

AN ORDINANCE PROHIBITING DOGS, CATS, OR OTHER SUCH PETS FROM RUNNING AT LARGE; REQUIRING OWNERS TO PREVENT SUCH PETS FROM CREATING A NUISANCE; REQUIRING RABIE INOCULATION; PROHIBITING CRUEL AND INHUMANE TREATMENT OF SUCH PETS; AND FIXING PENALTIES FOR VIOLATION OF SAME; AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Sardis, Mississippi, have received numerous complaints concerning the running at large of dogs and cats in said City, of vicious and threatening dogs not properly contained or supervised, of such pets creating a nuisance and of cruel and inhumane treatment of such pets and after consideration and investigation thereof the Mayor and Board of Aldermen do find and determine that it would be in the best interest of the City of Sardis and the citizens thereof for the City to adopt an ordinance to prevent dogs, cats, or such other pets from running at large and to require rabies inoculation, and to prohibit cruel and inhumane treatment of such pets and to fix penalties for violation in connection therewith.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SARDIS, MISSISSIPPI, AS FOLLOWS, TO-WIT:

SECTION ONE. RUNNING AT LARGE:

Prohibition and Requirements:

It shall be unlawful for the owner or the person having possession, charge, custody or control of any dog, cat, or other such pet to cause, permit or allow same to run at large within the corporate limits of the City of Sardis. The running at large of any such pet or pets shall be prima facie evidence of the violation of this section by the owner or the person having possession, charge, custody or control of such pet or pets. "At Large" as used in this Ordinance shall mean (1) being uncontained or unfenced on or off the premises of the owner, the premises of a member of owner's family, or premises of the person or persons having the possession, charge, custody or control of any such pet or pets, or (2) when such pet or pets are accompanying their owner or custodian outside of such are not under control, either by leash, cord, or chain.

The owner, owners, or the person or persons having the possession, charge, custody or control of any pet or pets within the City of Sardis are hereby required to keep same within a suitable fence or enclosure. Such fence or enclosure shall be located only in the rear or side yard of any lot.

The owner, owners, or the person or persons having the possession, charge, custody or control of any such pet or pets within the City of Sardis are hereby required to keep such pet or pets on a leash, cord or chain at all times when such pet or pets are accompanying such owner or custodian.

SECTION TWO. BECOMING A NUISANCE:

It shall be unlawful for the owner or the person having the possession, charge, custody or control of any dog, cat, or other such pet to permit or allow same to create a disturbance in a neighborhood in the City of Sardis; to annoy any person or family in the City of Sardis; to threaten any said person or family in said City, or to become a nuisance in any manner in the City of Sardis, for example, by reason of barking, noise, nauseous odor, filthy conditions, the breeding of flies, mosquitoes, insects and other pests, by being on the property of someone other than the owner or the person having the possession, charge, custody or control of such pet or pets, damaging public or private property, urinating or defecating on any property that does not belong to the owner or the person having the

possession, charge, custody or control of such pet or pets, or the biting or chasing of any person or persons not the owner or person having the possession, charge, custody or control of such pet or pets.

SECTION THREE. CRUEL AND INHUMANE TREATMENT:

It shall be unlawful for any person to torture, torment, unjustifiably injure, deprive of necessary sustenance, food or drink, or cruelly beat or needlessly mutilate any dog, cat, or other such pet within the corporate limits of the City of Sardis or to cause or permit same to be done.

SECTION FOUR. CONDITION OF PREMISES WHERE DOGS, CATS OR OTHER SUCH PETS ARE KEPT CONFINED:

No dog, cat, or other such pet shall be kept or confined in any place where the water, shelter, ventilation and food are not sufficient for the good health of such pet or pets. No such pet or pets shall be kept in such place or condition as to become a nuisance, either because of noise, odor, filth or contagion of disease. No such pet shall be kept chained to any post, tree, rail or other object.

SECTION FIVE. RABIES INOCULATION:

Frequency: It shall be the duty of the owner or the person having the possession, charge, custody or control of a dog, cat or other such pet within the City of Sardis, six (6) months of age or over, to have such pet or pets vaccinated against rabies with the approved dosage of an approved anti-rabies vaccine properly administered by one legally authorized to administer same and to see that such pet when so vaccinated wears about its neck and securely attached to a collar a metal tag approved by the State Board of Health with the serial number of the vaccination and the year in which such pet was inoculated being stamped thereon, and to see that the said collar with the tag attached thereto is worn by the pet at all times. It shall further be the duty of the owner or person or persons having the possession, charge, custody, or control of such pet or pets within the City of Sardis to have said vaccination repeated annually.

Violations: It shall be unlawful for the owner of any such pet or pets or the person or persons having the possession, charge, custody or control of any such pet or pets within the City of Sardis, to fail to have the same vaccinated and tagged as hereinabove set forth.

SECTION SIX. IMPOUNDMENT-RUNNING AT LARGE;

Whenever any Police Officer of the City of Sardis or other person designated by the City of Sardis shall find any dog, cat or other such pet running at large as defined in this Ordinance, he shall, if possible, pick up and impound such animal in the City of Sardis Animal Shelter as same shall be provided and maintained by the City of Sardis, Mississippi.

Whenever any animal has been so impounded as provided for in Subsection A above, and such animal shall bear an identification mark such as a collar or license tag, the owner of such animal shall be notified forthwith. Any dog, cat, or other such pet shall be impounded for a period of five days, and at the end of such five day impoundment, the impounded dog, cat or other such pet shall be disposed of unless the owner thereof shall reclaim said dog, cat or other such pet and pay to the City of Sardis, Mississippi, the reasonable cost of keeping such dog, cat or other such pet and an impounding fee of

\$50.00 for the first impounding and an impounding fee of \$75.00 and \$100.00 for the second and third impounding respectively in one year.

SECTION SEVEN. IMPOUNDMENT-BITING OR INFECTED DOGS, CATS, OR OTHER SUCH PETS

If any dog, cat, or other such pet has bitten any person or is suspected of having bitten any person, or is for any reason suspected of being infected with rabies, then such pet shall be apprehended and delivered by the City to a veterinarian designated and appointed by the City, where such pet shall be securely penned and separated from other such pet or pets for such period as may be necessary to ascertain whether or not the pet is infected. If, after sufficient observation, such pet, in the opinion of the City Veterinarian, is not infected, he shall be returned to the owner, if claimed. If, in the opinion of said Veterinarian, symptoms develop justifying a microscopic examination, then such pet shall be killed and examination made by said Veterinarian.

In lieu of the provisions of Subsection A, the Owner of any such dog, cat, or other such pet may, at his own expense, take such pet to any qualified and licensed veterinarian for observation. Such veterinarian shall report his findings in writing to the City Chief of Police and if in the opinion of such veterinarian, a microscopic examination is justified, then such pet shall be turned over to the City Veterinarian to be killed and examination made by the City Veterinarian.

All costs or expenses incurred in connection with the foregoing shall be paid by the owner of such pet or pets, and if there is no such owner or if the name of such owner cannot be ascertained then such costs and expense shall be paid by the City.

SECTION EIGHT. AUTHORITY TO REQUIRE SUBMISSION OF PET FOR EXAMINATION:

Any dog, cat, or other such pet desired for observation by the City or the City Veterinarian under the provision of Section Six herein shall be delivered to the City Police upon demand and shall not be withheld, hidden, or harbored. Any person violating this provision shall be guilty of a misdemeanor and subject to arrest. When any person refuses to deliver a pet desired for observation, a warrant shall be issued for the arrest of such person, which warrant shall also provide for the surrender of the pet and shall be lawful authority for the apprehending and forcible taking of such pet.

SECTION NINE. PENALTY:

Any person convicted of the violation of this Ordinance shall be punished by a fine and/or imprisonment as follows:

For the first violation, a fine of not more than \$50.00.

For the second violation, a fine of not more than \$100.00.

For a third or subsequent violation, a fine of not more than \$250.00 and/or up to ten days in jail.

SECTION TEN:

Any ordinances or parts of ordinances heretofore adopted by the Mayor and Board of Aldermen of the City of Sardis, Mississippi, including the Ordinance of March 18, 1982, March 3, 1992, and October 1, 1996, which are in conflict with the provisions contained in this Ordinance are hereby repealed.

PASSED, APPROVED AND ADOPTED on this, the 1st day of April, 2003.