quarantine of any dog or other animal quarantined under this section shall issue his certificate declaring the animal to be free of rabies, the owner of such dog or animal may retake custody of it upon tender to such veterinarian his customary and reasonable fees and charges for impounding, boarding, lodging, observation and testing; except a person who is bitten by an animal while trespassing on the premises of the owner or keeper of said animal shall pay all customary and reasonable charges and fees resulting from his request to have said animal confined and quarantined.

d. If any dog or other animal confined under this provision is not reclaimed by its owner, such dog shall be released by the veterinarian to the city police officer who shall treat such dog or animal as one found running at large within the corporate limits of the city.

Section 4. Vicious dogs prohibited

a. It shall be unlawful for any person to own, keep, or harbor within the corporate limits of the city any vicious dog unless said dog is muzzled or confined in a substantial enclosure or tied in such a manner that it cannot bite mail carriers, delivery men, meter readers, or other licensees or invitees coming on the premises. Any vicious dog found outside the above specified locations may be seized or destroyed pursuant to the procedure set out in this ordinance.

b. For the purpose of this section, a vicious dog is hereby defined to be a dog which has a disposition to bite humans and any dog which has bitten or attempted to bite any person within the six (6) months immediately past; however, the fact that a dog has bitten or attempted to bite some person when that person was teasing or molesting said dog shall not cause that dog to be considered a vicious dog within the sense of this section.

c. Nothing in this section shall be construed to apply to any dog trained and used as a guard dog and whose owner has been issued a permit by the city council.

Section 5. Impoundment

a. The animal control officer is authorized to take into custody any dog or cat found running at large within the corporate limits of the city in violation of the terms and provisions of this ordinance and to impound the same in the facility hereby designated as the City Animal Shelter. Humane animal traps or tranquilizers may be used.

b. Five days after any animal has been impounded, the animal control officer is authorized to release the animal to the Humane Society or to destroy such animal and dispose of the carcass. For the purpose of this section, the day of taking up shall be counted as the first day of the impoundment period herein provided.

c. The animal control officer shall give five (5) days notice of the date of the proposed destruction of any dog which carries its owner's address. The notice shall be by certified letter, return receipt requested.

d. The owner of an impounded animal may at any time before the animal is destroyed claim the animal upon payment of the costs of impoundment. The costs of impoundment are hereby ascertained to be fifteen (\$15.00) dollars for the first pickup and twenty five (\$25.00) dollars for each subsequent pickup of the same animal within a calendar year. In addition the owner shall pay the current daily charge for the cost of keeping the animal for the number of days of impoundment and the cost if needed for license fee and vaccination.

Section 6. Enforcement

a. The members of the city police department are authorized to issue citations for violations of any portion of this chapter. Upon failure of the person cited to appear in the city court, the usual procedure upon the filing of complaints in the city court shall govern the arrest and trial of the violator.

b. City police officers shall make a reasonable effort to catch and identify animals found running at large. If the animal cannot be caught or cannot be identified, city police officers or such other person as may be appointed by the city council shall, in the most humane manner practicable in the circumstances, destroy the animal.

c. It shall be unlawful for any person to interfere with or attempt to prevent the city police officer or other authorized persons, from seizing and impounding any animal which is authorized to be impounded under the provisions of this ordinance.

d. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred (\$100.00) dollars.