

ORDINANCE NO. 260

AN ORDINANCE PROVIDING FOR THE LICENSING OF DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF CARLISLE, LONOKE COUNTY, ARKANSAS; PROHIBITING ANIMALS FROM RUNNING AT LARGE WITHIN THE CORPORATE LIMITS; DECLARING ACTIVITIES PERMITTED BY ANIMAL OWNERS WHICH CONSTITUTE A PUBLIC NUISANCE; DEFINING DANGEROUS AND POTENTIALLY DANGEROUS ANIMALS, AND REGULATING THE KEEPING OF SUCH ANIMALS WITHIN THE CORPORATE LIMITS; AUTHORIZING THE IMPOUNDING AND DESTRUCTION OF ANIMALS; PROVIDING PENALTIES; PROVIDING FOR THE REPEAL OF EXISTING ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

ARTICLE I. DEFINITIONS

As used in the ordinance the following terms mean:

- A. **Animal Control Authority**: The provision of this ordinance shall be enforced by the Animal Control Authority. The Animal Control Authority shall consist of the Mayor, the Chief of Police, and such other person or persons as shall be designated by the Mayor and City Council.
- B. **Animal Shelter**: Any premises designated by action of the City for the purpose of impounding and caring for all animals found running at large in violation of this ordinance.
- C. **Animal Warden**: The person or persons employed or appointed by the Animal Control Authority as its enforcement officer.
- D. **At Large**: Any dog shall be deemed to be at large when he is off the property of his owner and not under the control of a competent person.
- E. **Dangerous Animal**: A dangerous animal is an animal which has:
- (1) Caused bodily injury or disfigurement to any person on public or private property; or
 - (2) Engaged in any attack on any person under circumstances which would indicate danger to personal safety; or
 - (3) Exhibited unusually aggressive behavior, such as an attack on another animal; or
 - (4) Bitten one or more persons on two or more occasions; or
 - (5) Been found to be potentially dangerous and/or the owner has personal knowledge of the same, the animal aggressively bites, attacks, or endangers the safety of humans or domestic animals.

F. **Exposed To Rabies**: An animal has been exposed to rabies within the meaning of this ordinance, if it has been bitten by or been exposed to any animal known to have been infected with rabies.

G. **Kennel**: Any person, firm or corporation engaged in the commercial business of breeding, buying, selling, or boarding dogs.

H. **Owner**: Any person, group of persons, or corporation owning, keeping or harboring an animal or animals.

I. **Potentially Dangerous Animal**: A potentially dangerous animal is an animal which has:

- (1) Bitten a human or domestic animal on public or private property; or
- (2) When unprovoked, chased or approached a person upon the streets, sidewalks, any public property, or any private property adjacent to that of the animal's owner in an apparent attitude of attack; or
- (3) Has engaged in unprovoked attacks causing injury or otherwise threatening the safety of humans or domestic animals

J. **Proper Enclosure**: Proper enclosure means securely confined indoors or in a securely locked pen or structure suitable to prevent the animal from escaping and to provide protection for the animal from the elements. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal to exit of its own volition, or any house or structure in which the windows are open or in which door or window screens are the only barriers which prevent the animal from exiting. The enclosure shall not allow the egress of the animal in any manner without human assistance. A pen or kennel shall meet the following minimum specifications:

- (1) Have a minimum overall floor size of thirty-two (32) square feet.
- (2) Sidewalls shall have a minimum height of five feet (5') and be constructed of 11-gauge or heavier wire. Openings in the wire shall not exceed two inches (2"). Support posts shall be one-and-one quarter-inch (1 1/4") or larger steel pipe buried in the ground eighteen inches (18') or more. When a concrete floor is not provided, the sidewalls shall be buried a minimum of eighteen inches (18") in the ground.
- (3) A cover over the entire pen or kennel shall be provided. The cover shall be constructed of the same gauge wire or heavier as the sidewalls and shall also have no openings in the wire greater than two inches (2").
- (4) An entrance/exit gate shall be provided and be constructed of the same material as the sidewalls and shall have no openings in the wire greater than two inches (2"). The gate shall be equipped with a device capable of being locked and shall be locked at all times, with a key or combination lock, when the animal is in the pen or kennel.

K. **Restraint**: A dog is under restraint within the meaning of this ordinance if he is controlled by a leash and is "at heel" beside a competent person and obedient to that person's commands, or is on a leash or enclosed within a vehicle being driven or parked on the streets, or is within the property limits of its owner or keeper.

- L. **Spayed Female:** Any bitch which has been operated upon to prevent conception.
- M. **Unprovoked:** Unprovoked shall mean the condition in which the animal is not purposely excited, stimulated, agitated, or disturbed.

ARTICLE II. LICENSING

SECTION 2-1. LICENSING

- A. No person shall own, keep or harbor any dog within the city limits unless such dog is licensed as herein provided. Written application for such license shall be made to the Police Department, or such agents of the Animal Control Authority as shall be designated by the Animal Control Authority, and shall state the name, breed, color, age and sex of the dog. The license fee shall be paid at the time of making application, a numbered receipt shall be given to the applicant, and a numbered metallic tag shall be issued to the owner.
- B. The yearly license fee shall be set by resolution of the Carlisle City Council and shall apply to each dog over the age of six (6) months.
- C. All dog licenses and kennel licenses shall be issued for one year beginning the first (1st) day of January and ending December 31 of the calendar year. Applications for licenses may be made prior to and for thirty (30) days after the start of the licensing year without penalty, but when the application is made after thirty (30) days of the licensing year has elapsed, the applicant shall be assessed a penalty of ten percent (10%) of the license fee. Provided however if the dog or kennel did not become subject to licensing until after the start of the licensing year, then no penalty shall be assessed.
- D. In the event that a metallic license tag issued for a dog shall be lost, the owner may obtain a duplicate tag upon the payment of one dollar (\$1.00).
- E. If there is a change in ownership of a dog during the license year, the new owner may have the current license transferred to his name upon payment of a transfer fee of one dollar (\$1.00).
- F. No person shall use for any dog, a license, receipt, or license tag issued for another dog.

SECTION 2-2. TAG AND COLLAR

- A. Upon complying with the provisions of Section 2-1 of this Ordinance, there shall be issued to the owner a numbered metallic tag, stamped with the number and the year for which issued. The shape, color, or design of such tag shall be changed from year to year.
- B. Every owner is required to see that the tag is securely fastened to the dog's choke chain, collar, or harness, which must be worn by the dog at all times.

ARTICLE III. PROHIBITED ACTIVITIES AND NUISANCES

SECTION 3-1. NUISANCES

- A. Every person who maintains an animal within the City of Carlisle and outside of their residence must keep their yard clean and sanitary and dispose of animal waste on a regular basis, so as not to create a nuisance because of the odor.
- B. It is hereby declared to be unlawful for any owner, keeper or walker of an animal to permit the animal to discharge such animal's waste (feces) upon any public or private property, other than the property of the owner of the animal, within the City, if such owner, keeper or walker does not immediately thereafter remove and clean-up such animal waste (feces) from the public or private property.
- C. Any owner who permits their pet to bark, howl, whine, or make any other noises that in the opinion of the Animal Control Authority are a nuisance to the neighbors between the hours of 6:00 p.m. and 8:00 a.m. may be fined, after warning to correct the condition and abate the nuisance, in an amount up to \$50.00 per incident if not corrected within ten (10) days of notification.
- D. Any person who is found guilty of violating this section may be fined in an amount not to exceed \$50.00 per incident

SECTION 3-2. RUNNING AT LARGE

- A. The owner of any dog shall keep his dog under restraint at all times and shall not permit such dog to be at large, off the premises or property of the owner, unless under the control of a competent person.

SECTION 3-3. CONFINEMENT OF CERTAIN DOGS AND OTHER ANIMALS

- A. Every female dog in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such manner that such female dog cannot come in contact with another animal, except for breeding purposes.
- B. No wild animal may be kept within the city limits, except under the conditions as shall be fixed by the Animal Control Authority; provided, however, that wild animals may be kept for exhibition purposes by circuses, zoos, and educational institutions, in accordance with such regulations as shall be established by the Animal Control Authority.

SECTION 3-4. SANITATION, HOUSING AND CARE OF ANIMALS

- A. It shall be unlawful for the owner or person in charge of any animal to permit such animal to remain without sufficient food, water, or shelter.
- B. Animals maintained in pens, cages, or runs for periods exceeding 24 hours shall be provided with adequate space to prevent overcrowding and to maintain normal exercise according to species. Cages are to be of materials and construction that permit cleaning and sanitizing.
- C. Outside housing or enclosures shall allow adequate protection to keep the animal dry and out of the direct paths of wind and the sun. Floors of buildings and runs shall be constructed to drain in a suitable manner so as to rapidly eliminate excess water or moisture.

- D. If the animal is restrained on a tie-out, consisting of a chain, leash, wire cable or similar restraint, such tie-out shall be located so that the animal is confined exclusively on the owner's premises. Tie-outs shall be located so that they cannot become entangled with other objects. Choke collars shall not be used to attach an animal to a tie-out.
- E. Provisions shall be made for the timely removal and proper disposal of animal and food waste, soiled bedding, dead animals, and debris, so that the animal may walk or lie down without coming into contact with such debris. Disposal facilities shall be provided and so operated as to minimize vermin infestation, odors, and disease hazards.
- F. Food shall be free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value as to meet the normal daily requirements for the condition and size of the animal.
- G. Fresh water, either free-flowing or in a clean receptacle, shall be available to the animal at all times. Water vessels shall be weighted, mounted, or secured in such a manner as to prevent tipping.

SECTION 3-5. CRUELTY TO ANIMALS

No person shall neglect, beat, torture, torment, or otherwise abuse any animal, or cause to permit any dog fight, cockfight or other combat between animals or between animals and humans.

ARTICLE IV. DANGEROUS AND POTENTIALLY DANGEROUS ANIMALS

SECTION 4-1. ATTACK BY AN ANIMAL

It shall be unlawful for any person's animal to inflict or attempt to inflict bodily injury to any person or other animal whether or not the owner is present. This section shall not apply to an attack by a dog under the control of an on-duty law enforcement officer or to an attack upon an uninvited intruder who has entered the owner's home with criminal intent.

SECTION 4-2. DESTRUCTION OF DANGEROUS ANIMAL

The Animal Control Authority shall have the authority to order the destruction of dangerous animals in accordance with the terms established by this Ordinance.

SECTION 4-3. DESIGNATION OF A POTENTIALLY DANGEROUS ANIMAL

The Animal Control Officer shall designate any animal as a potentially dangerous animal upon receiving evidence that such potentially dangerous animal has, when unprovoked, bitten, attacked, or threatened the safety of a person or a domestic animal as stated under Article I. When an animal is declared potentially dangerous, the animal control officer shall cause one owner of the potentially dangerous animal to be notified in writing that such animal is potentially dangerous.

SECTION 4-4. EVIDENCE JUSTIFYING DESIGNATION

The Animal Control Officer shall have the authority to designate any animal as a dangerous animal upon receiving evidence of the following:

- A. That the animal has when unprovoked, bitten, attacked, or threatened the safety of a person or domestic animal as stated in Article I.
- B. That the animal has been declared potentially dangerous and such animal has bitten, attacked, or threatened the safety of another person or domestic animal as stated Article I.

SECTION 4-5. AUTHORITY TO ORDER DESTRUCTION

The Animal Control Officer, upon finding that an animal is dangerous hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:

- A. The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an attack without warning or multiple attacks; or
- B. The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent injury to other persons or other animals.

SECTION 4-6. PROCEDURE

The Animal Control Officer, after having determined that an animal is dangerous, may proceed in the following manner:

- A. The Animal Control Officer shall cause one owner of the animal to be notified in writing or in person that the animal is dangerous and may order the animal seized or make such orders as deemed proper. This owner shall be notified as to dates, times, places and parties bitten, attacked, or threatened, and shall be given fourteen (14) days to appeal this order by requesting a hearing before the Animal Control Authority for a review of this determination.
 - 1. If no appeal is filed, the orders issued will stand and the Animal Control Officer may order the animal destroyed.
 - 2. If an owner requests a hearing for the determination as to the dangerous nature of the animal, the hearing shall be held before the Animal Control Authority, which shall set a date for hearing not more than three (3) weeks after demand for the hearing. The records of the Animal Control Officer shall be admissible for consideration by the Animal Control Authority without further foundation. After considering all evidence pertaining to the temperament of the animal, the Animal Control Authority shall make an order as it deems proper. The Animal Control Authority may order that the Animal Control Officer take the animal into custody for destruction, if such animal is not currently in custody. If the animal is ordered into custody for destruction, the owner shall immediately make the animal available to the Animal Control Officer.
 - 3. No person shall harbor an animal after it has been found to be dangerous and ordered into custody for destruction.

SECTION 4-7. STOPPING AN ATTACK

If any police officer or Animal Control Officer is witness to an attack by an animal upon a person or another animal, the officer may take whatever means the officer deems appropriate to bring the attack to an end and prevent further injury to the victim.

SECTION 4-8. NOTIFICATION OF NEW ADDRESS

The owner of any animal which has been identified as dangerous or potentially dangerous must notify the Animal Control Officer, in writing, if the animal is to be relocated from its current address or given or sold to another person. The notification must be given in writing at least fourteen (14) days prior to the relocation or transfer of ownership. The notification must include the current owner's name and address, the relocation address, and the name of the new owner, if any.

SECTION 4-9. DANGEROUS ANIMAL REQUIREMENTS

If the Animal Control Authority does not order the destruction of an animal that has been declared dangerous, the owner shall.

- A. Provide and maintain a proper enclosure for the dangerous animal as specified in Article I.
- B. Post the front and rear of the premises with clearly visible warning signs, including a warning symbol to inform children, that there is a dangerous animal on the property;
- C. Provide and show proof annually of public liability insurance in the minimum amount of one hundred fifty thousand dollars (\$150,000) to cover liability for the animal declared to be dangerous;
- D. If the animal is a dog and is outside the property enclosure, ensure that it is muzzled and restrained by a substantial chain or leash (not to exceed six (6) feet in length) and is under the physical restraint of a person 16 years of age or older. The muzzle must be of such design as to prevent the dog from biting any person or animal, but will not cause injury to the dog or interfere with its vision or respiration;
- E. Register the dangerous animal with the Animal Control Authority;
- F. Ensure that the animal has a current city license and rabies vaccination.

SECTION 4-10. SEIZURE

Animal Control shall immediately seize any dangerous animal if the owner does not meet each of the above requirements within fourteen (14) days after the date notice is sent to the owner that the animal is dangerous. Seizure may be appealed to a court of competent jurisdiction.

SECTION 4-11. RECLAIMING ANIMALS

A dangerous animal seized under Section 4-2 may be reclaimed by the owner of the animal upon payment of impounding and boarding fees, and presenting proof to Animal Control that each of the requirements under Section 4-9 has been fulfilled. An animal not reclaimed under this Article within fourteen (14) days may be disposed of as provided under Section 4-5, and the owner is liable to Animal Control for costs incurred in confining the animal.

SECTION 4-12. SUBSEQUENT OFFENSES

If an owner of an animal subsequently violates the provisions under Article IV with the same animal, the animal must be seized by animal control. The owner may request a hearing as provided for in Section 4-6. If the owner is found to have violated the provisions for which the animal was seized, the animal control officer shall order the animal destroyed in a proper and humane manner and the owner shall pay the costs of confining the animal. If the owner is found not to have violated the provisions for which the animal was seized, the owner may reclaim the animal under the provisions of Section 4-11. If the animal is not reclaimed by the owner within fourteen (14) days after the date the owner is notified that the animal may be reclaimed, the animal may be disposed of as provided under Section 4-5, and the owner is liable to animal control for the costs incurred in confining, impounding and disposing of the animal.

ARTICLE V. RABIES CONTROL

SECTION 5-1. RABIES CONTROL AND QUARANTINE

- A. Every animal which bites a person shall be promptly reported to the Animal Control Authority, and shall thereupon be securely quarantined at the discretion of said authority for a period of ten (10) days, and shall not be released from such quarantine except by written permission of the Animal Control Authority. At the discretion of the Animal Control Authority such quarantine may be on the premises of the owner, at the shelter designated as the City Animal Shelter or, at the owner's option and expense, in a veterinary hospital of his choice. In the case of stray animals, or in cases of animals whose ownership is not known, such quarantine shall be at the shelter designated as the City Animal Shelter.
- B. The owner, upon demand made by the Animal Control Authority, shall forthwith surrender any animal which has bitten a human, or which is suspected of having been exposed to rabies, for supervised quarantine which expenses shall be borne by the owner, and may be reclaimed by the owner if adjudged free of rabies, upon payment of fees set forth in Article VIII of this ordinance, and upon compliance with the licensing provisions set forth in Article II of this ordinance.
- C. When an animal under quarantine has been diagnosed as being rabid, or suspected by a licensed veterinarian as being rabid, and dies while under such observation, the Animal Control Authority shall immediately send the head of the animal to the State Health Department for pathological examination, and shall notify the public health officer of reports of human contacts and diagnosis made of the suspect animal.
- D. When one or both reports give a positive diagnosis of rabies, the Animal Control Authority may impose a city-wide quarantine for a period of thirty (30) days and upon the invoking of such quarantine, no animal shall be taken into the streets, or permitted to be in the streets during such period of quarantine. During such quarantine no animal may be taken to or shipped from the City without written permission of the Animal Control Authority.
- E. During such period of rabies quarantine as herein mentioned, every animal bitten by an animal adjudged to be rabid, shall be forthwith destroyed, or at the owner's option and expense shall be treated for rabies infection by a licensed veterinarian, or held under thirty (30) days quarantine by the owner in the same manner as other animals are quarantined.

- F. In the event there are additional positive cases of rabies occurring during the period of quarantine, such period of quarantine may be extended for an additional six (6) months.
- G. No person shall kill, or cause to be killed, any rabid animal, any animal suspected of having been exposed to rabies, or any animal biting a human except as herein provided, nor remove same from the city limits without written permission from the Animal Control Authority.
- H. The carcass of any dead animal exposed to rabies shall upon demand be surrendered to the Animal Control Authority.
- I. The Animal Control Authority shall direct the disposition of any animal found to be infected with rabies.
- J. No person shall fail or refuse to surrender any animal for quarantine or destruction as required herein when demand is made therewith by the Animal Control Authority

SECTION 5-2. REPORTS OF BITE CASES

It shall be the duty of every physician, or other practitioner, to report to the Animal Control Authority the names and addresses of persons treated for bites inflicted by animals, together with such other information as will be helpful in rabies control.

SECTION 5-3. RESPONSIBILITIES OF VETERINARIANS

It shall be the duty of every licensed veterinarian to report to the Animal Control Authority his diagnosis of any animal observed by him as a rabies suspect.

SECTION 5-4. EXEMPTIONS

- A. The licensing and vaccination requirements of this Ordinance shall not apply to any dog belonging to a nonresident of the City and kept within the City for not longer than thirty (30) days, provided all such dogs shall at times while in the City be kept within a building, enclosure or vehicle, or be under restraint by the owner.
- B. Dogs brought into the City for the purpose of participating in any dog show and “assistance” dogs properly trained to assist disabled persons shall be exempt from all provisions of this Act except the requirements for vaccination.

ARTICLE VI. IMPOUNDMENT OF ANIMALS

SECTION 6-1. IMPOUNDMENT

- A. An unlicensed dog, wherever found, or licensed dogs found running at large shall be taken up by the agent of the Animal Control Authority and impounded in the shelter designated as the City Animal Shelter, and there confined in a humane manner for a period of not less than five (5) days, and may thereafter be disposed of in a humane manner if not claimed by their owners. Provided however, that prior to such disposition, the owners shall be given five (5) days notice by certified mail, return receipt requested. Dogs not claimed by their owners after the expiration of such five (5) day notice, shall become the property of the Animal

Control Authority and be disposed of at the discretion of the said authority, except as hereinafter provided in the cases of certain dogs.

- B. Unclaimed Dogs for Scientific Purposes. Whenever any hospital or reputable institution for learning shall apply to the City of Carlisle for permission to use for research purposes in the study of prevention of disease, or the betterment of mankind, an impounded dog or dogs remaining unclaimed, the city shall request the Animal Control Authority to surrender to the institution or hospital such unclaimed dogs as it has requested, and they shall be so surrendered.
- C. When dogs are found running at large for the first time, and their ownership is known to the Animal Control Authority, such dogs need not be impounded, but the agent may, at his discretion, issue the owner a warning citation to keep his or her dog from running at large.
- D. Immediately upon impounding dogs or other animals, the agents of the Animal Control Authority shall make every reasonable effort to notify the owners of such dogs, or other animals so impounded, and inform such owners of the conditions whereby they may regain custody of such animals.
- E. Animals other than dogs shall be impounded when found running at large within the city limits and disposed of in accordance with law.
- F. Any impounded animal that is visibly sick, diseased, or disabled, to an extent that it is suffering and in distress may, upon the recommendation of a licensed veterinarian, be euthanized as quickly as practicable.

SECTION 6-2. UNSPAYED FEMALE STRAY DOGS

No unspayed dog which has been impounded by reason of it being a stray shall be allowed to be adopted from the animal shelter unless the prospective owner shall agree to have such female spayed.

SECTION 6-3. REDEMPTION OF IMPOUNDED ANIMALS

- A. The owner shall be entitled to resume possession of any impounded dog, otherwise provided in this ordinance, upon compliance with the license provision in Article II and the payment of impoundment fees set forth herein.
- B. Any other animal impounded under the provisions of this ordinance may be reclaimed by the owner upon the payment of impoundment fees set forth herein.
- C. Any animal impounded under the provisions of this ordinance and not reclaimed by its owner within five (5) days of written notice by certified mail, may be humanely destroyed by the Animal Control Authority, or placed in the custody of some person deemed a responsible and suitable owner, who will agree to comply with the provisions of this ordinance and such other regulations as shall be fixed by the Animal Control Authority. Provided, if the animal is one as to which the respective rights of the owner and the person in possession or custody are determined by state law, such law shall be complied with.
- D. When in the judgment of the Animal Control Authority or its agents, an animal should be destroyed for humane reasons; such animal may not be redeemed.

SECTION 6-4. IMPOUNDMENT FEES

Any animal impounded hereunder may be reclaimed as herein provided upon payment by the owner to the Animal Control Authority the sum of ten dollars (\$10.00) for each such animal, plus the sum of five dollars (\$5.00) for each day such animal is kept after the first day. Impoundment fees set forth herein shall be collected and paid into a fund for the maintenance and operation of the city animal shelter and for the administration and enforcement of this ordinance.

ARTICLE VII. INVESTIGATION AND ENFORCEMENT

SECTION 7-1. INVESTIGATION

For the purpose of discharging the duties imposed by this ordinance and to enforce its provisions any agent of the Animal Control Authority or any police officer is empowered to enter upon any premises upon which a dog is kept or harbored and to demand the exhibition by the owner of such dog or the license for such dog. It is further provided that any agent of the Animal Control Authority may enter the premises where any animal is kept in a reportedly cruel or inhumane manner and demand to examine such animal and to take possession of such animal, when in his opinion, it requires humane treatment.

SECTION 7-2. INTERFERENCE

No person shall interfere with, hinder or molest any agent of the Animal Control Authority in the performance of his duty, or seek to release any animal in the custody of the Animal Control Authority or its agents, except as herein provided.

SECTION 7-3. ENFORCEMENT

The provisions of this Ordinance shall be enforced by the Animal Control Authority of the City of Carlisle, Arkansas.

ARTICLE VIII. PENALTIES

SECTION 8-1. PENALTIES

Except as otherwise provided, any person violating any provisions of this Ordinance shall be deemed guilty of a misdemeanor and punished by a fine not exceeding two hundred dollars (\$200.00) and if such violations be continued, each day's violations shall constitute a separate offense.

SECTION 8-2. FINES

- A. If an impounded dog does not have a current (within the last 12 months) rabies vaccination, an additional fee of \$5.00 is assessed. Positive proof of rabies vaccination is the responsibility of the owner.
- B. If an impounded dog does not have a current city dog license, another \$5.00 fine shall be assessed. These fines shall be in addition to impoundment fees.

ARTICLE IX. ADOPTION OF ANIMALS

SECTION 9-1. FEE FOR ADOPTION OF ANY DOG

There shall be a ten dollar (\$10.00) fee for the adoption of any dog or puppy. All such dogs or puppies adopted shall be licensed and shall receive a rabies vaccine. Female dogs shall be spayed, or the owner shall agree, in writing, to have such female dog spayed within thirty (30) days of adoption.

SECTION 9-2. RELEASE FORM

Any owner wishing to give the City of Carlisle any animal shall be required to sign a release form giving the city full and complete authority to destroy or dispose of said animal at the convenience of the City of Carlisle, and by whatever manner the Animal Control Authority, or its officers, shall deem proper.

ARTICLE X. RECORDS

- A. It shall be the duty of the Animal Control Authority to keep, or cause to be kept, accurate and detailed records of the licensing, impoundment and disposition of all animals coming into its custody.
- B. It shall be the duty of the Animal Control Authority to keep, or cause to be kept, accurate and detailed records of all bite cases reported to it, and its investigation of same.
- C. It shall be the duty of the Animal Control Authority to keep, or cause to be kept, accurate and detailed records of all monies received pursuant to this ordinance belonging to the City of Carlisle, which records shall be open to inspection at reasonable times by such persons responsible for similar records of the City of Carlisle, and shall be audited annually in the same manner as other city records are audited.

ARTICLE XI. SEVERABILITY

The provisions of this Ordinance are severable and if a section, phrase or provision shall be declared invalid; such declaration shall not affect the validity of the remainder of this Ordinance.

ARTICLE XII. REPEALING CLAUSE

This Ordinance repeals any ordinances and /or parts thereof in conflict herewith.

ARTICLE XIII. EMERGENCY CLAUSE

It is hereby ascertained and declared that the regulation of animals within the City is necessary for the public welfare, safety, comfort and convenience of the inhabitants of the City of Carlisle,

Lonoke County, Arkansas, an emergency is hereby declared to exist, and this Ordinance shall take effect immediately upon its passage and publication.

PASSED THIS _____ DAY OF _____, 2005.

Bob McCallie, Mayor

ATTEST:

Trudy Drye, Clerk-Treasurer