

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

WHEREAS, a motion was made by Corley; seconded by Jackson on the 19th day of June 19, 2018 in regular session assembled of the Board of Aldermen of the Town of Many, 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. Sabine Animal Shelter

The facility operated for the purpose of impounding and caring for animals held under the authority of this ordinance. Animals impounded at the shelter will be returned subject to the requirement of the shelter.

2. 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*.

3. 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.

4. 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.

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

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.

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.

5. 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*:

- a. Overdrives, overloads, drives when overloaded, or overworks a living animal.
- b. Torments, cruelly beats, or unjustifiably injures any living animal, whether belonging to himself or another.
- c. 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.
- d. Instigates or permits fighting of any animal or other combat between animals or between animals and humans.
- e. 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.
- f. 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.
- g. Carries, or causes to be carried, a living animal in or upon a vehicle or otherwise, in a cruel or inhumane manner.
- h. 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.
- i. Intentionally injures any animal belonging to another person.

- j. 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.

6. 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. Animals with no veterinary records will be seized and turned over to the Sabine Animal Shelter for processing.

7. 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 will be issued for the first three offenses. The fourth offense will result in ownership of the animal being forfeited and turned over to the Sabine Animal Shelter for processing.

8. 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.

9. 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 4,c,i.

2. Securing an animal.

Defined in *Cruelty to animals; simple*, Article I, Section 4,c,ii.

3. Proper food and water.

Defined in *Cruelty to animals; simple*, Article I, Section 4,c,iii,iv.

Article III. Cats.

1. At the request of a homeowner and 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. The Town of Many has a private group of volunteers who fund and support a Trap-Neuter-Return program for controlling stray/feral cat populations. If requested by a homeowner, stray/feral cats that are caught on private property may be spayed/neutered and ears clipped and then returned to live on the property if funds are available and the volunteers are willing and able to handle this request. If not, the cat will be turned over to the Sabine Animal Shelter for processing. 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 our local representative will be called to pick up these animals.

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 (½) 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/ Vicious Animal Declaration.

The Animal Control Officer shall be authorized to declare an animal dangerous/vicious as defined in Articles VI and VII of this ordinance and impound and transfer to the Sabine Animal Shelter for processing.

The owners shall have 30 days from the date of declaration to follow all requirements. During this time, the animal shall remain in the custody of the Sabine Animal Shelter and will incur a \$10/day kennel cost beginning on the day of impoundment and ending on the day the requirements have been met. If the requirements have not been met within 30 days, the owner will forfeit ownership and the animal will be turned over to the Sabine Animal Shelter for processing.

Article VI. Dangerous Animal.

1. 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, has killed, seriously bitten or inflicted serious injury.
2. 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 and the owner will forfeit ownership and the animal will be transferred to the Sabine Animal Shelter for processing.
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. If a dangerous dog is involved in a subsequent attack or incident, it will immediately be declared "vicious" and transferred to the Sabine Animal Shelter for processing.
7. Whoever violates the provisions of this Section shall be fined three hundred dollars (\$300.00).

Article VII. Vicious Animal.

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 and was previously determined to be a dangerous dog.
2. It is unlawful for any person to own a vicious dog.
3. Whoever violates the provisions of this Section shall be fined five hundred dollars (\$500.00) or imprisoned for not more than six months, or both.

Article VIII. 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 permit. Each Public Sale permit shall be valid for one year from the date of issuance and may be renewed annually before the expiration date. The permit fee is one hundred dollars (\$100.00).

Any person issued a Public Sale Permit 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).

Article IV. Breeding Permit.

No person shall cause or allow any dog or cat owned, harbored or kept within the Town of Many to breed without obtaining a Breeding Permit. Each breeding permit shall be valid for one year from the date of issuance and may be renewed annually before the expiration date. Each breeding animal must be microchipped and have current veterinary records. The breeding permit fee is one hundred dollars (\$100.00).

Any person issued a Breeding Permit 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 offspring may be sold, adopted, bartered or otherwise transferred, whether for compensation or otherwise, until it has reached the age of six weeks.
3. No offspring 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 Animal Control Schedule of Fines

- **Interference with animal control officer performing their duties:** 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.
- **Cruelty to animals, simple: first offense:** not more than 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.

State law reference, R.S. 14:102.1.

- **Failing to provide proof of vaccination-** One hundred dollars (\$100.00) each offense.
- **Running at large-** Fifty dollars (\$50.00) first offense, One hundred dollars (\$100) second offense, Two hundred dollars (\$200) third offense.
- **Impoundment/ at-large, Dogs/Cats-** Fifty dollars (\$50.00) 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-** Fifty dollars (\$50.00) each offense.
- **Maintenance of premises, disposal, and cleanup-** One hundred dollars (\$100.00) each offense.
- **Dangerous Animal-** Three hundred dollars (\$300.00) each offense.
- **Vicious Animal-** Five hundred dollars (\$500.00) each offense.
- **Public Sale of Animals-** Three hundred dollars (\$300.00) each offense.
- **Breeders Permit violation-** 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 of Corley and seconded by Jackson and adopted on the 17th day of July, 2018, to become effective upon publication.

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

KENNETH A. FREEMAN, MAYOR

AMIE BROWN, TOWN CLERK