

Chapter 7 - ANIMALS AND FOWL

ARTICLE I. - IN GENERAL

Sec. 7-1. - Livestock at large prohibited.

It shall be unlawful for the owner of any cow, calf, bull, steer, oxen, heifer, horse; mule, colt, mare, hog, pig, goat, donkey or sheep to permit the same to run at large or be at large on any of the streets or elsewhere within the corporate limits of the city.

il=1p ir;1p Charter reference— Power to prohibit animals and fowl from running at large, § 7.10.

Sec. 7-2. - Cruelty to animals.

It shall be unlawful for any person to cruelly beat, abuse, starve, torture or purposely injure any cow or other cattle, or any horse, mule, sheep, hog, dog, mare, gelding, poultry or other livestock, or any other animal belonging to himself or another, or cause the same to be cruelly beaten, abused, starved, tortured or purposely injured, or to maliciously, either out of a spirit of revenge or wanton cruelty, mischievously kill, maim, wound or injure such animals.

il=1p ir;1p State law reference— Cruelty to animals, Miss. Code Ann. 1972, § 97-41-1 et seq.

Secs. 7-3—7-20. - Reserved.

ARTICLE II. - DOGS

il=1p ir;1p State law reference— Dogs, Miss. Code Ann. 1972, § 41-53-1 et seq.

DIVISION 1. - GENERALLY

Sec. 7-21. - Definition.

The term "dog," whenever used in this article, shall be held to apply to both male and female dogs of the age of five (5) months or more and such animals under the age of five (5) months shall be considered a puppy under the terms of this article.

(Ord. of 3-12-73, § 1)

Sec. 7-22. - Determination of owner.

Any person who shall harbor or permit any dog to be fed for ten (10) days or more, or let the same habitually remain to be fed for a period of ten (10) days or more, in or about his house, store or enclosure shall be deemed the owner and possessor of such dog and shall be liable for violation of this article.

(Ord. of 3-12-73, § 2)

Sec. 7-23. - Running at large.

No owner of any dog shall permit such dog to run at large. Any dog shall be deemed to be running at large unless the same is securely chained or tied on a leash or kept in a pen or within doors in a building.

Anyone permitting a dog to run at large shall be subject to the penalties provided for the violation of this Code, whether such dog is licensed or not.

(Ord. of 3-12-73, § 3; Ord. of 7-16-84, § 1)

Sec. 7-24. - Muzzling proclamation.

It shall be the duty of the mayor, whenever in his opinion, danger to the public safety from rabid dogs is great or imminent, to issue a proclamation ordering all persons owning, keeping or harboring any dog to muzzle the same, or to confine it for a period of not less than thirty (30) days nor more than ninety (90) days from the date of such proclamation, or until such danger is passed, by good and sufficient means, to the house, stable, outhouse or yard on the premises wherein such person or persons may reside; and upon the issuance of such proclamation by the mayor, it shall be the duty of all persons owning, keeping or harboring any dog, during the time specified in such proclamation, to confine same as hereinbefore stated or have the same properly and securely muzzled.

(Ord. of 3-12-73, § 4)

Sec. 7-25. - Cruelty.

It shall be unlawful for any person to administer or cause to be administered poison of any sort to any dog, or in any manner to injure, maim or destroy, or in any manner attempt to injure, maim or destroy any dog, the property of another, or to place any poison or poisoned food where the same is accessible to any dog.

(Ord. of 3-12-73, § 5)

Sec. 7-26. - Enclosures.

The owners or harborers of all dogs within the city are hereby required to keep the same within suitable enclosures and are further required to keep such enclosures sanitary and clean so as to prevent disagreeable odors arising therefrom, or the presence or breeding of flies, mosquitoes and other pests.

(Ord. of 3-12-73, § 16)

Sec. 7-27. - Disorderly dogs.

No person shall own, keep or harbor any dog which by loud, continued or frequent barking, howling or yelping shall annoy or disturb any neighborhood or person, or which habitually barks or chases pedestrians, horses or any vehicle whatsoever to the annoyance of such pedestrians, drivers or owners thereof while on any public sidewalks, streets, alleys, avenues or boulevards in the city; provided, however, the provisions of this section shall not apply to the animal shelter.

(Ord. of 3-12-73, § 6)

Secs. 7-28—7-36. - Reserved.

DIVISION 2. - LICENSE

Sec. 7-37. - Application of division.

The licensing requirements of this division shall not apply to any dog belonging to any person on a sojourn, or for bench or show purposes in the city, or for other purposes, provided the dog remains near its owner or keeper, his wagon, motor vehicle, other animals or effects.

(Ord. of 3-12-73, § 7)

Sec. 7-38. - Required.

Any person who shall own, keep or harbor any dog over the age of five (5) months within the city shall acquire a license from the city clerk for each dog annually.

(Ord. of 3-12-73, § 8)

Sec. 7-39. - Vaccination against rabies—Required.

It shall be the duty of the owner of every dog within the city, five (5) months of age or over, to have such dog vaccinated against rabies annually with an approved dosage of an approved antirabic vaccine properly administered by one legally authorized to administer the same and to see that such dog when so vaccinated wears about its neck and securely bradded to the collar a metal tag approved by the state board of health with the serial number of the vaccination and the year in which the dog was inoculated stamped thereon, and to see that said collar with the tag attached thereto is worn by the dog at all times.

(Ord. of 3-12-73, § 9)

Sec. 7-40. - Same—Certificate.

A certificate that a dog to be licensed under the provisions of this division has had a rabies shot effective for the license year shall be presented when such license is applied for.

(Ord. of 3-12-73, § 10)

Sec. 7-41. - Fee.

Before any license is issued under this division, the applicant therefor shall pay to the city clerk a fee of one dollar and fifty cents (\$1.50) for each male or female dog licensed.

(Ord. of 3-12-73, § 11)

Sec. 7-42. - Issuance of tag.

Along with the license receipt, the city clerk shall issue, to each person obtaining a license under the provisions of this division, a tag made from some suitable material stamped with the words "Grenada Dog Tax," a number and the year of issuance. Such tag shall be securely attached to a collar or harness of durable material and worn by such dog at all times.

(Ord. of 3-12-73, § 12)

Sec. 7-43. - When due.

The license and license fee required by the provisions of this division shall become due and payable on the first day of July of each year or within thirty (30) days after a dog reaches the age of five (5) months. The tax imposed by this division shall become delinquent from and after the tenth day of August of each year.

(Ord. of 3-12-73, § 13)

Sec. 7-44. - Issuance of license receipt.

Upon compliance with the provisions of this division by the applicant for a license required by this division, the city clerk shall issue to such applicant a license receipt, prepared in duplicate, signed by the city clerk and stating the applicant's name and address and such description of the dog so licensed as may be required for the purpose of identification.

(Ord. of 3-12-73, § 14)

Sec. 7-45. - Duplicates.

Upon satisfactory showing made by the owner or harbinger of any dog that the original tag issued in accordance with the provisions of this division has been lost, the city's agent shall issue a duplicate or new tag for the balance of the year for which the tax has been paid, and may charge and collect a fee of twenty-five cents (\$0.25) for each such duplicate or new tag so issued.

(Ord. of 3-12-73, § 15)

Secs. 7-46—7-50. - Reserved.

DIVISION 3. - IMPOUNDMENT

Sec. 7-51. - Authorized.

Any dog found running at large or otherwise in violation of the provisions of this article may be seized and impounded by the designated agent or employee of the city. Impoundment may be in any animal shelter designated by the city manager.

(Ord. of 3-12-73, § 18; Ord. of 7-16-84, § 2)

Sec. 7-52. - Notice to owner.

The owner of any dog impounded under the provisions of this division, if his identity and location can be obtained by reasonable means, shall, within twenty-four (24) hours be notified that his dog has been impounded.

Sec. 7-53. - Fees.

(a) The following fees shall be charged for the impoundment of any dog under the provisions of this division:

- (1) First redemption of dog within calendar year...\$5.00
- (2) Second redemption of same dog within calendar year...10.00
- (3) Third redemption of same dog within calendar year...15.00

(b) Whenever any dog is impounded, an additional fee of two dollars (\$2.00) shall be charged for each day, or fraction thereof, of impoundment for feeding and caring for such dog.

(Ord. of 3-12-73, § 19)

Sec. 7-54. - Redemption of unvaccinated, unlicensed dog.

The owner of any impounded dog which has not been vaccinated under this article, upon satisfactory proof of ownership, may redeem his dog by making a deposit of fifteen dollars (\$15.00) with the chief of police and be allowed twenty-four (24) hours to get such dog vaccinated. If such owner fails to procure a certificate of vaccination within twenty-four (24) hours, the deposit shall be forfeited and turned over to the city treasurer to be placed in the general fund and the dog shall be again seized and impounded. Upon presentation within twenty-four (24) hours of a certificate of vaccination, the deposit shall be refunded.

(Ord. of 3-12-73, § 20)

Sec. 7-55. - Redemption by person other than owner.

If the owner of any dog impounded under this division shall fail to redeem such dog within seven (7) days after such impoundment, any other person may, upon complying with the licensing provisions of this article, redeem such dog from the pound and be the lawful owner of such dog thereafter.

(Ord. of 3-12-73, § 21)

Sec. 7-56. - Disposition of unredeemed dogs.

All dogs impounded under this division and which have not been redeemed or purchased as authorized by this division within seven (7) days of such impoundment, may be disposed of in a humane manner by the city clerk.

(Ord. of 3-12-73, § 22)

Secs. 7-57—7-60. - Reserved.

DIVISION 4. - PIT BULL DOGS

Sec. 7-61. - Findings.

- (a) The City of Grenada has experienced a series of incidents in which citizens and animals have been threatened or attacked and injured by pit bull dogs.
- (b) The pit bull breed was developed for the purpose of producing fighting dogs.
- (c) To increase its effectiveness as a fighter, certain pit bull traits have been selected and maximized by control breeding, including:
 - (1) A set of powerful jaws with an exceptional ability to grip, lock, and tear when dogs bite;
 - (2) A unique insensitivity to pain that causes pitbulls to be exceedingly tenacious in attack;
 - (3) An unusually aggressive temperament toward human beings and animals; and
 - (4) An extraordinary directness in their method of attack that does not include the common warning signs such as barking or growling as displayed by other breeds.
- (d) For the reasons provided in this section, pit bull dogs present a present danger to the health and welfare of the citizens and animals in the city, different in degree and kind from the dangers presented by other breeds of dogs.

(Ord. of 8-14-06, § I; Ord. of 7-11-13, § I)

Sec. 7-62. - Regulations.

- (a) Generally. This chapter is intended to utilize the authority and powers of the city in order to secure for the citizens of the city the protection of their health, safety, and welfare. This chapter is intended to be applicable to dogs which are commonly referred to as "pit bulls" and which are defined here. This chapter is designed to regulate these pit bull dogs and to ensure responsible handling by their owners through confinement and registration. The unique history, nature, and characteristics of pit bull dogs have been determined to require the special regulations and provisions contained within this division which the city council hereby finds reasonable and necessary.
- (b) Definition; identification of a pit bull dog. The term "pit bull" as used within this chapter shall refer to any dog which exhibits those distinguishing characteristics which substantially conform to the standards

established by the American Kennel Club for American Staffordshire Terriers or Staffordshire Bull Terriers, or which substantially conform to the standards established by the United Kennel Club for American Pit Bull Terriers. Technical deficiencies in a dog's conformance to standards described herein shall not be considered to indicate that subject dog is not a pit bull dog pursuant to the ordinance. Testimony by a veterinarian or an animal behaviorist that particular dog exhibits distinguishing physical characteristics of a pit bull shall establish a reputable presumption that the dog is a pit bull.

(c) Confinement of pit bull dogs.

(1) Because of the pit bull dog's inbred propensity to attack other animals, and because of the danger posed to humans and animals alike by a pit bull dog when running loose or while running together in a pack, pit bull dogs must at all times be securely confined indoors, or confined in a securely and totally enclosed and locked pen, measuring a minimum of ten (10) feet by ten (10) feet for one (1) dog, and a minimum of twelve (12) feet by twelve (12) feet for more than one (1) dog, constructed with intertwined cyclone type fencing material of at least nine (9) gauge wire in thickness with all four (4) sides to be at least six (6) feet in height; with concrete slab foundation at least four (4) inches in thickness; and a secured cyclone type fence top; and must be kept clean and sanitary at all times. Such enclosures shall have a conspicuous sign affixed thereto displaying the words "Dangerous Dog". In addition thereto, all dogs covered under this division shall be kept no closer than fifteen (15) feet from any utility easement or right-of-way.

(2) At any time that a pit bull dog is not confined as required in paragraph (1) above, the dog shall be muzzled in such a manner as to prevent it from biting or injuring any person or animal, and kept on a halter with the owner or custodian in attendance; provided, however that no pit bull dog may be walked within fifty (50) feet of public school ground nor enter such school ground, public event, parade, or public park.

(3) An exception to these confinement requirements is hereby provided for any pit bull dog in attendance at, and participating in, any lawful dog show, contest or exhibition sponsored by a dog club, association, society or similar organization, provided such events are not carried out in a public venue and that adequate measures are employed to insure the dogs will be under the control of their owners at all times.

(d) Registration of pit bull dogs. Every owner of a pit bull dog within the city shall register said dog with the City of Grenada animal shelter. The registration shall include the following: Name, address, and telephone number of the dog's owner; the identification of the dog, including the dog's sex, color and other distinguishing physical characteristics; a color photograph of the dog, and a description of the method of compliance with the confinement requirements. The registration tag shall be worn on the dog's collar at all times. Certification of rabies vaccination shall be presented upon registration.

(e) Owner age requirement. Owners, keepers, or harborers of pit bull dogs must be twenty-one (21) years of age. A person must be twenty-one (21) years of age to walk a pit bull dog on a halter.

(f) Limit of confinement. No more than three (3) pit bull dogs shall be confined at any single dwelling in the City of Grenada.

(g) Altering of pit bull dogs. All pit bull dogs shall be neutered or spayed, and the appropriate certification shall be provided to the City of Grenada Animal Shelter upon registration.

(h) Liability insurance. Owners of pit bull dogs shall maintain a liability insurance policy in an amount not less than fifty thousand dollars (\$50,000.00) for bodily injury or property damages arising from events or occurrences associated with owning, keeping, or harboring pit bull dogs.

(i) Enforcement. It shall be the duty and responsibility of the city animal control officers and police to enforce the provisions of this division. Owners, keepers, or harborers of pit bull dogs may be subjected to spot checks by local law enforcement and must be able to produce registration, proof of liability insurance, and show confinement to the satisfaction of this division.

(j) Schedule of penalties. Violations of this division shall be punished as follows:

(1) First offense. A fine of not less than one hundred dollars (\$100.00) nor more than two hundred ninety-nine dollars (\$299.00);

In addition, the owner of said pit bull must show proof of compliance with section 7-62(c), (d), (e), (f), (g), and (h) before the pit bull can be returned to the owner. This proof must be provided to the court within ten (10) days. If the owner cannot show compliance with said sections, the court shall order the removal of the animal from the city. Should the owner refuse to remove the dog from the city, the court may find the owner in contempt and order the immediate impoundment of the animal, or continued impoundment if the animal has already been impounded, as well as destruction of the animal.

(2) Second offense. A fine of not less than three hundred dollars (\$300.00) nor more than four hundred ninety-nine dollars (\$499.00);

(3) Third offense. A fine of not less than five hundred dollars (\$500.00) nor more than nine hundred ninety-nine dollars (\$999.00), permanent relinquishment of all pit bull dogs by the owner, keeper, or harborer.

Enforcement of penalties for violations of this division shall be with the jurisdiction of the City of Grenada Municipal Court.

(k) Other regulations. Nothing in this chapter shall prevent the city from providing more stringent regulations of pit bull dogs and pit bull dog owners, or of other types of animals deemed to be a threat to the safety and the welfare of the community.

(Ord. of 8-14-06, § II; Ord. of 7-11-13, § II)

Secs. 7-63—7-70. - Reserved.

ARTICLE III. - CATS

il=1p ir;1p Editor's note— Sections 1—10 of an ordinance adopted Aug. 12, 1985, and § 1 of an ordinance adopted Nov. 11, 1985, not specifically amendatory of this Code, have been included as a new Art. III of this chapter, §§ 7-71 —7-80, at the discretion of the editor.

Sec. 7-71. - Definition.

The term "cat," whenever used in this article, shall be held to apply to both male and female cats of the age of three (3) months or more, and such animal under the age of three (3) months shall be considered a kitten under the terms of this article.

(Ord. of 8-12-85, § 1)

Sec. 7-72. - Conditions constituting ownership.

Any person who shall harbor or permit any cat or kitten to be for seven (7) days or more or let the same habitually remain to be fed for a period of seven (7) days or more about his house, store or enclosure shall be deemed the owner and possessor of such cat or kitten and shall be liable to the penalties prescribed for the violation of this article.

(Ord. of 8-12-85, § 2)

Sec. 7-73. - Nuisance: Running at large and unlimited number of animals, constituting nuisance.

No owner of any cat or kitten shall permit such an animal to run at large thereby causing a nuisance and/or disturbance in the neighborhood or annoy any person or family particularly by reason of noise, odors, filthy conditions, or by breeding of pests or by destruction of property.

It shall be unlawful for any person to have in their possession or on their property more than three (3) dogs or three (3) cats or any combination that exceeds a total of six (6) such animals, except for animal shelters, animal hospitals and clinics, grooming parlors, animal training schools and boarding kennels and city shelters. A litter of pups or a litter of kittens or a portion of a litter may be kept for a period of time, not to exceed three (3) months from birth.

(Ord. of 8-12-85, § 3; Ord. of 4-4-14)

Sec. 7-74. - Confinement during rabies proclamation.

It shall be the duty of the mayor, whenever in his opinion the danger to the public safety from rabid cats or kittens is great or imminent, to issue a proclamation ordering all persons owning, keeping or harboring any such animal to confine it for a period of not less than thirty (30) days or more than ninety (90) days from the date of such proclamation or until such danger is passed, by good and sufficient means.

(Ord. of 8-12-85, § 4)

Sec. 7-75. - Vaccination; tag.

It shall be the duty of the owner of every cat within the city, three (3) months of age or over, to have such cat vaccinated against rabies annually with an approved dosage of an approved antirabic vaccine properly administered by one legally authorized to administer the same and to ensure that the animal, when so vaccinated, wears about its neck at all times and securely bradded to the collar a metal tag approved by the state board of health with the serial number of the vaccination and the year in which the cat was inoculated stamped thereon.

(Ord. of 8-12-85, § 5)

Sec. 7-76. - Impoundment.

Any cat or kitten found running at large and causing a nuisance or otherwise in violation of the provisions of this article may be seized and impounded by the designated agent or employee of the city. Impoundment may be in any animal shelter designated by the city manager.

(Ord. of 8-12-85, § 6)

Sec. 7-77. - Fees for impoundment, redemption.

The following fees shall be charged for the impoundment of any cat or kitten under the provisions of this article:

- (1) First redemption of cat or kitten within calendar year\$5.00
- (2) Second redemption of same animal within calendar year10.00
- (3) Third redemption of same animal within calendar year15.00

Whenever any cat or kitten is impounded, an additional fee of two dollars (\$2.00) shall be charged for each day or fraction thereof of impoundment for feeding and caring for such cat or kitten.

(Ord. of 8-12-85, § 7)

Sec. 7-78. - Redemption of unvaccinated cats.

The owner of any impounded cat which has not been vaccinated upon satisfactory proof of ownership can redeem his animal by making a deposit of fifteen dollars (\$15.00) with the city clerk and be allowed

twenty-four (24) hours to get such animal vaccinated. If such owner fails to procure a certificate of vaccination within twenty-four (24) hours, the deposit shall be forfeited and turned over to the city clerk to be placed in the general fund, and the cat shall be again seized and impounded.

(Ord. of 8-12-85, § 8)

Sec. 7-79. - Disposition upon failure of owner to redeem.

- (a) If the owner of any cat or kitten impounded under this article shall fail to redeem such animal within seven (7) days after such impoundment, any other person may, upon complying with the provisions of this article, redeem such cat or kitten from the pound and be the lawful owner of such animal thereafter.
- (b) All cats or kittens impounded under this article and which have not been redeemed or purchased as authorized by this section within seven (7) days of such impoundment may be disposed of in a humane manner by the designated city official.

(Ord. of 8-12-85, §§ 9, 10)

Sec. 7-80. - Poisoning, injuring, etc.

It shall be unlawful for any person to willfully administer or cause to be administered any type of poison to any cat or in any manner to injure, maim or destroy any cat.

(Ord. of 11-11-85, § 1)

Sec. 7-81. - Penalties.

If any person has in their possession or on their property animals which exceeds the number allowable under this article, said animals may be seized and impounded. The owner shall have five (5) days to present to the animal control officer a suitable means of removing said animals from within the city limits and shall have an additional two (2) days to remove the animals from the city. If no plan is submitted or the removal is not successful, all animals impounded under this section may be disposed of in a humane manner by the designated city official.

(Ord. of 4-4-14)