

**AN ORDINANCE PROVIDING FOR THE VACCINATION AGAINST RABIES OF ALL DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF FULTON, MISSISSIPPI: PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CORPORATE LIMITS OF THE CITY OF FULTON, MS, DURING CERTAIN PERIODS AND UNDER CERTAIN CONDITIONS: AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF, ALL AS PARTICULARLY HEREINAFTER SET FORTH**

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FULTON, MISSISSIPPI

SECTION 1. That for the purpose of this ordinance, the following definitions shall apply when used herein:

1. The word "dog" shall include both the male and female sex of the canine species.
2. The word "owner" shall include any person, firm or corporation owning, possessing, harboring or keeping a dog.
3. The words "at large" shall mean off the enclosed premises of the owner and not under the control of the owner or other persons by leash, cord, chain or other physical means of restraint sufficient in strength to control such dog.
4. The word "city" shall mean the City of Fulton, Mississippi and any and every place within the City of Fulton, Mississippi.

Section 2. Every person in the City of Fulton, Mississippi, who owns or has in his or her possession or who keeps or harbors any dog within the corporate limits of said city, shall have and keep such dog inoculated (vaccinated) against rabies, as provided by the laws of the State of Mississippi, and as provided by the rules and regulations prescribed and promulgated by the Miss. State Board of Health, and it shall be unlawful for any person to own, possess, keep or harbor any dog within the corporate limits of said city unless such dog has been so inoculated against rabies.

Section 3. It shall be unlawful for any person who owns or has in his or her possession or under his or her control or who keeps or harbors any such dog within the corporate limits of the City of Fulton, Ms, to cause or permit any such dog to be at large within said city unless and until such dog bears a suitable metal tag, approved by the State Board of Health which may be bradded to the collar or harness of such dog, which said tag shall have stamped thereon the serial number of the vaccination and the year in which said dog was inoculated (vaccinated). The fact that any such dog fails at any time to bear such tag shall be prima facie evidence that the owner of such dog has failed to have such dog inoculated (vaccinated) against rabies as provided by law as herein provided.

Section 4. No dog of dangerous, vicious, fierce or mischievous propensities or tendencies may be at large at any time within the corporate limits of said city, and it shall be unlawful for the owner or other person having any such dog in his or her possession or under his or her control, or in any manner keeping or harboring any such dog within the corporate limits of said city to cause or permit any such dog to be at large in said city. If any dog bites or attempts to bite any person while such dog is at large, then such dog shall be conclusively presumed to be a dangerous dog and a dog of dangerous propensities and tendencies. If any dog at large chases or otherwise attempts to catch a person, then such dog shall be conclusively presumed to be a fierce dog and to have fierce propensities and tendencies. If any dog at large overturns a securely covered garbage container, or trespasses on the premises of any person other than the owner thereof, then such dog shall be

conclusively presumed to be a mischievous dog and a dog of mischievous propensities and tendencies.

Section 5. If any dog is caused or permitted or is found to be at large within the corporate limits of said city in violation of any of the provisions of this ordinance, then such dog may be caught and impounded by any authorized personnel of said city and may be held and disposed of as herein provided. If any such dog is so impounded, the name shall be released to the owner thereof only in the event of the payment within five (5) days to the Municipal Court Clerk of the City of Fulton, Mississippi, for the use and benefit of said city, the sum of \$5.00 as a fee for catching or otherwise apprehending such dog, and the additional sum of \$2.00 per day or portion thereof that such dog may be so impounded. If the owner of any such dog fails or refuses to so pay such fees within five (5) days from the time such dog is initially caught and impounded, then such dog may be destroyed. The payment of the fees herein provided, and the payment of any such fees shall not relieve any person from the penalties herein prescribed for any violation of this ordinance. Before any impounded dog is so destroyed, the officer charged with the primary duty of enforcing this ordinance, or the Chief of Police of said city, shall give five (5) days notice of the fact that said dog has been so impounded by posting a notice in three public places in said city.

Section 6. No female dog in heat shall be permitted to be at large at any time and it shall be unlawful for the owner of any female dog in heat to cause or permits such dog to be at large at any time within the corporate limits of said city.

Section 7. If any dog suffering with rabies or reasonably suspected of suffering with rabies is caused or permitted to be at large within the corporate limits of said city, such dog may be killed by any police officer of said city, without such officer having to catch or impound such dog.

Section 8. If any dangerous dog having dangerous propensities and tendencies as herein defined is found at large after the owner thereof has previous knowledge or notice that such dog is dangerous or has dangerous propensities and tendencies as herein defined then such dog may be killed by any police officer of said city without such officer having to catch or impound such dog.

Section 9. Whenever the Mayor and Board of Aldermen of said city find adjudge, by order or resolution by them duly passed and entered upon their minutes, that it has become necessary to further safeguard the public from the dangers of hydrophobia, they may, in the exercise of their sound discretion, issue a proclamation directing every person owning or possessing a dog in said city to securely confine such dog on the premises of the owner thereof, or in any such event, the Mayor and Board of Aldermen may so direct that every dog caused or permitted to be at large in said city shall wear a muzzle of sufficient kind and strength to prevent such dog from biting any person. Any dog caused or permitted to be at large in violation of the terms of any such proclamation may be impounded and dealt with in the same manner as hereinabove provided. Before issuing any such proclamation, the Mayor and Board of Aldermen of said city may, in their discretion, seek and abide by the advice of the Health Officer of Itawamba County, Mississippi, or other representative of the Board of Health of the State of Mississippi.

Section 10. If any dog within said city shall at any time have rabies, or shall be suspected by County Health Officer or his representative of having rabies, or shall have been exposed to rabies, such dog

shall be safely confined and in all respect dealt with in accordance with the directions of the County Health Officer.

Section 11. The Chief of Police or other authorized personnel of the said city shall have the primary duty and responsibility of enforcing the provisions of this ordinance, but any and all police officers of said city are fully authorized and empowered to enforce any and all of the provisions hereof.

Section 12. The failure or refusal of any person to comply with any of the provisions of this ordinance, and the violation of any provision of this ordinance by my person shall constitute a misdemeanor; and any person found guilty of any violation of any provision of this ordinance shall, on conviction thereof, be fined a minimum of \$25.00 not to exceed \$100.00.

Section 13. This ordinance has been considered section by section, provision by provision, and as a whole, and if any section or provision hereof should be held unconstitutional or invalid for any reason, the remaining sections and provisions hereof shall be valid, it being hereby declared that all constitutional and valid provisions hereof would have been enacted after the exclusion of any section or provision which might be found to be unconstitutional or invalid.

Section 14. Any and all ordinances or parts of ordinances in conflict herewith or any part hereof are hereby expressly repealed.

Section 15. The City Clerk shall cause this ordinance to be published as soon as possible after passage hereof. The Mayor and Board of Aldermen of the said city find and adjudge that numerous dogs are at large in the City of Fulton, Ms, in violation of the laws of the State of Mississippi, and particularly in violation of Mississippi Code of 1972, as amended, as well as in violation of substantially all of the provisions of this ordinance. The Mayor and Board of Aldermen of said city further find and adjudge that the public safety and health of the inhabitants of said city require that this ordinance become effective immediately upon its adoption, and for such reasons, this ordinance shall become and be effective immediately upon its adoption and approval.

The foregoing ordinance having been reduced to writing and read and considered section by section, provision by provision, and as a whole, the same was duly introduced and a motion made for the adoption thereof.

The foregoing ordinance passes, adopted and approved this the 4th day of February, 1986.

AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR THE VACCINATION AGAINST RABIES OF ALL DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF FULTON, MISSISSIPPI: PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CORPORATE LIMITS OF THE CITY OF FULTON, MISSISSIPPI, DURING CERTAIN PERIODS AND UNDER CERTAIN CONDITIONS; AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF, ALL AS PARTICULARLY HEREINAFTER SET FORTH.

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Fulton, Mississippi, to-wit:

THAT an ordinance adopted on February 4, 1986, and recorded in Ordinance Book #3 at Pages 83-86 shall be amended as follows:

SECTION 5. If any dog is caused (or permitted or is found to be at large within the corporate limits of said city in violation of any of the provisions of this ordinance, then such dog may be caught and impounded by an authorized personnel of said city and may be held and disposed of herein provided. If any such dog is so impounded, the same shall be released to the owner thereof only in the event of the payment within five (5) days to the Municipal Court Clerk of the City of Fulton, Mississippi, for the use and benefit of said city, the sum of \$25.00 as a fee for catching or otherwise apprehending such dog, and the additional sum of \$2.00 per day or portion thereof that such dog may be so impounded. If the owner of any such dog fails or refuses to so pay such fees within five (5) days from the time such dog is initially caught and impounded, then such dog may be destroyed. The payment of the fees herein provided, and the payment of any such fees shall not relieve any person from the penalties herein prescribed for any violation of this ordinance. Before any impounded dog is so destroyed, the officer charged with the primary duty of enforcing this ordinance, or the Chief of Police of said city, shall give five (5) days notice of the fact that said dog has been so impounded by posting a notice in three public places in said city.

The remaining provisions of the original ordinance shall remain in full force and effect.

The foregoing ordinance was first reduced to writing, read and considered, passed and adopted this 5th day of March, 1991.

**AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR THE VACCINATION AGAINST RABIES OF ALL DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF FULTON, MISSISSIPPI:**

**PROHIBITING DOGS FROM RUNNING AT LARGE DURING CERTAIN PERIODS AND UNDER CERTAIN CONDITIONS; AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF, ALL AS PARTICULARLY HEREINAFTER SET FORTH**

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Fulton, MS to-wit:

THAT an Ordinance adopted on February 4, 1986, and recorded in Ordinance Book #3 at pages 83-86 and as amended on March 5, 1991 and recorded in Ordinance Book #3 at pages 149-150 shall be amended as follows:

SECTION 10 - A. The owners or harborers of all dogs within the City of Fulton, MS are hereby required to keep the same within suitable enclosures and are further required to keep the said enclosures sanitary and clean so as to prevent disagreeable odors arising therefrom, or the presence or breeding of flies, mosquitos, or other pests. It shall be unlawful for the owner or harborers of any dog to permit the same to create a disturbance in the neighborhood or annoy any person or family or become a nuisance in any manner, particularly by reason of noises, odors, filthy conditions or the breeding of flies, mosquitos and other pests.

On motion made by Boyce McNeece, seconded by Wendell Mabus, the foregoing Ordinance having been previously reduced to writing and read and considered, first by sections, and then as a whole, was passed and adopted.

WHEREUPON, the Mayor declared said Ordinance duly passed and legally adopted and approved on this the 15th day of February, 1994.

AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR THE VACCINATION AGAINST RABIES OF ALL DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF FULTON, MISSISSIPPI, PROHIBITING DOGS FROM RUNNING AT LARGE DURING CERTAIN PERIODS AND UNDER CERTAIN CONDITIONS AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF, ALL AS PARTICULARLY HEREINAFTER SET FORTH

BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Fulton, Mississippi, to wit:

THAT an ordinance adopted on February 4, 1986, and recorded in Ordinance Book #3 at pages 83-86 and as amended on March 15, 1991 as recorded in Ordinance Book #3 at pages 149-150 and on February 15, 1994 as recorded in Ordinance Book #3 at page 200 shall be amended as follows:

**SECTION 4.** No dog of dangerous, vicious, fierce or mischievous propensities or tendencies may be at large at any time within the corporate limits of said city, and it shall be unlawful for the owner or other person having any such dog in his or her possession or under his or her control, or in any manner keeping or harboring any such dog within the corporate limits of said city to cause or permit any such dog to be at large in said city. If any dog bites or attempts to bite any person while such dog is at large and not on the owners property, then such dog shall be conclusively presumed to be a dangerous dog and a dog of dangerous propensities and tendencies. If any dog at large chases or otherwise attempts to catch a person, then such dog shall conclusively presumed to be a fierce dog and to have fierce propensities and tendencies. The owner of a dog with dangerous propensities shall post a sign warning of dangerous dog on premises. Owners having habitual problems with dogs of dangerous tendencies shall remove the dog from within the city limits.

**SECTION 5A.** If any dog is caused, permitted or is found to be at large within the corporate limits of said City in violation of any of the provisions of this ordinance, then such dog may be caught and impounded by any authorized personnel of said city and may be held and disposed of as herein provided. If any such dog is so impounded, the name shall be released to the owner thereof only in the event of the payment within seven (7) days to the Municipal Court Clerk of the City of Fulton, Mississippi, the sum of \$25.00 as a fee for catching or otherwise apprehending such dog, plus the additional cost of apprehension. An additional sum of \$2.00 per day or portion thereof that such dog may be so impounded may be charged. If impounded a second time within a year, a \$50.00 fee plus additional cost shall be charged. If impounded for a third time or more within a year, a \$100.00 fee plus additional cost shall be charged. If the owner of such dog fails or refuses to so pay such fees within seven (7) day, from the time such dog is initially caught and impounded, then such dog may be destroyed after the following guidelines and recommendations are met or considered:

Dogs may be held longer if it is determined they are the following:

1. Determined to be adoptable, healthy, well adjusted dogs whom may be rehomed.

2. Treatable dogs who are not adoptable on arrival but with minimal treatment, as determined by the Mayor, and minimal attention may become so.

Dogs may be destroyed if they are determined to be the following:

1. Non-rehabilitatable dogs for whom euthanasia is the only option due to their suffering from incurable and painful conditions.
2. Dogs that have attacked a person, attempted to attack a person or have been determined to be dangerous or life threatening to persons can be destroyed by a policeman or other officers charged with enforcing this ordinance without being impounded.

SECTION 5B. The City shall follow the following guidelines in maintaining humane care for neglected dogs.

1. Accept all dogs in need, investigate and combat dog cruelty, and rescue sick or injured strays.
2. Provide a clean, safe and healthy environment for dogs. Provide dogs with proper food and water, and protection from the elements.
3. Hold stray dogs for a minimum of seven (7) days.
4. Work in cooperation with the weekly newspaper to reach out into the community to find more responsible homes for homeless dogs, encourage responsible pet ownership, promote spaying and neutering, and facilitate public involvement in humane issues.
5. If a dog is found, a process should be in place and communicated to the public on who to call or where to go to reclaim a pet.
6. Use sodium pentobarbital, administered by well-trained, compassionate individuals, when euthanasia is necessary.

SECTION 5C. Before any impounded dog is so destroyed the officer charged with the primary duty of enforcing this ordinance or the Chief of Police of said City, shall give a five (5) day notice of the fact that said dog has been so impounded and would be destroyed if not claimed, by posting a notice in three public places in said City.

SECTION 8. Deleted.

SECTION 10. Deleted

SECTION 11. The Street Department shall have the primary responsibility and duty of enforcing the provisions of this ordinance, but any and all police officers, utilities employees and Emergency Management Director of said city are fully authorized and empowered to enforce any and all of the provisions hereof if called upon by the Mayor to do so.

The remaining provisions of the original ordinance and amendments thereto shall remain in full force and effect.

The Mayor declared said ordinance approved on this the 15th day of April, 2003.

**AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR THE VACCINATION AGAINST RABIES OF ALL DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF FULTON, MISSISSIPPI PROHIBITING DOGS FROM RUNNING AT LARGE DURING CERTAIN PERIODS AND UNDER CERTAIN CONDITIONS AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF, ALL AS PARTICULARLY HEREINAFTER SET FORTH**

**BE IT ORDAINED**, by the Mayor and Board of Aldermen of the City of Fulton, Mississippi, to wit:

**THAT** an ordinance adopted on February 4, 1986, and recorded in Ordinance Book #3 at pages 83-86 and as amended on March 15, 1991 as recorded in Ordinance Book #3 at pages 149-150 and as amended on February 15, 1994 as recorded in Ordinance Book #3 at page 200 and as amended on April 15, 2003 as recorded in Ordinance Book #4 pages 216-218 shall be amended as follows:

**SECTION 5A.** If any dog is caused, permitted or is found to be at large within the corporate limits of said City in violation of any of the provisions of this ordinance, then such dog may be caught and impounded by any authorized personnel of said city and may be held and disposed of herein provided. If any such dog is so impounded, the name shall be released to the owner thereof only in the event of the payment within seven (7) days to the Municipal Court Clerk of the City of Fulton, Mississippi, the sum of \$30.00 as a fee for catching or otherwise apprehending such dog, plus the additional cost of apprehension. An additional sum of \$4.00 per day or portion thereof that such dog may be so impounded may be charged. If impounded a second time within a year, a \$50.00 fee plus additional cost shall be charged. If impounded for a third time or more within a year, a \$150.00 fee plus additional cost shall be charged. If the owner of such dog fails or refuses to so pay such fees within seven (7) days from the time such dog is initially caught and impounded, then such dog may be destroyed after the following guidelines and recommendations are met or considered:

Dogs may be held longer if it is determined they are the following:

1. Determined to be adoptable, healthy, well adjusted dogs whom may be rehomed.
2. Treatable dogs who are not adoptable on arrival but with minimal treatment, as determined by the Mayor, and minimal attention may become so.

Dogs may be destroyed if they are determined to be the following:

1. Non-rehabilitatable dogs for whom euthanasia is the only option due to their suffering from incurable and painful conditions
2. Dogs that have attacked a person, attempted to attack a person or have been determined to be dangerous or life threatening to persons can be destroyed by a policeman or other officers charged with enforcing this ordinance without being impounded.

The remaining provisions of the original ordinance as in full force and effect.

The Mayor declared said ordinance approved on this the 17th day of June, 2014.



