



CODE OF ORDINANCES
Chapter 8 Offenses and Miscellaneous Provisions

Sec 8-91. - Vicious dog or other animal; requirements for confinement.

- (a) It shall be a misdemeanor to permit any vicious or dangerous dog or other animal to run at large within the city.
- (b) Any vicious or dangerous dog or other animal shall include any animal which has attacked or threatened to attack, bitten or threatened to bite, or in any other manner endangered people or other animals.
- (c) Any vicious or dangerous dog or other animal must at all times be securely confined in a totally enclosed humane and sanitary locked house, pen or enclosure, which shall be constructed in such manner as to prevent the animal's escape therefrom by tunneling, climbing, chewing, breaking or any other means or effort by the animal; furthermore, such enclosure shall be made secure from the accidental or intended invasion thereof, without forcible entry, by any adult or child human being, and such enclosure shall have conspicuous signs plainly visible from any external view displaying the words "Dangerous Animal—Keep Away" in block letters not less than two (2) inches square.
- (d) At any time that a vicious or dangerous dog or other animal is not confined as required in subsection (c), such animal shall be muzzled in such a manner as to prevent it from biting or injuring any person or animal and shall be kept on a leash with the owner or custodian in attendance at all times. No vicious dog may be walked within one hundred fifty (150) feet of any school ground, playground or park, nor enter into such school ground, play ground or park.
- (e) Any vicious animal which is not confined or muzzled as provided in this section shall be impounded at the county humane shelter and shall not be released until the hearing hereinafter provided has been held, the animal has been properly vaccinated or suitable arrangements made for vaccination, and a pound fee of twenty-five dollars (\$25.00) plus ten dollars (\$10.00) for each day of impoundment paid the pound fee shall be in addition to any fine imposed hereunder.
- (f) The municipal judge shall conduct a show-cause hearing within seventy-two (72) hours, except Sunday, with respect to any impounded vicious or dangerous dog or other animal; notice of such hearing shall be served upon the owner of such animal or the person in whose possession the animal was found. At such hearing the court shall determine whether or not the animal is sufficiently vicious so as to constitute a menace to the public health and safety, and in such event, for the protection of the public, the court may order that the animal be humanely destroyed; if the animal is not ordered destroyed, the court may, in its discretion, order the animal to be spayed or neutered by a licensed veterinarian; and in each case in which the court determines that the provisions of this chapter have been violated, the following minimum penalties shall be imposed:

- (1) *First offense*, a fine of not less than two hundred fifty dollars (\$250.00) and restitution to the victim;
- (2) *Second offense*, a fine of not less than five hundred dollars (\$500.00) and restitution to the victim;
- (3) *Third offense*, a fine of not less than one thousand dollars (\$1,000.00), and restitution to the victim, and up to thirty (30) days in jail; in addition, the animal shall be permanently removed from the corporate limits of the city, and if the animal is subsequently found within the city limits, it shall be humanely destroyed.

(Ord. No. 90-0022, § 1, 10-16-90; Ord. No. 11-005, § 1, 7-5-11)

Sec. 8-116. - Findings.

- (a) For some time the city has experienced a series of incidents in which citizens and animals have been attacked and injured by pit bull dogs.
- (b) The community has also experienced an increasing number of animal killings resulting from pit bull attacks.
- (c) The pit bull breed was developed for the purpose of producing fighting dogs.
- (d) To increase its effectiveness as a fighter, certain pit bull traits have been selected and maximized by controlled breeding, including:
 - (1) A set of powerful jaws with an exceptional ability to grip, lock and tear when the dog bites;
 - (2) A unique insensitivity to pain that causes pit bulls to be exceedingly tenacious in the 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.
- (e) For the reasons provided in this section, pit bull dogs present a present danger to the health and welfare of the citizens of the city, different in degree and kind from the dangers presented by other breeds of dogs.

(Ord. No. 90-0003, § 1, 2-6-90)

Sec. 8-117. - Regulations.

- (a) *Generally.* This division is intended to utilize the authority and powers of the city in order to secure for the citizens of this city the protection of their health, safety and welfare. This division is intended to be applicable to dogs which are commonly referred to as "pit bulls" and which are defined herein. This division 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" dog as used within this division 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. Such standards are attached to Ordinance No. 90-0003 and incorporated in this section by reference as Exhibit "A" and shall remain on file with the Washington County Humane Society and the Greenville Police Department. Technical deficiencies in a dog's conformance to the standards described herein shall not be considered to indicate that the subject dog is not a pit bull dog pursuant to this division. Testimony by a veterinarian, animal behaviorist, or animal control officer that a particular dog exhibits distinguishing physical characteristics of a pit bull shall establish a rebuttable 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 with a top, all four (4) sides at least six (6) feet high, and with concrete flooring to prevent escape by tunneling; pen shall have a five (5) foot minimum set back from property lot line; and such enclosure shall likewise have a conspicuous sign affixed thereto displaying the words "Dangerous Dog."
- (2) At any time that a pit bull dog is not confined as required in subsection (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 leash with the owner or custodian in attendance; provided, however, that no pit bull dog may be walked within one hundred fifty (150) feet of any school ground, play ground or park, nor enter into such school ground, play ground or 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.
- (d) **Registration of pit bull dogs.** Every owner of a pit bull dog within the city shall register the dog by three (3) months of age minimum with the Greenville Animal Shelter and renew each year thereafter. The registration and renewal shall include the following: name, address and telephone number of the dog's owner; a complete identification of the dog, including the dog's sex, color and other distinguishing physical characteristics; a color photograph of the dog; inspection of dog facility by the humane officer; proof of vaccination; proof of liability insurance that specifically states *vicious dog* in a minimum amount of fifty thousand dollars (\$50,000.00). Registration fee is twenty-five dollars (\$25.00) and renewal fee of twenty-five dollars (\$25.00) each year thereafter. Owner must be able to show registration at all times. Pit bull dogs not properly registered may be confiscated by the City of Greenville.
- (e) **Enforcement.** It shall be the duty and responsibility of the city animal control officer(s) to enforce the provisions of this division.
- (f) **Schedule of penalties.** Violations of this division shall be punished as follows:

| Description of Violation | | Minimum Penalty |
|--------------------------|----------------------------------|--|
| (1) | Failure to confine pit bull dog | First offense—A fine of five hundred dollars (\$500.00) |
| | | Subsequent offenses—A fine of one thousand dollars (1,000.00) and thirty (30) days in jail |
| (2) | Failure to register pit bull dog | \$500.00 |

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

(Ord. No. 90-0003, § 2, 2-6-90; Ord. No. 07-001, § 1, 6-19-07; Ord. No. 07-002A, § 1, 7-17-07; Ord. No. 11-004, § 1, 7-5-11)