

ORDINANCE NO: #93-2016

An Ordinance Prohibiting Animals Running at Large

Sections:

- 93-2016-.01 Running at Large
- 93- 2016-.02 Unspayed or Neutered dogs and cats
- 93-2016-.03 Enclosures and Restraints
- 93- 2016.04 Misdemeanor
- 93-2016.05 Penalty

The Town of Oak Grove as an Arkansas Municipal Corporation is authorized by Arkansas Code Annotated §14-54-1101 et. seq. to prevent the running at large of livestock, dogs and other animals and injuries and annoyances therefrom and to authorize the impoundment and destruction of them, when they run at large within the municipality. Be it therefore enacted the following provisions as to livestock and dogs running at large:

93-2016-.01 Running at large: The running at large of livestock and animals is hereby declared to be a nuisance and a health hazard, and shall be regulated as hereinafter set out:

- A. Livestock shall include cattle, horses, mules, asses, swine, sheep, goats and other animals of any kind including dogs.
- B. It shall be unlawful for the owner of livestock or a dog to allow or permit such said livestock or dog to run at large within the corporate limits of the Town of Oak Grove and the owner of livestock or dog shall be responsible to keep said livestock or dog confined or restrained.

- C. Livestock, dogs, or animals found running at large within the corporate limits of the Town of Oak Grove shall be impounded by the Town in an appropriate enclosure for a period of seventy two (72) hours, during which period the owner of said animal may reclaim said animal by paying to the Town of Oak Grove a fee of Twenty Five (\$25.00) for the impounding of such animal and an additional fee of Two Dollars (\$2.00) for each day or part thereof that said animal is impounded or the actual costs incurred by the Town for the impoundment, transportation and feeding the animal and the costs of any notice provided to the owner. If the owner of said animal is known, the Town Police Department shall give notice by certified mail, return receipt requested, of the impounding of the animal to its owner. The Town Police may hand deliver such notice in lieu of such certified mail provided that Proof of Service is completed in the same manner required for the service of Summons and kept on file. All animals unclaimed within seventy two (72) hours from the time that notice is given as documented by the Proof of Service or the date of the mail service as indicated on the return receipt, whichever occurs last, may be sold to any person who will pay the fees set forth herein. In the event no buyer is found or the owner of the animal does not reclaim the animal within a five (5) day period from the time of impounding or the time written notice is served, whichever occurs last, the impounded animal shall be destroyed.
- D. Alternate Form of Notice when owner unknown. If the owner of livestock is unknown to the officer or person impounding then that person or officer may post written notices in at least three (3) public places in the incorporated town and by publishing a notice in some newspaper which has regular publication and circulation in the county. The notice shall give a description of the animal, set out therein the marks, brands, and flesh marks of the animal so impounded, and call upon the owner of the animal to prove his ownership or interest therein to such person or officer having it in his possession or custody, within ten (10) days after the publication of the notice.

93-2016-.02 Unsprayed dogs and cats. No unsprayed female dog or cat which has been impounded by reason of running at large shall be allowed to be purchased or adopted from the impoundment unless the prospective owner agrees to have such female animal spayed. Proof of spaying shall be furnished to the Town Police Department within fifteen (15) days after the adoption for such animal. The person purchasing such animal shall provide proof of their current address and a copy of their identification shall be made at the time of purchase and kept on file with the Town Police.

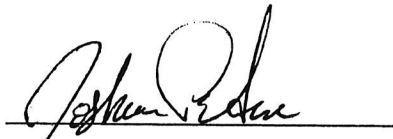
93-2016-.03 Restraints and Enclosures. Enclosure shall mean any enclosed area, including buildings, fenced areas, pens and cages. All animals kept in the Town Limits shall be kept in an enclosed area which shall be of such construction as to adequately confine the animal or livestock.

93-2016.04 Misdemeanor. It is hereby declared to be a misdemeanor for the owner of any livestock, animal or dog , to allow or permit his animal to run at large within the Town of Oak Grove.

93-2016.05 Penalty. Any person permitting livestock, animals, dogs or cats to run at large in the Town of Oak Grove shall, upon conviction, be fined in a sum not less than Twenty Five (\$25.00) dollars upon conviction for a first offense and upon conviction of a second or subsequent offense a fine of not less than Fifty (\$50.00) dollars nor more than Two Hundred Fifty (\$250) dollars and each day that violation shall continue shall be deemed a separate offense.

This Ordinance shall take effect and be in force from and after the date of its passage.

Passed on this 19 day of May, 2016



Mayor

City Clerk