

ORDINANCE NO. 1990- 2

AN ORDINANCE PERTAINING TO KEEPING VICIOUS DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF TURRELL, ARKANSAS; PROVIDING FOR PENALTIES FOR VIOLATIONS AND FOR OTHER PURPOSES.

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

SECTION 1. Definitions:

A. "Vicious dog" means:

1. Any dog with a propensity, tendency or disposition to attack, cause injury or otherwise endanger the safety of human beings or any domestic animals as evidenced by its habitual or repeated, chasing, biting, snapping or barking.
2. Any dog which attacks a human being or any domestic animal without provocation.
3. Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.

B. "Registered Vicious Dog" means:

1. One which is registered with the City Clerk in accordance with the standards set forth in Section 2 of this Ordinance.

SECTION 2. Keeping of Registered Vicious Dogs.

From and after the effective date of this ordinance, the following standards shall apply to the keeping of vicious dogs within the City limits of the City of Turrell, Arkansas, whether such dog is or at the time of the effective date of this ordinance within the City limits or is brought into the City limits at a future date.

A. Registration Requirements. Within thirty (30) days from the effective date of this ordinance, or within thirty (30) days from the date any vicious dog is born within or brought into the City, of Turrell, Arkansas, the owner of said vicious dog shall register the same with the City Clerk on such registration forms as may be prepared by the City Clerk.

B. Leash and Muzzle. No person shall permit a vicious dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a vicious 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. In addition, all vicious dogs on a leash outside the animal's kennel or pen must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.

C. Confinement. All registered vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel or structure which must have secure sides and a secure top attached to the sides. All structures used to confine registered vicious dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen

must be embedded in the ground not less than two (2) feet. All structures erected to house vicious dogs must comply with all zoning and building regulations of the City. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.

D. Confinement Indoors. No vicious dog may be kept on a porch, patio or in any part of a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.

E. Signs. All owners, keepers or harborers of registered vicious dogs within the City shall within ten (10) days of the effective date of this ordinance display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." In addition, a similar sign is required to be posted on the kennel or pen of such animal.

F. Insurance. All owners, keepers or harborers of registered vicious dogs must within ten (10) days of the effective date of this ordinance provide proof to the Turrell City Clerk of public liability insurance in a single incident amount of \$50,000.00 for bodily injury to or death of any person or persons for damage to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days written notice is first given to the Turrell City Clerk.

G. Identification Photographs. All owners, keepers or harborers of registered vicious dogs must within ten (10) days of the effective date of this ordinance provide to the City Clerk two (2) color photographs of the registered animal clearly showing the color and approximate size of the animal.

H. Reporting Requirement. All owners, keepers or harborers of registered vicious dogs must, within ten (10) days of the incidents below, report the following information in writing to the Turrell City Clerk as required hereinafter.

1. The removal from the City or death of a registered vicious dog.
2. The birth of offspring of a registered vicious dog.
3. The new address of a registered vicious dog owner should the owner move within the city limits.

I. Sale or Transfer of Ownership Prohibited. No person shall sell, barter, or in any other way dispose of a vicious dog registered with the City to any person within the City unless the recipient person first complies with registration and other requirements herein.


J. Rebuttable Presumption. There shall be a rebuttable presumption that any dog registered with the City as a vicious dog is in fact a dog subject to the requirements of this ordinance.

K. Failure to Comply. It shall be unlawful for the owner, keeper or harborer of a vicious dog registered with the City of Turrell, to fail to comply with the requirements and conditions set forth in this ordinance. Any dog found to be the subject of a violation of the ordinance shall be subject to immediate seizure and impoundment. In addition, failure to comply will result in the revocation of the registration of such animal resulting in the immediate removal of the animal from the City.


L. Violations and Penalties. Any person violating or permitting the violation of any provisions of this ordinance shall, upon conviction, be fined a sum not less than Two Hundred and No/100 (\$200.00) dollars or more than Five Hundred and No/100 (\$500.00) dollars. In addition, the Court shall order the registration of the subject vicious dog revoked and the dog removed from the City. Should the defendant refuse to remove the dog from the City, the Court may find the defendant in contempt and order the immediate confiscation and impoundment of the animal. Each day that a violation of this ordinance continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates this ordinance shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this ordinance.

SECTION 3. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

PASSED AND APPROVED this 17 day of April, 1990.

  
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JIMMY FRALEY, Mayor

ATTEST:

  
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RECORDER