

## ORDINANCE NO. 2023-01

### AMENDMENT TO ORDINANCE 2021-02 ADDING ADDITIONAL PROHIBITED BREEDS TO EXISTING ORDINANCE AND OTHER INFORMATION.

#### SECTION I. PRELIMINARY PROVISIONS

This Amendment to Ordinance 2021-02 ("Amendment") is duly adopted this 19th day of June 2023, pursuant to the authority conferred upon the City Council.

**WHEREAS**, The City of Keiser Ordinance 2021-01 prohibits a person to own, possess, keep, or harbor a wild animal or vicious dog within the city, but does not prohibit specific breeds of dogs; and

**WHEREAS**, the unrestricted presence of certain breeds of dogs within the City of Keiser poses a significant risk to the citizens due to the threat of attack; and

**WHEREAS**, the City of Keiser City Council finds that certain types of dogs should be prohibited;

The City Council therefore enacts the following regulations:

#### SECTION II. DEFINITIONS AND SCOPE

The provisions of this Amendment shall apply within the jurisdictional boundaries of the City, as follows:

A. "Banned Breeds" shall refer to the following dog breeds:

- American Pit Bull Terrier
- Staffordshire Bull Terrier
- American Staffordshire Terrier
- American Bull Dog
- Rottweiler
- Doberman Pinscher
- Cane Corso
- Any dog whose sire or dam is a dog of a breed listed herein, which is defined as a banned breed of dog under this section.
- Any dog whose owner registers, defines, admits, or otherwise identifies the dog as being of a breed listed herein.

#### SECTION III. REGULATIONS

A. Effective from the date of passage of this Amendment, all Banned Breeds shall be prohibited within the city limits.

B. Notwithstanding the foregoing, any Banned Breeds registered with the city prior to the close of business on June 6th, 2023, shall be exempt from this prohibition and grandfathered in,

subject to the condition that all dogs must be spayed or neutered, unless a veterinary medical exception is provided in writing.

C. Any Banned Breeds not registered with the city by the aforementioned deadline shall be subject to removal from the city limits. Owners of such dogs shall have a grace period of sixty (60) days from the effective date of this Amendment to comply with this requirement.

D. All Banned Breeds must undergo evaluation by a city-approved evaluator. The evaluation shall assess whether the dog poses an unreasonable risk to public safety.

E. A policy of "one strike" is hereby established for all breeds of dogs within the city limits. Upon infliction of an unprovoked bite, attack, or aggressive behavior on a human or another animal, said dog will be subject to immediate removal from the city limits and potential humane euthanasia, following established procedures.

F. The maximum number of dogs permitted per household within the city limits is hereby reduced to three (3).

G. Puppies of Banned Breeds born within the city limits are exempt from this prohibition for a period of 180 days from their birth. During this period, owners are required to find appropriate accommodations for these puppies outside of the city limits, or they shall be subject to penalties under ordinance 2021-02.

#### **SECTION IV. ENFORCEMENT**

The provisions of this Amendment shall be enforced by the City's Animal Control Department, and any other departments or agencies deemed appropriate by the City.

#### **SECTION V. EFFECTIVE DATE**

This Amendment shall become effective upon its adoption and approval by the City Council.

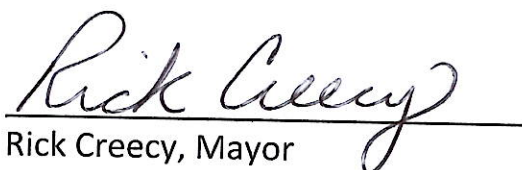
#### **SECTION VI. REPEAL OF CONFLICTING ORDINANCES**

All ordinances or parts of ordinances in conflict with the provisions of this Amendment are hereby repealed to the extent of such conflict.

#### **SECTION VII. EMERGENCY**

It is hereby found and determined that the prohibition of banned dogs listed in Section II dogs within the city as provided herein will inhibit attacks against humans and is necessary for the immediate preservation for the public health, safety, and welfare; THEREFORE, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED THIS 19th DAY OF June 2023

  
Rick Creery, Mayor

  
Peggy Sellers, Recorder/Treasurer