

ORDINANCE NO. 66

AN ORDINANCE TO REGULATE THE RUNNING AT LARGE OF DOGS WITHIN THE CITY LIMITS OF THE CITY OF CHERRY VALLEY; REQUIRING THE VACCINATION AND TAGGING; PROVIDING FOR THE IMPOUNDMENT AND DESTRUCTION OF ANY SUCH DOGS RUNNING AT LARGE IN VIOLATION OF THIS ORDINANCE; AND PROVIDING PENALTIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHERRY VALLEY, ARKANSAS:

SECTION 1:

It shall be unlawful for any person, firm or corporation to keep or maintain any dog or other animal of that family, either owned or in the care or custody of any such person, firm or corporation, whether confined or allowed to run at large, within the City limits of the City of Cherry Valley, unless the owner or custodian of such dogs shall first have had such dog annually vaccinated on or before April 30 of each year by a vaccine to prevent rabies or hydrophobia, administered by a competent and regularly licensed and practicing veterinarian, physician or pharmacist, or some person acting under the direct control and supervision of a regularly licensed and practicing veterinarian, physician or pharmacist and shall have placed on said dog collar on which is affixed a metal tag bearing a registration number and the date of the vaccination of said dog.

Said registration tag shall be worn by said dog at all times that said dog shall be permitted or suffered to run at large within the City Limits of the City of Cherry Valley.

SECTION 2:

It shall be unlawful for any person, firm or corporation owning any dog or dogs or other animals of that family to permit or suffer said dog or dogs to run at large within the City Limits of the City of Cherry Valley between May 15 and May 31.

SECTION 3:

A designated city employee is hereby authorized and it is made their duty to apprehend and impound any dog found running at large within the City Limits of the City of Cherry Valley in violation of any of the provisions of this Ordinance.

SECTION 4:

The Mayor is hereby im-powered to contract, subject to the approval of the City Council, with some person or persons for the apprehension and impounding of stray dogs, untagged dogs and

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SECTION 4: (Continued)

dogs running at large between May 15 and May 31 each year. Said contract shall specify the location of impoundment facilities, and guarantees that any dogs so impounded will be kept in a clean, sanitary and healthful condition.

SECTION 5:

The owner or custodian of any dog apprehended and impounded under the provisions of this Ordinance shall have 5 days from the date of apprehension in which to reclaim said dog. Said owner shall, at the time of reclamation, pay to the City Clerk the sum of \$10.00 (ten) as the costs of apprehension, plus the sum of \$5.00 (five) dollars per day of impoundment as the costs of feeding and caring for said dog.

If said dog be not reclaimed within five (5) days of its apprehension, the pound-keeper shall destroy said dog in a painless and humane way.

If said dog bears a registration tag or other identification of its owner, then the pound-keeper shall not destroy said dog without first having giving the owner five (5) days notice in writing, sent by certified mail to the owners last known address, informing the owner the place where said dog is kept and the costs of reclaiming same.

SECTION 6:

Any person, firm or corporation violating any provision of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any amount not less than \$10.00 (ten) dollars and not the same be deemed to be a separate offense.

SECTION 7:

It shall be no defense to a prosecution under this Ordinance that any dog be running at large with the City Limits of the City of Limits of the City of Cherry Valley in violation of this Ordinance, without the owner's or custodian knowledge or consent.

SECTION 8:

Any ordinance or ordinances or parts thereof in conflict herewith are hereby repealed.

SECTION 9:

If any portion or portions of this Ordinance be declared to be unconstitutional or void, such holding shall not affect the validity of the remaining portions of this Ordinance.

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SECTION 10:

It is hereby found and declared that dogs running at large constitute a serious health hazard to the public unless properly vaccinated with a vaccine to prevent rabies or hydrophobia, and that there is a large number of stray dogs running at large in the City of Cherry Valley. Therefore, an emergency is hereby declared to exist, and this ordinance being necessary for the immediate preservation of the public peace, health, safety and welfare, it shall take effect and be in force immediately upon its passage and approval.

Passed and approved this _____ day of _____.

APPROVED:

H. H. Beasley

Mayor

ATTEST: Thomas J. Rowland