

CITY OF KEISER

Keiser, Arkansas 72351

ORDINANCE 2010 - _____

AN ORDINANCE PROHIBITING DOGS AND CATS FROM RUNNING AT LARGE UPON THE STREETS AND ALLEYS OF THE CITY OF KEISER, ARKANSAS, OR UPON THE PROPERTY OR PREMISES OF PERSONS, FIRMS, OR CORPORATIONS, RESIDING IN THE CITY OF KEISER, ARKANSAS, TO PROHIBIT AND PUNISH THE KEEPING OF DOGS WHICH BY BARKING, HOWLING, OR BY ANY OTHER MEANS DISTURB THE PUBLIC PEACE; TO PROVIDE FOR PUNISHMENT OF OWNING OR HAVING CONTROL OVER SUCH DOGS OR DOGS, CATS OR CATS WHO RUN AT LARGE IN VIOLATION OF THIS ORDINANCE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS; the running at large of dogs and cats upon and over the streets and alleys of the city of Keiser, Arkansas, and upon the property and premises of persons, firms, and corporations residing in the city of Keiser, Arkansas, has become and is a nuisance and,

WHEREAS, many persons have been bitten and seriously injured and valuable property has been damaged or destroyed by said dogs and or cats running at large upon the streets and alleys of said city and upon the property and premises of said persons, firms and corporations; and

WHEREAS, because of rabies and other diseases transmitted by dogs and or cats, their running at large comprises a dangerous menace to persons and property of the city of Keiser, Arkansas and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEISER, ARKANSAS.

(1) It shall be the lawful and legal duty and obligation of each and every person, firm, or corporation, to make certain that no dog or cat owned or kept by said person firm, or corporation, run at large upon and over the streets or alleys of the City of Keiser, or upon or over the property or premises of any person, firm, or corporation residing in the City of Keiser, Arkansas.

(2) The term "running at large" as used in this ordinance shall mean running loose or free and not under the immediate control or restraint of the owner of said dog or cat or of some other person acting for said owner.

(3) All dogs and cats found running at large upon or over the streets and alleys of the City of Keiser, Arkansas. or upon or over the property or premises of any person, firm or corporation of this city may be caught by the CITY DOG CATCHER or by any Policeman of the City of Keiser, Arkansas and shall be taken to and placed in the custody of the CITY DOG CATCHER.

(4) It shall be the duty of the CITY DOG CATCHER to hold said dogs or dogs, cat or cats, in his custody for a period of five days, if any dog so held bears no license tag, and for a period of seven days if so dog shall bear a license tag and if no person shall call for said dog, dogs within said period, then the dog or dogs shall be destroyed or adopted. If the owner or some other person in his behalf within the period of time required shall appear before the CITY DOG CATCHER and show ownership of such dog or dogs, it shall be the duty of the City Dog Catcher to release the impounded

dog to the owner or his agent upon the payment to the City Clerk and collector of the pound fee at the rate of \$6.00 per day for each day or part of a day said dog or dogs shall be in custody.

(5) It being the intention of this ordinance to prohibit the running at large of all dogs or cats whether licensed or unlicensed upon and over the streets and alleys of this City or upon or over the property or premises of any person, firm, corporation or inhabitant of this city the fact that the owner or keeper of any dog or cat has paid a license for the keeping of such dog within the limits of this city shall in no manner prevent or bar the taking up and impoundment of said dog or cat or relieve their owners or keeper from prosecution under the terms hereof.

(6) If any dog or dogs, or cat or cats, cannot be caught or impounded the person or persons undertaking to take said dog or dogs, cat or cats, into custody shall report the same to any policeman or to the City Pound Master of the City of Keiser, Arkansas, who shall have the authority to kill the same or ticket the owner a fine of \$25.00 to be paid to the City Clerk. Any disputed ticket will be settled in court.

(7) No dog or dogs shall be permitted to be kept within the boundaries of the City of Keiser, Arkansas, unless it or they have been given a rabies vaccine injection within one year and wear a metal tag showing a vaccination approved by the state board of health, all dogs kept within the boundaries of this City shall be vaccinated not less than once every twelve months.

(8) It shall be unlawful for any firm, corporation or inhabitant of the City of Keiser, Arkansas to keep any dog or cat in any enclosure within the boundaries of the City, under conditions that are not sanitary and which cause obnoxious odors to be emitted there from. Any person, firm, corporation, or inhabitant of this City who shall be convicted of violating the forgoing provisions, of this ordinance, shall be fined not less than \$10.00 and all costs of arrest and prosecution for the first offence. In all subsequent convictions, a fine of not less than \$25.00 not more than \$100.00 dollars and all costs of arrests and prosecution shall be imposed.

(9) Any person, firm, or corporation who is found guilty of or pleads guilty to violating the provisions of this ordinance shall be fined the sum of not less than \$25.00 or more than \$50.00 plus costs of court. Each violation of this provision shall comprise a separate offence and upon a second and every subsequent conviction, every such person, firm, or corporation shall be fined not less than \$50.00, plus court costs.

(10) Any person who shall keep or harbor upon his property or premises within the corporate limits of this City any dogs or dogs which by continual barking, growling, howling or making any other noise or sound shall disturb or annoy any person or persons shall be deemed guilty of a misdemeanor and, upon conviction therefore, shall be fined in any sum not less than \$10.00 or more than \$25.00 and costs of arrest and prosecution. Upon a second and upon all subsequent convictions, such persons shall be fined not less than \$25.00 nor more than \$100.00 and the costs of arrests and prosecution.

(11) For the purpose of enforcement of this ordinance, the term "property or premises" wherever used herein, shall include all property and premises occupied and used by a tenant or tenants, as well as property occupied and used by the true owner thereof.

(12) All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

(13) If any provision of this ordinance or the application thereof to any person, firm or corporation or to any circumstances is held invalid, such invalidity shall not affect the other provisions for application of the ordinances, which can be given effect without the invalid provisions

of applications, and to this end, the provisions of this ordinance are declared to be separable. And such invalidity shall in no manner affect the other provisions of this ordinance or in any manner prevent their enforcement.

(14) This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and it shall be in full force and effect from and after passage and publication as provided by law.

PASSED AND APPROVED THIS ____ day of _____, 2011

Mayor

ATTEST:

Recorder/Treasurer