

AN ORDINANCE AMENDING ORDINANCE NO. 5 REGARDING THE CONTROL OF DOGS AND CATS AND PROHIBITING DOGS FROM RUNNING AT LARGE WITHIN THE CORPORATE LIMITS OF GOSNELL, ARKANSAS, AUTHORIZING THE IMPOUNDING AND DESTRUCTION OF DOGS; PROVIDING A PENALTY AND FOR OTHER PURPOSES.

WHEREAS, the City of Gosnell did enact Ordinance No. 5 on the 10th day of September 1968 regarding the control of dogs and cats within the corporate limits of the City; and

WHEREAS, such Ordinance provided for the licensing of such dogs and/or cats each twelve (12) months and the vaccination of same; and

WHEREAS, such Ordinance 5 provided that only dogs or cats described as vicious and dangerous should be securely enclosed or on a muzzle or leash; and

WHEREAS, the City recognizes the need to prohibit dogs from running at large within the corporate limits of Gosnell, Arkansas;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GOSNELL, ARKANSAS, That:

SECTION 1: All those provisions of Ordinance No. 5 regarding the licensing of dogs and/or cats and required vaccination shall remain in full force and effect as well as those provisions of such Ordinance requiring the impounding of an animal with a qualified veterinarian that is reported to have bitten or scratched any person

SECTION 2: DEFINITION OF TERMS. As used in this Ordinance, unless the context otherwise indicates.

(a) "Owner" shall mean - any person or persons, firm, association or corporation owning, keeping, or harboring a dog.

(b) "Running at large" shall mean - not confined in an enclosure on the owner's property or not under the control of the owner or other authorized person either by leash, cord, chain or otherwise.

SECTION 3: RUNNING AT LARGE PROHIBITED. The owner or keeper of a dog which is running at large, or that is seen or observed and/or followed to the home of the person harboring said animal, shall be given a summons to appear in Court for violation of this Ordinance, and shall be subject to the penalties and provisions herein.

SECTION 4: BARKING AND HOWLING. It shall hereafter be unlawful for any person, firm or corporation to keep on his premises or under his control and within the City of Gosnell any dog which by loud and frequent barking and howling shall unreasonably cause a disturbance within the proximity of the place where such dog is kept.

SECTION 5: MAINTENANCE OF PREMISES. It shall be unlawful for any person, firm or corporation keeping or harboring dogs to fail to keep the premises where such dogs are kept free from offensive odors to the extent that such are disturbing to any person within reasonable proximity of the said premises. Further, it shall be unlawful to allow premises where dogs are kept to become unclean and a threat to the public health by failing to diligently and systematically remove all animal waste from the premises.

SECTION 6: PENALTIES. Any owner found violating any provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for such offense.

SECTION 7: It is recognized that the City of Gosnell does not now have personnel to enforce the provisions of this Ordinance. It shall, therefore, be the duty of all the City's citizens to

report violations and be willing to testify regarding such violations.

SECTION 8: REPEAL OF CONFLICTING ORDINANCES. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION 9: SEPARABILITY OF PROVISIONS. It is the intention of the City Council that each separate provision of this Ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provision of this Ordinance be declared invalid, all other provisions thereof shall remain valid and enforceable.

SECTION 10: It is felt that the running at large of dogs within the City of Gosnell presents an immediate and dangerous problem to the City's citizens and an emergency is, therefore, declared and this Ordinance being necessary for the public peace, health and safety shall be in full force and effect upon and after its passage, and publication.

PASSED this 11 day of May, 1976.

APPROVED:

Orville S. Beville
MAYOR

ATTEST:

Walter C. Fowler
RECORDER

118