

ORDINANCE NO. 99-4

AN ORDINANCE PROVIDING FOR LICENSING AND ANIMAL CONTROL WITHIN THE CITY OF CHEROKEE VILLAGE, ARKANSAS ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE CHEROKEE VILLAGE CITY COUNCIL THAT;

SECTION 1. DEFINITIONS

As used in this ordinance, the following terms have the following meanings:

- (a) **Abandon:** An act of any person, partnership, firm or corporation owning, in possession of, harboring or having custody of an animal who knowingly refuses to provide care for the animal.
 - (b) **Altered Animal:** A neutered male or spayed female - an animal incapable of reproduction.
 - (c) **Animal:** Any description of vertebrate, excluding Homo Sapiens.
 - (d) **Animal At-Large:** (1) Any animal shall be considered an "animal at-large" when it is not under the physical control of the animal's owner or harborer, or his authorized representative by leash, cord, chain, fence or enclosure of sufficient strength or construction to contain the animal, or by other effective means of restraint or control; or (2) An animal intruding upon the property of another person or upon public property and not under the physical control referred to herein shall be deemed "running at-large". An animal within an automobile or other vehicle shall not be deemed "running at-large". An animal shall not be considered "at-large" when on the premises of the owner or harborer thereof.
 - (e) **Animal Control Authority:** The City of Cherokee Village or any group, agency or society designated by the City, or designated by the City and any other municipal government in partnership or joint venture therewith.
 - (f) **Animal Shelter:** Any facility operated by a humane society, or municipal agency or its authorized agents, for the purpose of impounding animals under the authority of this ordinance or state law, for care, confinement, return to owner, adoption, or euthanasia.
 - (g) **Cat:** A domestic feline of either sex.
 - (h) **Cruelty to Animals:** Except as authorized by law, it shall be considered "cruelty to animals" when a person, acting knowingly:
 - (1) Abandons any animal
 - (2) Subjects any animal to cruel treatment
 - (3) Subjects any animals in his custody to cruel neglect
 - (4) Kills or injures any animal belonging to another without legal privilege or consent of the owner; or
 - (5) Causing unnecessary pain and/or suffering to any animal.
 - (i) **Dog:** A domestic canine of either sex.
 - (j) **Enclosure:** A fence, structure or containment device establishing an area suitable to confine an animal and prevent the animal from escaping.
 - (k) **Exotic Animal:** An animal that is not indigenous (occurring naturally, native) to Arkansas.
- Harbor:** To keep or care for an animal; to provide food, shelter or premises to which the animal returns for a period of three (3) days or more.
- (m) **Humane Officer or Animal Control Officer:** Any person designated by Sharp or Fulton Counties, State of Arkansas, City of Cherokee Village or other municipal government, or a humane society as a law enforcement officer who is qualified to perform such duties under the laws of this State, and this ordinance.

(n) **License:** A metal or plastic tag and certificate issued by the City to confirm that an animal is vaccinated against rabies in accordance with city ordinance and that the owner or harborer has remitted to the city the necessary license fee (if required).

(o) **Licensing Authority:** The City or its designated agent.

(P) **Muzzle:** When required by this ordinance, a muzzle shall be of appropriate material with sufficient strength to restrain the animal from biting, and no such muzzle employed shall be made from any material or maintained on the animal in any manner so as to cut or injure the animal.

(q) **Owner:** Any person, firm, partnership, or corporation owning, possessing, keeping or harboring one or more animals.

(r) **Pet:** Any animal kept for pleasure; an animal or a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

(s) **P u b l i c N u i s a n c e : A n y a n i m a l o r a n i m a l s t h a t :**

unreasonably annoys humans or endangers the life or health of other animals or persons;

(1)

Or

(2)

substantially interferes with the rights of citizens, other than owners, to the enjoyment of life and property; or

(3)

is repeatedly found at-large; or,

(4)

damages the property of anyone other than its owner; or,

(5)

molests or intimidates pedestrians or passersby; or,

(6)

chases vehicles; or

(7)

excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, growling, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; or,

(8)

causes fouling of the air by odor and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; or,

(9)

causes unsanitary conditions in enclosures or surroundings where the animal is kept or harbored; or,

(10)

is offensive or dangerous to the public health, safety or welfare by virtue of the number and/or types of animals maintained; or,

(11)

is vicious; or attacks other domestic animals; or, has been found by the animal control officer, after notice to its owner and an opportunity for a hearing, to be a "public nuisance animal" by virtue of being a menace to property or the public health, welfare, or safety; or interferes with refuse collection or spreads trash from refuse containers or molests meter readers or other service providers.

(t) **Restraint:** When any animal is secured by a leash, cord, or chain, or otherwise under the control of a responsible person and obedient to the person's commands, or within the real property limits of its owner or harborer.

(u) **Vicious Animal:**

(1) Any animal that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or which, because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.

(2) Any animals owned or harbored, primarily or in part, for the purpose of animal -fictinc, breeding fighting animals, or trained for animal fighting. Notwithstanding the above definition, no animal shall be declared vicious if the person or animal attacked or bitten by said animal was teasing, tormenting, abusing, or assaulting the animal or the person was committing or attempting to commit a crime. No animal shall be declared vicious if the animal can be deemed to be protecting or defending a human being within the immediate vicinity of the animal from an unjustified trespass, attack or assault. No animal shall be declared vicious if the animal was protecting or defending its young from attack or assault.

(v) **Wild Animals:** Any living member of the animal kingdom including those born or raised in captivity, except the following: human beings, domestic dogs (excluding hybrids with wolves, coyotes, or Jackals), domestic cats (excluding hybrids with ocelots or margays), farm animals, and captive-bred species of common cage birds.

SECTION 2: LICENSING

- (a) Any resident owning, keeping, harboring or having custody of any dog or cat over six (6) months of age within this municipality must obtain a license yearly as herein provided.
- (b) Written application for licenses, which shall include name, address and phone number of applicant, description of the animal, including sex and whether altered, the appropriate fee and rabies certificate issued by a licensed veterinarian showing the date of immunization shall be made to the licensing authority at the City Hall.
- (c) If not revoked, licenses for the keeping of dogs and cats shall be for a period of one (1) year.
- (d) Application (by resident) for a license must be made within ten (10) days after obtaining a dog or cat over six (6) months of age or within 30 days of establishing residency; provided however, all persons shall have thirty (30) days after this Ordinance first becomes effective in which to apply for the license required by this section.
- (e) Licenses will be provided without fee for certified Seeing Eye dogs, Hearing Ear dogs or other certified assistance dogs that are trained to assist the physically handicapped nor shall license fees be required of governmental police dogs.
- (f) Upon acceptance of the license application and fee, the licensing authority shall issue a durable tag or identification collar, stamped with an identifying number and the year of issuance. Tags should be designed so that they may be conveniently fastened or riveted to the animal's collar or harness. It shall be the duty of the owner or harbinger of every dog within the City to attach the tag securely to the dog's collar or harness. It shall be the duty of the owner or harbinger of every cat within the city to attach the tag to their cat in a reasonable and humane manner.
- (g) Dogs and cats must wear identification tags or collars at all times when off the premises of the owners or harborers.
- (h) The licensing authority shall maintain a record of the identifying numbers of all tags issued and shall make this record available to the public.
- (i) Persons who fail to obtain or renew a license as required within the time period specified in this section will be subjected to a fine of ten dollars (\$10.00) for the first offense; twenty-five dollars (\$25.00) for the second offence; and one hundred dollars (\$100.00) for each successive offence occurring within one year. The municipal court may also assess a court cost and administrative fee.
- (j) A license shall be issued upon satisfactory completion of the application after payment of the following fee:

Unaltered dogs or cats	\$10.00
Altered dogs or cats	5.00
- (k) A duplicate license may be obtained upon payment of a one dollar (\$1.00) replacement fee.
 - (l) No person may use any license for any animal other than the animal for which it was issued.
- (m) No tag shall be transferable from one animal to another. No refunds shall be made on any fee because of the death of the animal or because the owner leaves the City before the expiration of the license period.
- (n) Nothing in this section shall be construed to apply to any dog or cat under six (6) months of age, or to dogs or cats brought to the city on a temporary basis.

SECTION 3: RABIES VACCINATION REQUIRED

All dogs, cats or other pets in the City which are subject to rabies shall be vaccinated annually against rabies by an accredited veterinarian. A metal tag evidencing such vaccination shall be attached to the harness or collar of every dog in the City and shall be attached to every cat in the City by a reasonably humane method. Any person who shall keep any pet that is subject to rabies in the City without first having such pet vaccinated for rabies at least once a year shall be guilty of a misdemeanor. Each day may be considered a separate offense.

SECTION 4: RESTRAINT

- (a) All animals shall be kept under restraint.
- (b) Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come in contact with another animal except for planned breeding.
- (c) Every vicious animal, as determined by the licensing authority, shall be confined by the owner or harbored within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner or harbored.
- (d) Any person owning or harboring animals, whether or not vaccinated or licensed, shall confine such animal within an adequate fence or enclosure (electronic or structural) or within a house, garage or other building or shall confine such animal by a chain or leash affixed to the animal's collar and attached to some substantial stationary object, in a humane manner, adequate to prevent said animal from running at-large. It shall further be the duty of any owner or harbored of any animal to keep such animal under control so as to prevent said animal from becoming a public nuisance animal.
- (e) It shall be unlawful for any owner or harbored to allow his animal to enter any food store or place where food is exhibited for sale except for those animals specified in Section 2, paragraph (e), above.

SECTION 5: ANIMAL CARE

- (a) No owner or harbored shall fail to provide his animals with sufficient, wholesome, and nutritious food, potable water in sufficient quantities, proper air and shelter which provides protection from the weather including four (4) sides with opening, roof and floor; veterinary care when needed to prevent suffering; and humane care and treatment. No animal may be kept on flooring of wire grid.
- (b) No person shall beat, cruelly ill-treat, torment, overload, overwork or otherwise abuse an animal or cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans.
- (c) Any person who, as the operator of a motor vehicle, hits, strikes or runs over a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner or harbored. In the event the owner or harbored cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency or to the local humane society.
- (d) If any animal is confined by chain, rope or cable, the restraint must be not less than ten (10) feet long and so placed that the animal may not intrude on the property of another person, whether public or private, and provide room for normal postural adjustments and exercise. The area where any animal is confined must provide proper and adequate drainage, be free from toxic substances and be free of items that could cause injury. Adequate potable water and shelter must be available.
- (e) All animals must be provided with appropriate shelter and a non-injurious, safe environment. Shelters and enclosures, whether temporary or permanent, must be constructed so that they are of an appropriate size, strength and material that allows the animal to stand, stretch, turn around and lie down freely. The shelters, enclosures, and fenced areas for animals must be free of hazards such as trash, sharp edges, projecting nails, broken or splintered wood, metal or glass shards, machinery, loose wires or other material that may cause injury.

No animal may be transported on the running board or attached to the outside of a vehicle or in any other manner that might cause injury to the animal.

No person shall confine any animal in a parked vehicle without adequate ventilation when the temperature is such that the animal is in distress or it's health jeopardized. Animal control or humane officers, or other law enforcement officers shall not be liable for any damage resulting to the vehicle when such confined animal(s) are removed.

SECTION 6: ANIMAL WASTE

- (a) The owner of every animal shall be responsible for the removal of any excreta deposited by his animal(s) on public walks, recreation areas, or private property.
- (b) It shall be unlawful for any person keeping or harboring any animal to fail to keep the premises where such animal is kept free from offensive odors to the extent that such odors are disturbing to any person residing within a reasonable proximity of said premises; and it shall be unlawful to allow the premises where any animal is kept to become unclean and a threat to the animal or the public health by failing to diligently and systematically remove all excreta and other waste material from the premises.

SECTION 7: EXCESSIVE NOISE

It shall be unlawful for any person to keep on his premises or under his control any animal which, by loud and frequent barking, howling or other noise shall disturb the peace and quiet of any person who may reside within reasonable proximity of the place where such animal is kept

SECTION 8: ANIMAL BITES

Any animal which has bitten a person is a rabies suspect and such animal shall be immediately released by the owner or harbored for quarantine confinement at the Animal Control Shelter of the City or within an enclosure approved by the Animal Control Officer for a period of fifteen (15) days. When any animal has bitten, scratched or otherwise attacked a person, the person or anyone having knowledge of such incident shall immediately notify the Animal Control Officer. The animal may be quarantined at the expense of the owner, or ownership may be relinquished and the animal euthanized and its head taken to the State Health Department for pathological examination. The owner shall be responsible for the cost of euthanasia, transportation of the head and disposal of the body of the animal.

SECTION 9: WILD EXOTIC OR FARM ANIMALS

It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the City any poisonous reptile or any other dangerous or carnivorous wild animal, insect or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities. Specifically, it shall be unlawful for any person to keep, maintain or have in his possession or under his control within the City any of the following animals, reptiles or insects:

- (a) All poisonous animals and reptiles including rear-fang snakes.
- (b) Apes: Chimpanzees (Pan); gibbons (Hylobates); gorillas (Gorilla); orangutans (Pongo); ails siamangs (Symphalangus).
- (c) Baboons (Papoi, Mandrillus).
- (d) Bears (tirsidae).
- (e) Bison (Bison).
- (f) Cheetahs (Acinonyx jubatus).
- (g) Crocodilians (Crocodylia), including alligators, caymans and gavials.
- (h) Constrictor snakes.
- (i) Coyotes (Canis latrans).
- (j) Deer (Cervidae); includes all members of the deer family; for example, white-tailed deer, elk, antelope and moose.
- (k) Elephants (Elephas and Loxodonta).
- (l) Foxes
- (m) Game cocks and other fighting birds.
- (n) Hippopotami (Hippopotamidae).
- (o) Hyenas (Hyaenidae).
- (p) Jaguars (Panthera onca).
- (q) Leopards (Panthera pardus).
- (r) Lions (Panthera leo).
- (s) Lynxes (Lynx).
- (t) Monkeys, old world (Cercopithecidae).
- (u) Ostriches (Struthio), emus and rheas.
- (v) Pumas (Felis concolor); also known as cougars, mountain lions and panthers.
- (w) Raccoons.
- (x) Rhinoceroses (Rhinoceros tidae).
- (y) Skunks.
- (z) Snow leopards (Panthera uncia).
- (aa) Tigers (Panthera tigris).
- (b b) Wolves (Canis lupus).
- (cc) Poisonous insects, including tarantulas.

- (dd) Horses, mules, ponies, donkeys, cows, pot belly pigs, pigs, goats, sheep, chickens or any animal raised for fur-bearing purposes unless otherwise permitted elsewhere in this Code.

I. The prohibitions of Section 9 above shall not apply where the creatures are in the care, custody or control of; a veterinarian for treatment; agricultural fairs; shows or projects of the 4-H Clubs; a display for judging purposes; an itinerant or transient carnival, circus or other show; dog or cat shows or trials; public or private educational institutions; zoological gardens; if:

- (a) Their location conforms to the provisions of the zoning ordinance of the City.
 - (I) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
 - (c) Animals are maintained in quarters so constructed as to prevent their escape.
 - (d) No person lives or resides within one hundred (100) feet of the quarters in which the animals are kept.
2. Guard dogs, ferrets, nonpoisonous snakes, no constricting snakes, rabbits and laboratory rats which have been bred in captivity and which have never known the wild shall be excluded from this Section.
3. Other situations may be specifically exempted from the provisions of this section by Council action.

SECTION 10: IMPOUNDMENT

- (a) Any animal at large or otherwise in violation of the provisions of this ordinance may be impounded in an animal shelter in a humane manner for a period of not less than five (5) working days; and, if within such time, an animal so impounded has not been reclaimed by its owner or harbored in accordance with the provisions of this ordinance, such animal shall become the absolute property of the animal control authority which may convey ownership of such animal to any responsible person on such conditions as the animal control authority may prescribe, or the animal control authority may humanely destroy such animal. No animal shall be maintained at City expense in excess of five (5) days unless specifically authorized by the Animal Control Officer.
- (b) The animal control authority shall make a reasonable effort to notify the owner of any animal impounded in an animal shelter that the animal has been impounded, of the manner by which the animal may be reclaimed, and that the animal may be destroyed or become the property of the animal control authority as provided herein.
- (c) Prior to the destruction of a dog or cat at-large which carries a current license to establish its owner's address and which is impounded in the animal shelter, the animal control authority shall give the owner five (5) days notice of the proposed destruction by certified letter, return receipt requested. These five (5) days shall begin after receipt of signed return receipt.
- (d) Notwithstanding any provision of this ordinance to the contrary, the animal control authority may refuse to release any animal impounded in the animal shelter for rabies or contagious disease quarantine or for use as evidence in a criminal prosecution, for such time as the animal control authority may determine.
- (e) Notwithstanding any provision of this ordinance to the contrary, the animal control authority may humanely destroy any animal impounded in the animal shelter upon the written opinion of a licensed veterinarian that the destruction of the animal is necessary to prevent disease or injury to other animals or to humans, or when the animal control authority reasonably believes the animal has sustained an injury or disease which will likely result in maiming, prolonged and severe suffering or death.

SECTION 11: RECLAIMING IMPOUNDED ANIMALS

- (a) The owner or harbored of an animal impounded in an animal shelter may reclaim the animal upon presenting evidence satisfactory to the animal control authority of compliance with all provisions of this ordinance and upon payment of fees and charges as hereinafter provided, credited to the account of the animal control authority and shall not be in lieu of any fine or penalty otherwise provided by law.
- (b) An owner or harbored of an impounded animal shall pay a fee of twenty-five dollars (\$25.00) for altered animals and fifty dollars (\$50.00) for unaltered animals, plus ten dollars (\$10.00) maintenance for each day the animal has been impounded, plus the appropriate license fee, if not legally licensed. For each subsequent impound occurring within twelve (12) months, the initial fee is doubled. If the animal is unaltered, the initial fee is doubled. The daily maintenance fee is not doubled. After the third (3rd) violation within twelve (12) months and five (5) days written

notice, the animal will be altered at the owner's expense by a licensed veterinarian chosen by the impounding agency before being returned to the owner or harbored.

- (c) The owner or harbored of an animal impounded in the animal shelter shall be liable for the foregoing fees and charges, as well as all out-of-pocket costs of the City for veterinarian services provided to the animal, notwithstanding the destruction or adoption of the animal.

SECTION 12: RELINQUISHMENT OF UNWANTED ANIMALS

If a resident of Cherokee Village and an owner of an unwanted animal is unable to find a suitable home or dispose of his animal through legal channels, ownership of the animal may be relinquished to the animal control authority at the discretion of the animal control authority. The donation requested for interim maintenance (housing and food) shall be ten dollars (\$10.00) per day per animal. Said animals will then be subject to the rules of the animal control authority and may be adopted out or destroyed, as they deem proper.

SECTION 13: ADOPTION

The animal control authority may convey ownership (permit adoption) of any animal which has become the property of the animal control authority to a responsible person, subject to such conditions as may be prescribed by the animal control authority including, without limiting, the following:

- (a) Payment of a ten dollar (\$10.00) adoption fee and any vaccination, licensing or veterinary costs, including cost of altering, if not previously altered. (The animal control authority will pay one third (1/3) of the cost of said altering); and
- (b) Evidence satisfactory to the animal control authority that the animal has, or will be, examined by a licensed veterinarian and vaccinations against rabies and other diseases administered; and
- (c) Evidence satisfactory to the animal control authority that the animal has been, or will be, altered.

SECTION 14: ENFORCEMENT

The provisions of this Ordinance shall be enforced by the animal control officer and by the Cherokee Village Department of Public Safety. They, as well as all other authorized law enforcement officers, are hereby authorized to issue a citation to any person for violation of any provision of this Ordinance.

SECTION 15: PENALTIES FOR VIOLATIONS

- (a) Any person who commits the offense of cruelty to animals shall be deemed guilty of a Class A misdemeanor and shall be subject to fines and penalties as prescribed in A.C.A Section 54401 (up to one-year imprisonment and one thousand dollar (\$1,000.00) fine) unless otherwise heretofore specified (i.e., Sec 10).
- (b) Any person violating any other provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than twenty-five dollars (\$25.00), (unless otherwise specified for failure to license or renew) nor more than one hundred dollars (\$100.00), and if such violation be continued, each day's violation shall be a separate offense (except, for failure to license or renew).
- (c) Fees and fines will be paid before claiming of animals. Fees and fines, net of costs, will be used to pay for the operation of an animal shelter.

SECTION 16: ANIMAL CONTROL OFFICER

- (a) The office of Animal Control Officer (A.C.O.) is hereby created.
- (b) The A.C.O. shall be appointed by the Mayor, subject to the approval of the City Council.
 - (1) The A.C.O. shall receive such salary as may be from time to time set by the City Council.
 - (2) If the Council shall fail to set a salary for the A.C.O., he shall receive a salary not to exceed one hundred dollars (\$100.00) per month.
 - (3) The A.C.O. shall also be reimbursed for all of his out-of-pocket expenses including mileage of twenty-five (25) cents per mile for the use of his personal vehicle during official business of the A.C.O.

(c) Power and Duties:

The A.C.O. shall catch and dispose of all animals running at-large or otherwise coming into his possession pursuant to this Ordinance. The A.C.O. shall also exercise such other duties and responsibilities relating to animals as have been or shall be imposed upon said A.C.O. by the Mayor.

(d) Dog Pound/Animal Shelter

(1) It is hereby made the duty of the Mayor and City Council of Cherokee Village, Arkansas to provide a suitable place to be known and designated as "the Animal Shelter" to carry out the provisions of this Ordinance, provided, however, that the City Council may authorize the Mayor to contract with a privately owned facility for the care, control and disposition of animals which come into the possession of the A.C.O. pursuant to this Ordinance. Said contract shall be upon such terms and provisions as the City Council may prescribe and approve.

(2) It has been determined that privately owned animal shelters are so rare and unusual in the area of the City of Cherokee Village that it would be impracticable and useless to advertise for bids for an animal shelter. Therefore, pursuant to the provision of A.C.A. 14-58-303, the Mayor, with consent of the City Council, is hereby authorized to contract for the disposition of animals in the control of the A.C.O. with a privately operated facility, upon such terms and provisions as the City Council may prescribe, without advertising for bids therefore.

(e) Records

It shall be the duty of the A.C.O. to keep, or cause to be kept, accurate and detailed records of all Animal Control monies belonging to the City of Cherokee Village. Which records shall be open to inspection at reasonable times by such persons responsible for similar records of the City of Cherokee Village and shall be audited by the City of Cherokee Village annually in the same manner as other City records are audited.

(f) Investigation

For the purpose of discharging the duties imposed by this Ordinance and to enforce its provisions, the A.C.O. or any police or security officer of Cherokee Village or deputy with the County Sheriff's Department is empowered to come upon the property with reasonable cause upon which a dog or animal is kept or harbored, and to demand the exhibition by the owner of such animal of the license for such animal. If the A.C.O. should find a dog or animal running at-large or being a public nuisance as heretofore defined or being vicious as heretofore defined, the A.C.O. is hereby authorized and empowered to summon the owner or person having control of the animal, into the Municipal Court of the County wherein the offence occurred, for allowing such dog or animal to run at-large, be a public nuisance or a vicious animal.

SECTION 17: INTERFERENCE

No person shall interfere with, hinder or molest the animal control authority in the performance of its duty or seek to release any animal in the control of the animal control authority, except as herein provided.

SECTION 18: CONFLICTING ORDINANCES

All other ordinances of this City that are in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 19: SEVERABILITY CLAUSE

If any part of this Ordinance shall be held to be invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

SECTION 20: EMERGENCY

Because of the large number of animals at-large, the complaints of residents of the City, the absence of any licensing requirements and the information, monitoring and control over rabies and other diseases and animals which are afforded by such licensing and regulations; an emergency is hereby declared to exist and this Ordinance being immediately necessary for the preservation of the public peace, health and safety, shall take effect and be in force from and after its adoption.

DATED:

March 15, 1999

ATTEST

Susan E. Maynard, Clerk/Treasurer