

Chapter 4 - ANIMALS AND FOWL<sup>1</sup>

## Footnotes:

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**Charter reference**— Regulation of animals, § 40(11); regulation of dogs, § 40(16); regulation of speed of horses, § 40(23).

**Cross reference**— Meat, Ch. 14; motor vehicles and traffic, Ch. 16; parks and recreation, Ch. 18; protection of food handling establishments from animals, § 11-47; applicability of traffic ordinance to animals, § 16-4; dog stealing, § 17-20.

**State Law reference**— Animals, Miss. Code Ann. 1972, Title 69, Ch. 11 et seq.

Annotation—An ordinance directing the city marshal to seize and sell all hogs found running at large was void, *Donovan v. Mayor, etc., of City of Vicksburg*, 29 Miss. 247 (1855).

## ARTICLE I. - IN GENERAL

## Sec. 4-1. - Definitions.

As used in this chapter:

Vicious animal shall mean any animal which has previously attacked or bitten any person or which has behaved in such a manner that the person who harbors the animal knows or should reasonably know that the animal is possessed of tendencies to attack or bite persons.

Wild animal shall mean any live monkey or ape, raccoon, skunk, fox, wolf, snake or other reptile, leopard, panther, tiger, lion, lynx or any other animal or any bird of prey which can normally be found in the wild state.

(Ord. No. 99-6, §§ 1, 2, 7-23-99)

## Sec. 4-2. - Keeping wild and vicious animals.

- (a) It shall be unlawful for any person to keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply to zoological parks, performing animal exhibitions or circuses.
- (b) It shall be unlawful for any person to keep or permit to be kept any wild animal as a pet, unless a permit is granted by the department of natural resources of the state.
- (c) It shall be unlawful for any person to harbor or keep a vicious animal within the city. Any animal which is found off the premises of its owner may be seized by any police officer or animal control officer and upon establishment to the satisfaction of any court of competent jurisdiction, of the vicious character of the animal, it may be killed by a police officer or animal control officer; provided, however, that this section shall not apply to animals under the control of a law enforcement or military agency, nor to animals which are kept for the protection of property, provided that the animals are restrained by a leash or chain, cage, fence, or other adequate means, from contact with the general public or with persons who enter the premises with the actual or implied permission of the owner or occupant.

- (d) The licensing authority may issue a temporary permit for the keeping, care and protection of any infant animal native to this area which has been deemed to be homeless.

(Code 1959, § 5-16; Ord. No. 99-6, §§ 3, 4, 7-23-99)

Sec. 4-3. - Bites by animals.

- (a) Any person having knowledge or reason to believe that any animal in the city has bitten a person shall report within twenty-four (24) hours, so far as is known, the name and address of the owner and circumstances of the animal. Such report concerning bites shall be made to the police department or animal control officer.
- (b) Whenever any domesticated animal has bitten a person, it shall be confined in such place as the police department or animal control may direct and for such period of observation as may be necessary, unless such animal is too vicious and dangerous to be impounded safely, in which case it may be killed and the head shipped to the state laboratory for rabies examination.
- (c) Whenever a wild animal has bitten a person, it shall be killed, avoiding damage to the head (brain) area and shipped to the state laboratory under refrigeration, but not frozen, for a rabies examination.

(Ord. No. 99-6, §§ 5, 6, 7-23-99)

Sec. 4-4. - Permit to keep livestock.

- (a) Generally. It shall be unlawful for any person to keep within the corporate limits of the city, any cow, mule, horse or cattle in any barn, stable or on a lot, unless the owner of such animal shall obtain the written consent of the mayor and aldermen.
- (b) Residential lots. It shall be unlawful for any person to keep within the corporate limits of the city, on a residential lot, any cow, mule, horse or cattle in any barn, stable or on a lot, unless the owner of such animal shall obtain the written consent of the mayor and aldermen.

Sec. 4-5. - Maintenance of premises where livestock are kept.

It shall be unlawful for any person owning or having under his control any premises upon which is located or maintained any pen, yard, or other enclosure for the keeping of horses, cattle, or other animals to fail to keep such pen, yard, or enclosure free and clear from all stagnant water, slops, filth, manure and mire.

Sec. 4-6. - Hogs prohibited in city.

It shall be unlawful for any person to keep enclosed in any pen, or otherwise, any swine of any description within the city.

(Code 1959, § 5-6)

**Charter reference**— Power of city to prohibit the keeping of hogs, § 40(11).

**State Law reference**— Power of city to suppress hog pens, Miss. Code Ann. 1972, § 21-19-1.

Sec. 4-7. - Stallions, bulls, jacks.

It shall be unlawful for any person to keep a stallion, bull, or jack in view of the public streets of this city, or to stand such animal in open view of any public place, or to negligently keep such animal or suffer it to run at large.

(Code 1959, § 5-7)

**State Law reference**— Similar provisions, penalty, Miss. Code Ann. 1972, § 97-29-57.

Sec. 4-8. - City designated bird sanctuary; acts prohibited.

- (a) The entire area embraced within the corporate limits of the city is designated as a bird sanctuary.
- (b) It shall be unlawful for any person to trap, hunt, shoot, or attempt to shoot or molest in any manner, any bird or wild fowl or to rob bird nests or wild fowl nests; provided, however, that if pigeons, starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or a menace to health or property in the opinion of the health authorities of the city or the county, or in the opinion of the mayor and aldermen, then such birds may be destroyed in such numbers and in such manner as is deemed advisable by the mayor and aldermen, under the supervision of the chief of police of the city.

(Code 1959, § 5-1.1)

**State Law reference**— Protection of birds, Miss. Code Ann. 1972, § 49-5-7.

Sec. 4-9. - Pigeons.

- (a) Owners of pigeons allowing their pigeons to roost or linger on the property or buildings of others pose a health hazard in addition to offending aesthetic senses by pigeon contamination. Such lingering or roosting is declared to be a public nuisance.
- (b) Whenever a verified complaint of at least two (2) citizens of the city is presented to the police department, alleging that a person is allowing pigeons to linger upon the property of the complainants, the police department shall inform the owner of the pigeons that the petition has been received and shall cite the owner of the pigeons for the violations alleged in the petition.

Sec. 4-10. - Keeping of bees.

- (a) It shall be unlawful for any person to establish or maintain any hive, stand or box where bees are kept, or keep any bees in or upon any premises within the corporate limits of the city unless the bees are kept in accordance with the following provisions:
  - (1) If bee colonies are kept within fifty (50) feet of any exterior boundary of the property on which the hive, stand or box is located, a barrier that will prevent bees from flying through it, no less than five (5) feet high, shall be installed and maintained along the exterior boundary.
  - (2) Fresh, clean watering facilities for bees shall be provided on the premises.
  - (3) The bees and equipment shall be kept in accordance with the provisions of state statutes.
- (b) Nothing in this section shall be deemed or construed to prohibit the keeping of bees in a hive, stand or box, located or kept within a school or university building for the purpose of study or observation.

**State Law reference**— Bee diseases, Miss. Code Ann. 1972, § 69-25-101 et seq.

Sec. 4-11. - Cruelty—Declared unlawful.

- (a) It shall be unlawful for any person to overdrive, overload, override, torture, torment, unjustifiably injure, deprive of necessary sustenance, food or drink; or cruelly beat, or needlessly mutilate, or kill any living creature; or cause or procure any of the foregoing acts or omissions.
- (b) In the event an animal control officer as designated by the mayor and aldermen of the City of Vicksburg, has knowledge of an animal subject to the above conditions, he may give the owner or other person in possession of the animal three (3) working days in which to correct said condition. Said notice shall be in writing and shall identify the conditions to be corrected. Said notice may be mailed first-class mail or hand delivered to the owner or person in possession of the animal.

- (c) In the event said condition or conditions are not corrected or if circumstances necessitate immediate action, the animal control officer may do one (1) or more of the following:
- (1) Enter onto private property in order to remove the animal from the property with the assistance of the Vicksburg Police Department; or
  - (2) Issue a citation to the owner or person in possession of the animal for violation of the ordinances of the City of Vicksburg; or
  - (3) Pursue any other remedy authorized as a matter of law.

(Code 1959, § 5-2; Ord. No. 96-1, § 1, 1-10-96)

**State Law reference**— Cruelty to animals, Miss. Code Ann. 1972, § 97-41-1 et seq.

Sec. 4-12. - Same—Keeping place for fighting or tormenting creatures.

It shall be unlawful for any person to keep or use, or be in any way interested in the management of, or receive money for the admission of any person to, any place kept or used for the purpose of fighting any bear, dog, cock or other creature, or of tormenting or torturing the same, or to encourage, aid or assist therein, or permit or suffer any place to be so kept or used.

(Code 1959, § 5-3)

**State Law reference**— Similar provisions, penalty, Miss. Code Ann. 1972, § 97-41-11 et seq.

Sec. 4-13. - Same—Carrying in an inhumane manner.

It shall be unlawful for any person to carry or cause to be carried by hand or in or upon any vehicle or other conveyance, any creature in a cruel or inhumane manner.

(Code 1959, § 5-4)

**State Law reference**— Similar provisions, penalty, Miss. Code Ann. 1972, §§ 97-41-5, 97-41-13.

Sec. 4-14. - Same—Injuring maliciously or mischievously.

It shall be unlawful for any person maliciously, either out of a spirit of revenge or wanton cruelty, or mischievously to kill, maim, wound, or injure any horse, mare, gelding, mule, sheep, cattle, hog, dog, poultry, or other livestock, or cause any person to do the same.

(Code 1959, § 5-5)

**State Law reference**— Similar provisions, restitution, Miss. Code Ann. 1972, § 97-41-15.

Sec. 4-15. - Leaving animal unhitched or unattended.

It shall be unlawful for any owner, rider, driver, or person in charge of any horse, mule or team, or wheeled vehicle drawn by any animal, to leave the same standing unhitched upon any public streets, without some competent person in control to prevent accidents.

(Code 1959, § 5-15)

**Cross reference**— Streets and sidewalks, Ch. 20.

Sec. 4-16. - Dead animals; removal.

It shall be unlawful for any person to allow any dead animal to remain on his premises for more than six (6) hours after its death, or to throw the same upon any of the streets, lanes, alleys or vacant lots within the

city. The owner or person in possession of such animal, or the owner or occupant of the premises upon which such animal may have died, shall immediately after its death, at his own expense, remove the same beyond the limits of the city.

(Code 1959, § 5-14)

**Cross reference**— Cemeteries, Ch. 7.

**State Law reference**— Animals dying of disease, Miss. Code Ann. 1972, §§ 19-5-15, 97-27-3; depositing dead animal on levee, Miss. Code Ann. 1972, § 97-15-21; report of death of estray, Miss. Code Ann. 1972, § 69-13-311.

Secs. 4-17—4-30. - Reserved.

## ARTICLE II. - ANIMALS RUNNING AT LARGE

Sec. 4-31. - Generally prohibited.

It shall be unlawful for any person in charge or control of any horse, mule, jack, cow, bull, yearling, goat, sheep or hog, or cattle or any kind of stock, to allow the same to run at large in and upon the streets, alleys or commons of the city or to allow them to run or be at large in the streets and right of ways of the City of Vicksburg.

(Code 1959, § 5-8; Ord. No. 99-6, §§ 7, 8, 7-23-99)

**Charter reference**— Power of city to restrain the running at large of animals, § 40(11).

**State Law reference**— Power of cities to prevent the running at large animals, Miss. Code Ann. 1972, § 21-19-9; stock laws, estrays, Miss. Code Ann. 1972, § 69-13-1 et seq.

Sec. 4-31.1. - Dogs.

It shall be unlawful for any person in charge or control of any dog to allow the same to run at large in and upon the streets, alleys or commons of the city. At all times when a dog is not confined by fence or otherwise to the property of the owner or other person in charge thereof, such dog shall be kept on a leash and failure to do so shall constitute a violation of this ordinance and such dog may be impounded by the city animal control officer, any city police officer or any other person designated by the mayor and aldermen. The impoundment and redemption procedures provided in this article shall be supplemental to and in addition to impoundment procedures provided for elsewhere in the Code of Ordinances of the City of Vicksburg and the provisions of this section and article are not intended to impair or otherwise affect such other provisions.

(Ord. No. 92-8, § 1, 10-23-92)

Sec. 4-32. - Domestic fowl.

All chickens, geese, ducks, turkeys and other domestic fowl shall be kept by the owners thereof on their own premises, and it shall be unlawful for the owners of such fowl to allow or permit them to run or be at large in the streets, or to allow them to go upon and trespass on the yards, lawns or premises of other people.

(Code 1959, § 5-9)

Sec. 4-33. - Pound to be provided.

A suitable place or pound shall be provided by the city for the safekeeping of animals and fowl taken up and impounded under this article. Such pound shall be kept up and maintained at the expense of the city, or any person or group contracted with for the purpose of maintaining a pound.

(Code 1950, § 5-11)

Sec. 4-34. - Impoundment—Authorized.

It shall be the duty of the chief of police, the other police officers of the city and any other persons designated by the mayor and aldermen to arrest, take up, confine and put in the pound any such of the animals or fowl mentioned in sections 4-31, and 4-31.1 and 4-32 as shall be found at large within the city.

(Code 1959, § 5-10; Ord. No. 92-8, §§ 2, 3, 10-23-92)

Sec. 4-35. - Same—Redemption; sale; proceeds.

- (a) If within five (5) days from the date an animal, save and except dogs, or fowl is impounded the owner or person in charge thereof calls for the same, such animal, save and except dogs, or fowl shall be delivered to him upon the payment of twenty dollars (\$20.00) for taking up and eight dollars (\$8.00) per day for maintenance, for each head.
- (b) If no one claims the impounded animal within a period of three (3) days, the chief of police shall cause a notice to be inserted in some newspaper published in the city for five (5) successive days, describing the animal and giving notice that unless redeemed the same will be disposed of by humane means as provided for in section 4-63.
- (c) The proceeds from any sale or redemption of an animal shall be paid over at once to the city treasurer.

(Code 1959, § 5-12; Ord. No. 92-8, §§ 4, 5, 10-23-92; Ord. No. 92-13, 12-10-92; Ord. No. 99-6, §§ 9, 10, 7-23-99)

Sec. 4-36. - Same—Purchaser at sale receives good title.

A purchaser at any sale under this article shall be vested with a good and perfect title to the property.

(Code 1959, § 5-13)

Secs. 4-37—4-50. - Reserved.

### ARTICLE III. - DOGS AND CATS<sup>2</sup>

Footnotes:

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**Charter reference**— Authority of city to regulate dogs, see § 40(16).

**State Law reference**— Municipal regulation of dogs, Miss. Code Ann. 1972, § 21-19-9; purchasing dogs for use of police department, § 21-21-5.

### DIVISION 1. - GENERALLY

Sec. 4-51. - Number kept.

(a) Definitions. As used in this section:

Cat shall mean any feline, regardless of age or sex.

Dog shall mean any canine, regardless of age or sex.

- (b) Keeping of unlimited number declared nuisance. The keeping of an unlimited number of dogs and cats in the city for a considerable period of time detracts from and, in many instances, is detrimental to the healthful and comfortable life for which such areas were created. The keeping of an unlimited number of dogs and cats is, therefore, declared to be a public nuisance.
- (c) Number permitted to be kept. It shall be unlawful for any person or persons to keep more than five (5) dogs or five (5) cats within the city, with the exception that a litter of pups or a litter of kittens or a portion of a litter may be kept for a period of time not exceeding five (5) months from birth.
- (d) Exceptions. The provisions of this section shall not apply to any establishment wherein dogs and cats are kept for breeding, sale or boarding, when the establishment has been approved by the mayor and aldermen.

Sec. 4-52. - Kennels.

In the areas where professional kennels are permitted, no kennel shall be located closer than one hundred (100) feet to the boundary of the nearest adjacent residential lot.

Sec. 4-53. - Keeping in confined areas.

- (a) Pens; yards; runs. All pens, yards or runs or other structures wherein a dog or cat or other animal is kept shall be of such construction as to be easily cleaned and kept in good repair.
- (b) Fences. Fences which are intended as enclosures for any animal shall be securely constructed, shall be adequate for the purpose and kept in good repair and shall not be allowed to become unsightly.

Sec. 4-54. - Mangy or sick animals.

Mangy or sick dogs or cats will not be permitted on the streets at any time, even though supplied with tags and certificates of vaccination.

(Code 1959, § 5-21)

Sec. 4-55. - Vaccination—Required.

- (a) It shall be the duty of each dog owner to have such dog inoculated against rabies by a veterinarian each year, commencing with the passage of this section.
- (b) It shall be the duty of each cat owner to have such cat inoculated against rabies every year commencing with the passage of this section.

**Cross reference**— Health and sanitation, Ch. 11.

**State Law reference**— Rabies control, Miss. Code Ann. 1972, § 41-53-1 et seq.; persons authorized to administer virus, § 41-53-5.

Sec. 4-56. - Same—Certificate; tag.

The animal control officer shall negotiate with local veterinarians licensed in the state for the provision of an appropriate certificate and tag for each dog and cat vaccinated. The certificate shall include the name, address and telephone number of the owner of the dog or cat, date of vaccination, tag number, breed, color, age and sex of dog or cat and such other information as may be required. The dog or cat tag shall be

numbered to coincide with the certificate and contain the year of issuance. The tags shall be color coded for each year of issuance.

Sec. 4-57. - Duties of veterinarian following vaccination.

It shall be the duty of each veterinarian after inoculating a dog or cat to insert in a triplicate certificate the information required thereby and to present one (1) copy to the owner of the dog or cat, to mail or deliver one (1) copy to the police department at the end of each month, and to retain the remaining copy. The veterinarian shall also deliver the corresponding tag to the owner of the dog or cat and the owner shall immediately attach the same to the collar or harness of the dog or cat which shall be worn by the dog or cat at all times.

Sec. 4-58. - Clean up of waste.

- (a) It shall be unlawful for any person owning or possessing a dog or cat to permit such dog or cat to go upon another person's private property, without the permission of the property owner.
- (b) All pet owners and keepers are required to immediately and properly dispose of their pet's fecal matter deposited on any property, public or private, not owned or possessed by the pet owner/keeper. The pet owner/keeper shall possess a container sufficient to immediately collect and remove said fecal matter from the public or private property and dispose of it in a sanitary method such as flushing down the toilet or bagging and placing in a trash receptacle.

(Ord. No. 2015-07, §§ 1, 2, 11-25-15)

Sec. 4-59. - Noisy, vicious animals.

- (a) Harboring. It shall be unlawful for any person knowingly to keep or harbor any dog which habitually barks, howls or yelps, or any cat which habitually cries or howls to the great discomfort of the peace and quiet of the neighborhood, or in such manner as to materially disturb or annoy persons in the neighborhood who are of ordinary sensibilities, or any vicious dog. Such dogs or cats are hereby declared to be a public nuisance.
- (b) Complaints. Whenever any person shall complain to the police department, animal control officer or any other designated person of the board of mayor and aldermen that a dog which habitually barks, howls or yelps, or a vicious dog, or a cat which habitually cries or howls is being kept by any person in the city, the police department, animal control officer, or other designated person shall notify the owner of the dog or cat that a complaint has been received, and that the person should take whatever steps are necessary to alleviate the howling, yelping or crying.
- (c) Citation for violation. If the warning given to the person alleged to be keeping a dog or cat as set forth in (b) above is ineffective, then a verified complaint of at least two (2) citizens, not from the same family, may be presented to the police department, alleging that a vicious dog or dog which habitually cries or howls is being kept by any person within the city. The police department shall inform the owner of such dog or cat that the petition has been received and shall cite the owner of the dog or cat for the violation alleged in the petition.

(Ord. No. 99-6, §§ 11, 12, 7-23-99)

Sec. 4-60. - Impoundment—Authorized; notice to owner; fees.

- (a) Authorized. Any dog or cat or other animal found in violation of this article may be seized and impounded by any police officer or humane officer. Impoundment may be in any animal shelter designated by the mayor and aldermen.



- (b) Notice to owner. The owner of any dog or cat or other animal impounded, if his identity and location can be obtained by reasonable means, shall within twenty-four (24) hours be notified that his dog or cat or other animal has been impounded.
- (c) Fees. The following fees shall be charged for impoundment of any dog or cat:
- (1) First redemption within calendar year .....\$10.00
  - (2) Second redemption within calendar year .....25.00
  - (3) Third redemption within calendar year .....50.00

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 or cat or other animal. This fee may be amended from time to time by resolution by the mayor and aldermen as is reasonable to defray costs.

- (c) Fees. The following fees shall be charged for impoundment of any dog or cat:
- (1) First redemption within calendar year .....\$25.00
  - (2) Second redemption within calendar year .....50.00
  - (3) Third redemption within calendar year .....100.00

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 or cat or other animal. This fee may be amended from time to time by resolution by the mayor and aldermen as is reasonable to defray costs.

(Code 1959, § 5-22; Ord. No. 99-6, §§ 13, 14, 7-23-99)

Sec. 4-61. - Same—Redemption of unvaccinated animals.

In addition to the fees mentioned in this division, the owner of any impounded dog or cat or other animal which has not been vaccinated, upon satisfactory proof of ownership, may redeem the animal by making a deposit of ten dollars (\$10.00) with the pound master and be allowed twenty-four (24) hours, excluding weekends, to get such dog or cat or other animal vaccinated. If such owner fails to procure a certificate of vaccination within forty-eight (48) hours, excluding weekends, the deposit of ten dollars (\$10.00) shall be forfeited and shall be placed in the general fund and the dog or cat or other animal shall be picked up and impounded again. Upon presentation within twenty-four (24) hours of a certificate of vaccination, the deposit shall be refunded.

Sec. 4-62. - Same—Redemption of unclaimed animals.

If the owner of any dog or cat or other animal impounded under this article shall fail to redeem the animal within five (5) business days after such impoundment, any other person may, upon complying with the provisions of this article, redeem such dog or cat or other animal from the pound and be the lawful owner of such dog or cat or other animal thereafter.

Said redemption shall include reimbursement to the city of all fees assessed in compliance with this chapter.

(Ord. No. 99-6, §§ 15, 16, 7-23-99)

Sec. 4-62.1. - Same—Waiver of adoption fees.

As used in this chapter:

- (1) An individual, group or organization actively involved or associated with the rescue of animals, whose objective and goal is to prevent the animal from being euthanized, is hereby exempt from payment of an adoption fee as set forth by the City of Vicksburg. At the expiration of the five (5) business days, the individual, group or organization may submit a request to the Vicksburg City

Pound to adopt the animal. The request shall be on a form obtained from the Vicksburg City Pound.

- (2) The decision of whether an animal should be released or euthanized is solely within the discretion of the city. Should the animal be returned, after it has been adopted by the individual, group or organization and the fees waived by the city, for whatever reason, the adopting party must pay the initial adoption fee.
- (3) The individual, group or organization shall present documentation to the Vicksburg City Pound verifying the rescue or adoption group or organization it is affiliated with.

(Ord. No. 2004-16, § 1, 8-25-04)

Sec. 4-63. - Same—Disposal of unclaimed animals.

All dogs, cats and other animals may be disposed of after ten (10) business days of impoundment, unless impounded for a longer specified time. The poundmaster may dispose of such dogs or other animals by humane means.

(Code 1959, § 5-22)

Sec. 4-64. - Certain animals prohibited from being at large.

- (a) No dog or other animal of dangerous, vicious, fierce or mischievous propensities or tendencies may be at large at any time within the limits of the city, and it shall be unlawful for the owner or other person having any such dog or other animal in his possession or under his control, or in any manner keeping or harboring any such dog or other animal within the limits of the city to cause or permit any such dog or other animal to be at large in the city.
- (b) If any dog bites or attempts to bite any person while such dog or other animal is at large, then such dog or other animal shall be conclusively presumed to be a dangerous dog or other animal and a dog or other animal of dangerous propensities and tendencies.
- (c) If any dog or other animal at large overturns a securely covered garbage container, or removes any garbage from any approved garbage container or bag, approved by the mayor and aldermen, then such dog or other animal shall be conclusively presumed to be a mischievous dog or other animal and a dog or other animal of mischievous propensities and tendencies.

Sec. 4-65. - Destruction of certain animals.

Any dangerous or vicious dog or other animal having dangerous or vicious propensities and tendencies found at large after the owner thereof has previous knowledge or notice that such dog or animal is dangerous or vicious or has dangerous propensities and tendencies, after all attempts to capture the animal have failed, may be killed by any police officer or animal control officer of the city without the officer having to catch or impound the dog or other animal.

(Ord. No. 99-6, §§ 17, 18, 7-23-99)

Sec. 4-66. - Penalty for violation.

Any person who shall fail to comply with or violate any of the provisions of this article, where no specific penalties are provided therefor, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed three hundred dollars (\$300.00). Each day shall be considered a separate violation.

Sec. 4-67. - Responsibility for veterinarian fees.

Any person redeeming a sick or injured animal which was picked up by the police or animal control officer shall be responsible for all veterinarian fees.

(Ord. No. 99-6, § 19,, 7-23-99)

Secs. 4-68—4-80. - Reserved.

## DIVISION 2. - LICENSE

Sec. 4-81. - Dogs; procedure; charges.

- (a) Each owner of a dog more than six (6) months of age on January of each year, or six (6) months of age within the licensed year, shall annually, or within thirty (30) days from the date such dog becomes six (6) months of age, pay a dog license tax and obtain a license therefor. A license year shall commence on January 1, and end on the following December 31. Such dog license tax, if paid on or before April 1, shall be two dollars (\$2.00) for each neutered dog and four dollars (\$4.00) for each unneutered dog. An increased fee of two dollars (\$2.00) per dog license shall be paid by all persons purchasing dog licenses after April 1, or more than three (3) months after such dog becomes six (6) months of age. Each applicant for a dog license shall present a valid certificate of vaccination signed by a competent veterinarian, including his name and address, before a license is issued.
- (b) Each applicant for dog licenses shall obtain the same from a licensed and practicing veterinarian located in the city or county. Prior to obtaining a dog license, it will be necessary to present to the veterinarian issuing the same, a valid certificate of vaccination signed by a licensed and practicing veterinarian, which certificate shall contain the veterinarian's name, address and telephone number.
- (c) For the above service, the veterinarian issuing the license for the city shall collect an additional fee of not more than three dollars (\$3.00) per dog for the issuing of the license. This fee shall be kept by the veterinarian for his fee for issuing the license.

(Code 1959, §§ 5-17, 5-21; Ord. No. 86-5, § 2, 2-25-86)

Sec. 4-82. - Cats; procedure; charges.

- (a) Each owner of a cat more than six (6) months of age on January 1 of each year, or six (6) months of age within the license year, shall annually, or within thirty (30) days from the date such cat becomes six (6) months of age, obtain a license for each cat. The license year shall commence on January 1, and end on the following December 31. Such cat license tax, if paid on or before April 1, shall be two dollars (\$2.00) for each altered cat and four dollars (\$4.00) for each unaltered cat. An increased fee of two dollars (\$2.00) per cat license shall be paid by all persons purchasing a cat license after April 1 or more than three (3) months after such cat becomes six (6) months of age. Each applicant for a cat license shall present a valid certificate of vaccination signed by a competent veterinarian, including his name and address before a license is issued.
- (b) Each applicant for a cat license shall obtain the same from a licensed and practicing veterinarian located in the city or county. Prior to obtaining a cat license, it will be necessary to present to the veterinarian issuing the same a valid certificate of vaccination signed by a licensed and practicing veterinarian which certificate shall contain the veterinarian's name, address and telephone number.
- (c) For the above service, the veterinarian issuing the license for the city shall collect an additional fee of not more than three dollars (\$3.00) per cat for the issuing of the license. This fee shall be kept by the veterinarian for his fee for issuing the license.

(Ord. No. 86-6, § 2, 2-25-86)

Sec. 4-83. - Untagged animals prohibited from running at large.

It shall be unlawful for the owner or the person having possession, charge, custody or control of any dog or cat to cause, permit or allow the same to run at large on public property within the corporate limits of the city or upon private property without permission of the owner, unless such dog or cat is wearing a license tag approved by the mayor and aldermen.

(Code 1959, § 5-19)

**State Law reference**— Dogs running at large, Miss. Code Ann. 1972, § 41-53-11.

Sec. 4-84. - Impoundment of untagged animals.

- (a) In addition to the penalties provided in this article, any police officer of the city or any person designated by the chief of police shall impound any dog or cat which does not carry a license tag provided by the city. The owner may obtain possession of any dog or cat so impounded or seized by paying an impounding fee in accordance with the schedule set forth in this article, and paying the reasonable cost of keeping such dog or cat during the time that it is impounded; provided, however, that the dog or cat shall not be released until proof has been furnished to the police officer that the dog or cat had been inoculated with an antirabic vaccine in accordance with the terms of this article.
- (b) Notice of impoundment shall be given by the person or officer in the possession of the dog or cat within twenty-four (24) hours of impoundment to the owner of the dog or cat if known.

Sec. 4-85. - Tags; duplicates; wrongful use.

- (a) If the tag is stolen or lost from a licensed dog or cat, the owner shall report the loss of same to the original place of purchase. A duplicate tag will be furnished for the sum of one dollar (\$1.00). Any dog or cat caught wearing a stolen or lost tag shall be impounded and the owner shall be fined not less than twenty-five dollars (\$25.00).
- (b) Substitution of tags from one animal to another shall be treated in a like manner.

(Code 1959, § 5-20)

Sec. 4-86. - Animal control officer—Appointment.

The mayor shall authorize and appoint some suitable person or persons, at his discretion, to catch, take up and impound all dogs or cats found running at large within the city without the license tags required.

(Code 1959, § 5-22)

**Cross reference**— Administration, Ch. 2.

Sec. 4-87. - Same—Interfering with prohibited.

It shall be unlawful for any person to interfere with any person appointed by the mayor to kill, catch, take up or impound dogs and cats in the discharge of his duties.

(Code 1959, § 5-23)