

TITLE 6

ANIMALS

TITLE 6

ANIMALS

Chapters:

6.04 Animal Regulations

Chapter 6.04

ANIMAL REGULATIONS

Sections:

6.04.010	Definitions.
6.04.020	Regulations.
6.04.030	Penalty for violation.
6.04.040	Administrative liability.
6.04.050	Enforcement.

6.04.010 Definitions. As used in this Chapter, the following terms are defined as follows:

- (1) "Animal" means cattle, calves, horses, mules, swine, sheep, goats, dogs, cats, poultry or other bird, and any living creature, other than man, domestic or wild.
- (2) "Kennel" means any premises or portions thereof on which more than four dogs, cats, or other household domestic animals over four months of age are kept; or any premises or portions thereof on which more than two such animals are maintained, boarded, bred, or cared for, in return for remuneration, or are kept for the purpose of sale.
- (3) "Owner" means any person having a right of property in an animal, or who keeps or harbors an animal, or who has in it in his care or acts as its custodian, or who knowingly permits an animal to remain on or about any premises occupied by him.
- (4) "Running at Large" means any dog or animal found off the owner's premises which is not accompanied by the owner or representative of the owner, and is not restrained by a leash or chain or otherwise controlled so that it may not enter upon the property of others.
- (5) "Diseased animals" means an animal with a contagious or infectious disease. (Ord. 1997-19, S6.04.10, 1997) (Ord. 1005, S1, 1980)

6.04.020 Regulations.

- (1) **ANIMALS RUNNING AT LARGE.** It shall be unlawful to permit any animal of any kind to run at large within the City. Any animal found running at large on the streets, sidewalks or other public property or

private property, shall be taken to the nearest holding pen and held for no less than three (3) days, after which the animal may be sold or destroyed.

- (2) **NOISES.** It shall be unlawful for any person to own, keep, or harbor any animal, which, disturbs the peace at any time of the day or night, by howling, yelping, barking or other noise, which shall cause annoyance or disturbance to any person, other than that of the owner.
- (3) **MAINTAINING A KENNEL.** It shall be unlawful to maintain a kennel. This section shall not apply to a pound maintained by a political subdivision or a kennel maintained in a properly zoned area.
- (4) **DISEASED ANIMALS.** It shall be unlawful to allow any animal afflicted with a contagious or infectious disease to run at large, or to be exposed in any public place whereby the health of man or beast may be affected.
- (5) **NONIMMUNIZED ANIMALS.** It shall be unlawful to harbor a nonimmunized animal.
- (6) **ANIMAL FECES.** Any person owning, keeping, possessing or harboring any animal shall promptly remove and dispose of, in a sanitary manner, all feces left by the animal on any public property, public right-of-way, or private property not under the control of the animal's owner.
- (7) **NEGLECT.** It shall be unlawful for the owner of any animal to fail to supply such animals with adequate food, water or shelter. An emaciated condition of any such animal or an unnatural and excessive craving for food and drink shall be prima facie evidence of the failure to properly feed or water such animal. (Ord. 2009-3, S1, Feb. 18, 2009) (Ord. 2000-27, S1, 2, Aug. 23, 2000) (Ord. 1997-19, S6.04.20, 1997) (Ord. 1005, S2, 1980)

6.04.030 Penalty for violation.

- (1) The owner of any animal found in violation of this Chapter shall be issued an ordinance violation with a fine of not less than Twenty-Five Dollars (\$25.00) and not more than One Hundred Dollars (\$100.00). A second violation will result in a fine of not less than Fifty Dollars (\$50.00) and not more than One Hundred Dollars (\$100.00). Subsequent violations will result in a fine of not less than One Hundred Dollars (\$100.00). Fines shall be paid to the Clerk-Treasurer of the City of Jasper to be placed in a fund to defray expense incurred by the City for the maintenance of impounded animals and to defray the expenses of enforcing this Chapter. In the event that the fine is not paid, at the discretion of the City Attorney and the Police Chief, the ordinance violation may be filed in court, in which case the owner, if found to be in violation of this chapter, shall also be responsible for court costs. The City shall also have the right to recover

any other costs of administering this Ordinance, including but not limited to attorney fees.

- (2) The owner of any animal found in violation of this Chapter shall also be responsible for all fees and expenses, including but not limited to veterinary fees and confinement fees, for the care of such animal. If the identity of the animal's owner is unknown, financial responsibility shall be assigned to the person whose health and safety was placed at risk by injury caused by the animal. Veterinary fees shall be at the rate imposed by the respective veterinarian. If the animal is confined at the Jasper Street Department, confinement fees shall be a rate of not to exceed Fifteen Dollars (\$15.00) per day. These amounts shall be in addition to any penalties and fines assessed for violations of this Chapter. (Ord. 2006-35, S1, Aug. 23, 2006) (Ord. 1997-19, S6.04.30, 1997) (Ord. 1005, S3, 1980)

6.04.040 Administrative liability. No officer, agent, or employee of the City of Jasper shall render himself personally liable for any damage that may occur to persons, property, or animals as a result of any act required or permitted in the discharge of his duties under this Chapter. Any suit brought against any officer, agent or employee of the City of Jasper as a result of any act required or permitted in the discharge of his duties under this Chapter shall be defended by the City Attorney until the final determination of the proceedings therein. (Ord. 1997-19, S6.040.40, 1997)

6.04.050 Enforcement. The Jasper Police Department shall enforce this Ordinance. (Ord. 1997-19, S6.04.50, 1997)