

**ORDINANCE #2013-03**

AN ORDINANCE REGULATING THE KEEPING OF DOGS IN THE CITY OF TUCKERMAN, ARKANSAS, AND FOR OTHER PURPOSES:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TUCKERMAN, ARKANSAS:

1. REPEAL. The City Council hereby repeals the animal control ordinance #198-A.
2. It shall be unlawful for any person to keep, harbor or permit to stay upon his premises any dog over six months old, unless a licensed veterinarian has vaccinated such dog for rabies within the past year.
3. RABIES CONTROL. Whenever any dog, cat or other animal bites, scratches or otherwise attacks a person, such person or any other person having knowledge of such incident, shall immediately notify the Chief of Police of the City of Tuckerman, Arkansas, or other police officer in said City. The Chief of Police shall then order the dog, or other animal, immediately and securely confined by the owner or by the person having the custody and control over the dog, or the person permitting said animal to loiter about the premises of such person, for a minimum period of ten days and for such longer period as a licensed veterinarian may recommend for the purpose of examining said animal during said period of time. At the end of said designated period of time, such dog or other animal may be released, but if the dog shall die while so confined, its head shall be sent to the State Department of Health for examination for rabies. The cost of such confinement and the cost of the necessary veterinarian services and the cost of such services as may be rendered by the Arkansas State Department of Health shall be paid for by the owner or the person having control of said animal, or by the person permitting said animal to loiter about his or her premises.
4. RESTRAINING DOGS. Any person, firm, or corporation, who shall own, have custody or control of, or permit a dog, to loiter about his premises shall, for the purposes of this Ordinance, be considered to be the "owner" of such dog. The owner of every dog, as herein defined, shall keep all dogs owned by him, or under his custody or control, or all dogs permitted by him to loiter about his premises under restraint.  
No person shall permit a dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings & etc.
  - A. All unrestrained dogs may be taken by the police or the City Dog Catcher and confined in a humane manner in facilities designated by the City Council of the City of Tuckerman, Arkansas, or may be confined at such place as may be designated by a licensed veterinarian. Unless otherwise requested to do so by a licensed veterinarian, all impounded dogs shall be kept for not less than three days unless reclaimed by their owner. If the dog so confined has upon its person a clearly visible means of determining the ownership of the dog, the persons so confining such dog shall immediately notify the

owner by telephone or mail of the confinement of the animal. Such notice shall be deemed to have been given when placed in the United States mail with regular first class postage affixed. All dogs not claimed by their owner within three days of such confinement or the mailing of such notice, if possible, shall be humanely disposed of by the dog catcher or such person as may be delegated by said dog catcher to dispose of said dogs.

B. Any owner wishing to reclaim an impounded dog shall pay a fee of \$ 25.00 plus \$2.00 per day for each day that said dog has been confined. For any subsequent violation the violator shall pay a fee of \$50.00 plus \$4.00 per day for each day that said dog has been confined. The owner or person having custody or control of said dog, or the person permitting said dog to loiter about his premises may also be proceeded against for violation of this section as herein set out. Notwithstanding the provisions of this section, if an animal is found at large and its owner can be identified and located, the person taking possession of such dog may, at his option, return the same to the owner and notify the Chief of Police of the violation of this section by said person.

5. PENALTIES. Any person violating any portion of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished upon conviction by assessment of a fine not less than \$50.00 nor more than \$100.00 for the first offense, and for each subsequent violation the fine will double.

6. It is ascertained and declared that there is an immediate need for dogs in the City of Tuckerman, Arkansas, to be regulated as hereinabove set out. Therefore, an emergency exists and this Ordinance, being necessary for the preservation of the public peace, health and safety and general welfare, shall take effect on its passage and publication.

PASSED this 10<sup>th</sup> day of September, 2013.

APPROVED:

Larry R. Bowen  
MAYOR

ATTEST:  
Anna J. Bowen  
~~CITY CLERK~~  
Aldermen