

**ORDINANCE #11 OF 2018**  
**AN ORDINANCE AMENDING THE CODE OF ORDINANCE FOR**  
**THE TOWN OF MANY, LOUISIANA,**  
**CHAPTER 6, ANIMALS**

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF MANY, SABINE PARISH, LOUISIANA,** at a regular meeting held on the 20th day of November, 2018, upon motion by Corley and seconded by Kennedy, the following ordinance was introduced. That motion being that the Town amend the Code of Ordinance, Chapter 6, "Animals", by repealing all preceding ordinances pertaining to animals and adopting the following new policy:

**Article I. General**

**1. Penalties**

Anyone found violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) or imprisonment for not more than ninety (90) days, or both, for each such offense *as defined in the Schedule of Fines.*

**2. Interference with animal control officer performing their duties.**

It shall be unlawful for any person to hinder, obstruct, attempt to obstruct in any manner, or to refuse to permit the animal control officer or his representative to carry out their duties as set forth herein, when said person is acting in his official capacity.

**3. Definition of terms.**

*Animal Control Officer* shall mean the person designated by the Mayor to represent and act for the Town of Many, Louisiana and enforce this ordinance. The animal control officer shall be a commissioned law enforcement officer with the Town of Many.

*Animal Shelter* shall mean the Sabine Animal Shelter.

*Dog* shall mean any member of the canine family or species and is intended to mean both sexes.

*Inhumane treatment* shall mean any treatment to an animal which deprives the animal of necessary sustenance, including food, water, protection from weather, or any treatment of any animal such as overloading, overworking, tormenting, abandoning, mutilating or other abnormal treatment as may be determined by the animal control officer.

*Livestock* shall mean horses, mules, sheep, goats or any other similar domesticated animal.

*Nuisance Animal* shall mean any animal causing inconvenience or annoyance and desired to be removed by a resident or property owner and not returned.

*Owner* shall mean any person or persons, firm, association or corporation owning, keeping or harboring an animal, or who acts as its custodian, or who permits an animal to remain on or about their premise.

*Running at large* shall mean off the premise of the owner and not under the physical control of the owner or other persons authorized by the owner to care for the animal by leash, cord, chain or otherwise.

*Serious bodily injury* means bodily injury which includes unconsciousness, extreme physical pain or protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty, or a substantial risk of death.

*Vaccination* shall mean the injection, by a licensed veterinarian, of an animal using anti-rabies vaccine approved by the state health officer. As defined in the Louisiana Administrative Code, Title 51, Part III § 101.

**4. Cruelty to animals; simple.**

The Animal Control Officer shall have authority to seize and impound any animal subject to the crime of *cruelty to animals, simple* and transfer to the Sabine Animal Shelter for processing.

Any person who intentionally or with criminal negligence commits any of the following shall be guilty of *cruelty to animals, simple*:

- 1) Overdrives, overloads, drives when overloaded, or overworks a living animal.
- 2) Torments, cruelly beats, or unjustifiably injures any living animal, whether belonging to himself or another.
- 3) Having charge, custody, or possession of any animal, either as owner or otherwise, unjustifiably fails to provide it with proper food, proper drink, proper shelter, or proper veterinary care or with humane care and treatment.
  - i. Proper shelter shall consist of adequate protection from the elements as required to prevent unnecessary suffering by the animal. Shelter shall have three (3) solid sides, a solid roof, a solid floor and raised three (3) inches above the ground or the floor shall be designed to provide a dry area at all times. Proper shelter for livestock is defined in Article IV, Section 1.
  - ii. Any animal secured on a tether or cable runner must provide at least fifteen (15) feet for the animal to move freely, allowing the animal to defecate and urinate in an area separate from the area where it must eat, drink and lie down but such where the animal is unable to partially or totally jump any fence or wrap itself around any fixed object. The tether or cable tie must terminate in swivels at both ends and must be attached to a leather or nylon collar or harness (not a choke chain). No animal shall be hitched, tied or fastened by any rope, chain or cord that is directly attached to the animal's neck.
  - iii. Proper food shall mean providing each animal with daily food of sufficient quality and quantity to prevent unnecessary or unjustifiable suffering by the animal. This is to be provided in a bowl, bucket or other container suitable for this use, which is not easily turned over.
  - iv. Proper drink shall mean providing each animal with daily water of sufficient quality and quantity to prevent unnecessary or unjustifiable suffering by the animal. This is to be provided in a bowl, bucket or other container suitable for this use, which is not easily turned over.
- 4) Instigates or permits fighting of any animal or other combat between animals or between animals and humans.
- 5) Abandons any animal. A person shall not be considered to have abandoned an animal if he delivers said animal to the animal shelter or an animal control officer or any holding pens provided for this purpose.
- 6) Impounds, confines or causes to be impounded or confined a living animal and fails to supply it during such confinement with proper food, proper drink, and proper shelter.
- 7) Carries, or causes to be carried, a living animal in or upon a vehicle or otherwise, in a cruel or inhumane manner.
- 8) Unjustifiably administers any poisonous or noxious drug or substance to any domestic animal or unjustifiably exposes any such drug or substance, with intent that the same shall be taken or swallowed by any domestic animal.

- 9) Intentionally injures any animal belonging to another person.
- 10) Mistreats any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering, or death is caused to or permitted upon the animal.

**5. Proof of vaccination.**

Every animal in the Town of Many is required to be vaccinated. At the request of the Animal Control Officer, proof of veterinary records shall be provided as required by the Louisiana Administrative Code, Title 51, Part III § 101. Animals with no veterinary records will be seized and turned over to the Sabine Animal Shelter for processing.

**6. Running at large.**

- a. No owner or keeper of any animal shall permit the animal to run at large on any place of the town off the premises of the custodian of the animal where they are not under the direct control of the owner or keeper.
- b. It shall be the duty of the animal control officer or their authorized representative to apprehend any animal running at large and impound at the Sabine Animal Shelter for processing.
- c. Fines issued for the first three offenses shall be \$75.00/\$100.00/\$200.00 respectively. The fourth offense and subsequent offenses shall be fined \$500.00.

**7. Notice to owner and redemption of impounded animals.**

- a. *Identifiable animals where owners are known.* The animal control officer or their authorized representative shall notify the owner of the animal within 3 days by any means available. This includes phone calls, certified mail, if address is known, or a note at the home. The owner will have the opportunity to reclaim the animal from the Sabine Animal Shelter when all costs associated with impounding and care have been paid to the shelter, if applicable. Animals not picked up within 10 days will be subject to adoption or other handling.
- b. *Unidentifiable animals where owners are unknown.* The animal control officer or their authorized representative shall make every attempt to locate and notify the owners of all animals. Animals with no identifiable chips, tags, collars will be held at the Sabine Animal Shelter for a maximum of 3 days. After the third day, the animals will be subject to adoption or other handling.

**8. Reporting Requirements, attack or bite.**

The owner or keeper of any animal shall report any attack or bite to the animal control officer within 24 hours of said occurrence. Such report shall contain, at minimum, the owners name and address, the name and description of the animal, the name and address, if known, of the victim, the extent of injuries inflicted on the victim, the time and location of the attack, vaccination records and the name and address of the veterinarian who administered the vaccination. If no current vaccination records are provided, the animal will be seized and quarantined at the Sabine Animal Shelter for a period of 10 days or until a clear rabies status is granted. If a positive test is confirmed, the animal shall be humanely euthanized.

**Article II. DOGS.**

**1. Proper shelter.**

Defined in *Cruelty to animals; simple, Article I, Section 5,c,i.*

**2. Securing an animal.**

Defined in *Cruelty to animals; simple, Article I, Section 5,c,ii.*

**3. Proper food and water.**

Defined in *Cruelty to animals; simple, Article I, Section 5,c,iii,iv.*

### **Article III. Cats.**

1. At the request of a resident or property owner or on an as needed basis, stray/feral cats within the limits of the Town of Many shall be trapped and turned over to the Sabine Animal Shelter for processing.
2. Feral cats will be trapped and picked up after complaints from citizens or as needed. If funds are available the cats will be taken to a vet to be spayed/neutered and have their ears clipped to identify them. Spayed/neutered feral cats will not be returned to the property should resident or property owner state they are not to be brought back. If the property owner or resident agrees the feral cat will be returned to the property after spayed/neutered and ears clipped. Should the volunteers be unable to fund this program we encourage the Sabine Animal Shelter and/or the Sabine Humane Society to assist.
3. Cats trapped with clipped ears identify them as animals that have been spayed/neutered and are part of this program. If these animals are caught and the resident or property owner wants them returned, they will be released to that property. If the resident or property owner does not want the animal on their property, Trap-Neuter-Return volunteers will be notified and the animal will be turned over to the Sabine Animal Shelter for processing with the directive "do not return". If there is a conflict between the resident and property owner as to the return of the feral cat to that property the property owner's direction takes precedence.

### **Article IV. Livestock.**

The Animal Control Officer shall have authority to seize and impound any animal in violation of Article IV and transfer to the Sabine Animal Shelter for processing.

#### **1. Shelter.**

It shall be unlawful for any person to keep livestock within the limits of the Town of Many unless said livestock are securely kept and maintained within a fenced area having an area of not less than one (1) acre for each animal with an additional one-half ( $\frac{1}{2}$ ) acre for each additional animal. In addition, no livestock shall be kept in a barn, shed, or other shelter, nor shall any feeding facilities or watering facilities or any other facilities or buildings around which livestock congregate, be located within two hundred (200) feet from the nearest residence or commercial building.

#### **2. Anchoring of livestock.**

It shall be unlawful for any person to tie or anchor livestock or any other domestic animal for grazing or like purposes with the exception of small animals weighing up to 125 pounds. For these situations, the following conditions apply:

Any animal secured on a tether or cable runner must provide at least fifteen (15) feet for the animal to move freely, allowing the animal to defecate and urinate in an area separate from the area where it must eat, drink and lie down but such where the animal is unable to partially or totally jump any fence or wrap itself around any fixed object. The tether or cable tie must terminate in swivels at both ends and must be attached to a leather or nylon collar or harness (not a choke chain). No animal shall be hitched, tied or fastened by any rope, chain or cord that is directly attached to the animal's neck.

#### **3. Movement of animals.**

It shall be unlawful for any person to drive/ride livestock through any public property within the limits of the Town of Many, or across private lawns, property or parks.

#### **4. Maintenance of premises, disposal, and cleanup.**

- a) The owner of any livestock, fowl, or other animal shall be responsible for the following:

- i. To maintain his premises in such a manner as not to constitute a private nuisance to adjoining property owners or a nuisance to the public generally. Pens or yard areas in which livestock, fowl or rabbits are confined or maintained shall be cleaned regularly so that they are kept free from offensive odors which would disturb any person residing within a reasonable distance of said premises.
- ii. To maintain his premises in such a manner to prevent the breeding of flies, mosquitoes, and other pests.
- iii. To restrain his animals in such a fashion that noise emanating therefrom shall not be disturbing to the neighbors or the public in general.
- iv. To construct his fencing or other enclosure in such a fashion that his animals may not extend their legs, necks, wings, or any body part onto his neighbor's property, or any shrub, or plant growing on the neighbor's property.
- v. To prevent the accumulation of manure, food wastes, bedding, dead animals and debris.
- vi. To remove and dispose of manure, food wastes, bedding, dead animals and debris and to provide disposal facilities and to operate same so as to minimize vermin infestation, odors and disease hazards.
- vii. The owner shall be responsible for the disposal of all carcasses of his livestock or other animal. The disposal shall be carried out in a sanitary manner. Livestock may not be cremated or buried within the limits of the Town of Many without a permit from the animal control officer and carried out under the supervision of that office.
- viii. Any person keeping livestock or any other animal within the limits of the Town of Many shall make such premises available for inspection by the animal control officer.

#### **Article V. Dangerous Animal**

1. It is unlawful for any person to own a dangerous dog without properly restraining or confining the dog. Failure to do so will result in immediate impoundment pending a hearing in city court, which hearing shall be fixed within 5 days of impoundment. If determined by the Court to be a dangerous dog, said dog shall be returned to the owner upon the owner complying with requirements herein and paying any fees due for impoundment.
2. For the purposes of this Section "dangerous dog" means:
  - a. Any dog which when unprovoked, on two separate occasions within the prior thirty-six-month period, engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are off the property of the owner of the dog; or
  - b. Any dog which, when unprovoked, bites a person causing an injury; or
  - c. Any dog which, when unprovoked, on two separate occasions within the prior thirty-six-month period, has killed, seriously bitten, inflicted injury, or otherwise caused injury to a domestic animal off the property of the owner of the dog.

3. A dangerous dog, while on the owner's property, shall, at all times, be kept indoors, or in a secure enclosure.
  - a. An enclosure shall be constructed of material suitable to prevent the entry of young children and suitable to confine a dangerous animal. The enclosure shall be at least six (6) feet in height, shall have secure sides, a secure top attached to its sides and shall have a secure bottom or floor attached to the sides OR have the sides imbedded no less than 30 inches into the ground. Such enclosure should be totally enclosed on all sides and locked at all times.
4. The owner of a dog determined by the court to be dangerous shall post signs around the secure enclosure no more than thirty feet apart and at each normal point of ingress and egress. The signs shall bear the words "Beware of Dog", or "Dangerous Dog" in letters at least three and one-half inches high and shall be so placed as to be readily visible to any person approaching the secure enclosure.
5. If the dog in question dies, or is sold, transferred, or permanently removed from the municipality or parish where the owner resides, the owner of a dangerous dog shall notify the animal control agency of the changed condition and new location of the dog in writing within two days.
6. Whoever violates the provisions of this Section shall be fined not more than three hundred dollars.

#### **Article VI. Vicious Animal- Unlawful ownership of a vicious dog**

1. For the purposes of this Section "vicious dog" means any dog which, when unprovoked, in an aggressive manner, inflicts serious bodily injury on or kills a human being and was previously determined to be a dangerous dog. Any dog impounded or seized as vicious shall be held pending a hearing in city court as set forth in Article V, Section 1 above. A dog declared by the court to be vicious shall be humanely euthanized after a 10 day appeal waiting period. All findings of the city court are appealable if said appeal is noticed within 10 days of adjudication.
2. It is unlawful for any person to own a vicious dog.
3. Whoever violates the provisions of this Section shall be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than six months, or both.

#### **Article VII. Public sale of animals.**

It shall be unlawful for any person to sell, trade, barter, lease, rent, give away or display for a commercial purpose a live animal on a roadside, public right-of-way, commercial parking lot, or at an outdoor special sale, swap meet, flea market, parking lot sale, or similar event without obtaining a license. Each Peddlers License shall be valid until December 31 of the same year issued. The license fee is two hundred dollars (\$200.00).

Any person issued a Peddlers license for public sale of animals shall comply with the following requirements:

1. As defined in Section 4, a, vii, the Animal Control Officer shall have the authority to inspect the premise, animals, sale records and veterinary records for compliance.
2. No animal may be sold, adopted, bartered or otherwise transferred, whether for compensation or otherwise, until it has reached the age of six weeks.
3. No animal may be sold, adopted, bartered or otherwise transferred until immunized against common diseases by a licensed veterinarian and microchipped. The transfer of ownership shall include copies of the animal's veterinary records including microchip data.
4. Persons violating this requirement shall be fined three hundred dollars (\$300.00).

# Town of Many Statement of Surrender

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

OWNERS NAME: \_\_\_\_\_

OWNERS ADDRESS: \_\_\_\_\_

OWNERS PHONE NUMBER: \_\_\_\_\_

NUMBER OF ANIMALS SURRENDERED: \_\_\_\_\_

DESCRIPTION OF ANIMAL(S): BREED: \_\_\_\_\_ COLOR: \_\_\_\_\_ AGE: \_\_\_\_\_

IF MORE THAN ONE ANIMAL, PLEASE DESCRIBE EACH ANIMAL.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I certify that I own the animal(s) described above and I hereby surrender all my interest to The Town of Many. I further certify that, to the best of my knowledge that said animal(s) HAS / HAS NOT bitten any animal and/ or human within the last TEN DAYS.

I can no longer care for this animal(s), and by signing my animal(s) over to The Town of Many, I am relinquishing all rights of ownership. I understand that by relinquishing ownership rights to this animal(s), I will not be able to determine its final disposition. I understand that the animal(s) I give up will be taken to the Sabine Animal Shelter and will either be placed in a new home or humanely euthanized.

Signature of Responsible Party: \_\_\_\_\_

Town Of Many ACO Signature: \_\_\_\_\_

# Town of Many Shelter Intake Form

Date: \_\_\_\_\_

Many P.D. Case # (if applicable): \_\_\_\_\_

Animal Control Officer: \_\_\_\_\_

Animal Type: \_\_\_\_\_

Description: \_\_\_\_\_

Owner of Animal: \_\_\_\_\_

Address of Owner: \_\_\_\_\_

Phone Number of owner: \_\_\_\_\_

Reason for Intake: \_\_\_\_\_

Instructions to Animal Shelter: \_\_\_\_\_

ACO Signature: \_\_\_\_\_

Animal Shelter Signature: \_\_\_\_\_



## **Town of Many Animal Control Schedule of Fines**

- **Interference with animal control officer performing their duties:** Five hundred dollars (\$500.00) each offense.
- **Cruelty to animals, simple: first offense:** Five hundred dollars (\$500.00), or imprisoned for not more than six (6) months, or both. In addition, the court may issue an order prohibiting the defendant from owning or keeping animals for a period of time deemed appropriate by the court.

In addition to any other penalty imposed, a person who commits the crime of cruelty to animals may be ordered to perform five (5) eight-hour days of court-approved community service. R.S. 14:102.1.

- **Failing to provide proof of vaccination-** One hundred dollars (\$100.00) each offense.
- **Running at large-** One hundred dollars (\$100.00) first offense, One hundred fifty dollars (\$150.00) second offense, Three hundred dollars (\$300.00) third offense. Five hundred dollars (\$500.00) fourth and subsequent offenses.
- **Impoundment/ at-large, Dogs/Cats-** One hundred dollars (\$100.00) each offense.
- **Impoundment/ at-large, Livestock-** One hundred dollars (\$100.00) each offense.
- **Anchoring livestock-** One hundred dollars (\$100.00) each offense.
- **Movement of livestock-** One hundred dollars (\$100.00) each offense.
- **Maintenance of premises, disposal, and cleanup-** One hundred dollars (\$100.00) each offense.
- **Dangerous Animal-** Three hundred dollars (\$300.00) each offense. RS 14:102.14
- **Vicious Animal-** Five hundred dollars (\$500.00) each offense. RS 14:102.15
- **Public Sale of Animals-** Three hundred dollars (\$300.00) each offense.

The above and foregoing Ordinance was read in full at open and legal session convened, was on motion by Jackson and seconded by Brocato and adopted on the 18<sup>th</sup> day of December, 2018, to become effective upon publication.

Yeas: Jackson, Brocato, Kennedy, Corley  
Nays: None  
Absent : Darwin  
Abstain: None

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KENNETH A. FREEMAN, MAYOR

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AMIE BROWN, CLERK