



POINTE COUPEE PARISH POLICE JURY

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FACSIMILE TRANSMISSION SHEET

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11/3/10

FROM:

PROPOSED ANIMAL CONTROL ORDINANCE FOR POINTE COUPEE PARISH, LOUISIANA

RESPONSIBLE DOG OWNERSHIP

1. CONTAINMENT

- (a) All dogs shall be securely contained to their owner's premises. The dog owner shall protect the public from his/her dogs. The assumption of liability is upon the dog owner for any accident, harm, or injury caused.
- (b) All dogs shall be securely leashed when off of the owner's premises, and under the care or supervision of a person who is physically capable of controlling the dog.
- (c) Parents who allow their child to lead a dog in public access areas assume all liability for any accident, harm, or injury caused.
- (d) Owners walking their dog(s) in public areas are required to pick up and properly dispose of stool waste deposited from their dog(s).
- (e) Owners of dogs found at large by animal control authorities must produce documentation, upon demand, of the dog's immunizations as required by the state.

2. DOGS AT LARGE

- (a) Any owner who allows his/her dog to run at large shall be fined fifty dollars (\$50.00) for the first violation.
- (b) The second violation shall incur a fine of one hundred dollars (\$100.00).
- (c) The third violation shall incur a fine of three hundred dollars (\$300.00).
- (d) The fourth violation by the owner shall cause the dog to be confiscated by the Animal Control Authorities and the owner shall incur a fifty dollar (\$50.00) impoundment fee. After evaluation of the temperament of the animal by qualified personnel, the animal will either be placed into a responsible home, or humanely euthanized.
- (e) Nothing in sections (a) through (d) above shall pertain to owners who are at the time hunting or working with dogs.
- (f) Any dog(s) whose owner cannot be identified that is found running at large on the streets or other public places subject to the jurisdiction of the parish or trespassing or running or being on any premises other than the premises of the owner or keeper thereof, shall be seized and taken into custody by the peace officers of the parish or any other person designated by the parish police jury. "At large" shall mean any animal off the premises of its owner and not under the direct control of the responsible owner. Hunting and stock dogs while being worked by a responsible person shall not

be defined as "at large". Any dog deemed to be "at large" shall be impounded and held and maintained by said officials for a period of five (5) days excluding Sundays and holidays in order to allow the owner or keeper to come forward and claim said dog(s). If any dog is wearing a collar bearing a tag showing the name and address of the owner, it shall be impounded and designated person or peace officer so seizing and impounding the dog shall immediately thereafter by telephone and/or by written notice by certified mail, return receipt requested, notify the owner at the address disclosed by the tag on the collar. The owner or keeper shall within seven (7) days from receipt of the notice to claim the dog.

- (g) Upon reclaiming of a dog by the owner, the owner shall pay to the parish as reimbursement for expenses of the seizure of said dog(s) the amount of fifty dollars (\$50.00) each together with a fee of ten dollars (\$10.00) per day as an impounding fee representing the expenses for the care and maintenance of said animal(s). All dogs shall be inoculated at the expense of the owners or keepers before being released from impoundment. A fee for said inoculation shall be charged which represents the actual cost to the parish.
- (h) If a dog is without identification or is not claimed within the prescribed period in accordance with the provisions of this section, the dog shall be placed into a responsible home or humanely euthanized. No provision hereof shall be construed as requiring and compelling the officials or any employee of the parish to impound all dogs seized under the conditions hereinabove set forth, said impoundment to be at the discretion of said officials.
- (i) In the event a peace officer or designated employee of the parish comes upon a vicious dog or one which said official has probable cause to believe is infected with a dread disease, such as rabies, then and in that event impoundment shall not be necessary and said official may humanely destroy vicious dogs or cats as well as all dogs and cats suffering from an obvious infectious disease, contagious disease or severe injury. No healthy dog or cat shall be humanely destroyed until five (5) days have elapsed since the dog or cat was impounded and then not unless the owner or agent or someone who will pay the charges and accept the dog or cat is not found. However, a diseased or injured animal may be humanely destroyed immediately and prior to the five (5) days if in the opinion of a veterinarian or other qualified official its condition is such that imminent destruction is necessary as a humane gesture and for the protection of other animals which the impounded animal may contact.

3. DOG ABANDONMENT

- (a) Any person who is found guilty of abandoning a dog, or dogs by dumping it/them alongside any thoroughfare, or by moving away

and leaving the dog or dogs, shall be subject to a five hundred dollar (\$500.00) fine per dog, and/or up to three months jail time, or, a five hundred dollar (\$500.00) fine per dog and community service not to exceed six months per dog abandoned; said fine and sentence to be at the discretion of the Court."

MIMIMUM STANDARD OF CARE OF ANIMALS:

- A. All animals are required to be provided with appropriate food and clean water daily, sufficient shelter from the weather and proper veterinarian care.
- B. All dogs housed primarily outside shall be housed in a pen or yard containing a minimum of 1,000 square feet for the first dog and an additional 300 square feet for each additional animal. If an animal is confined to an outside pen, the pen shall measure no less than 4' by 7'. Any tether used to confine an animal to the owner's property shall be of a length no less than twelve feet (12'). Violation of this section shall be a fine of \$50.00, plus court costs and may subject the owner to the removal of their animals.

UNRESTRAINED ANIMALS IN VEHICLES:

No animal shall be allowed to ride unrestrained in the back of a vehicle but shall be confined to a kennel or be restrained on a tether or leash sufficient to restrain the animal within the vehicle. Violation of this section shall be a fine of \$50.00, plus court costs for each violation.

REGISTRATION OF ANIMALS IN THE PARISH:

1. Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them herein, except where the context clearly indicates a different meaning:

Cat means any feline animal over three months of age.

Dog means any canine animal over three months of age.

Keeper means any person other than the owner harboring or having in his possession any dog or cat.

Licensed veterinarian means a practicing veterinarian who is licensed by the State Board of Veterinary Medicine.

Owner means anyone who owns, possesses, keeps, trains, harbors or permits a dog on or about his premises.

Society means the state Society for the Prevention of Cruelty to animals.

2. Dog or cat license required.

Each owner or keeper of a dog or cat within the Parish of Pointe Coupee which is over three months old shall annually cause such dog or cat to be registered for one year. The register shall be in the form as prescribed and

furnished by the Parish; the register number shall coincide with the rabies vaccination register number which appears on the dog tag.

3. Dogs or cats brought from other places.

Any person may bring or cause to be brought any dog or cat into the parish from outside the parish; and if such dog or cat is licensed under the laws of the place from which it is brought, such person may keep such dog or cat in the city for a period not exceeding thirty (30) days without getting a license for it under this article; and during such period the provisions of section 2. above shall not apply to such dog or cat. If such dog or cat is brought into the parish and has not been licensed under the laws of the place from which it was brought, the owner or keeper shall within seven (7) days after such dog or cat is brought into the parish cause it to be licensed as prescribed in this article.

4. Dogs or cats passing through parish, exhibited at dog or cat shows.

None of the provisions of this article shall apply to dogs or cats owned by nonresidents passing through the parish or dogs or cats brought to the city and entered for exhibition at any dog or cat show, except as provided in this article.

5. Charge for dogs or cats tags; exception.

It shall be unlawful for any person to own, keep, maintain, harbor, or possess any dog or cat in the parish if it is three months of age or older unless such dog or cat shall be caused by the owner or keeper to wear around its neck a collar, harness, or other suitable material to which shall be securely attached a tag in the form prescribed by the parish, and on which shall appear the tag number. Only one such tag may be caused to be worn on such collar, harness or other material, and on it will be inscribed the vaccination register number, which number will be identical with the tag number. Such tag shall be furnished annually by the parish upon payment of the sum of (a) \$6.00 for each spayed or neutered dog or cat which is six months or older; or (b) \$12.00 for each unsprayed or unneutered dog or cat which is six months or older. If any such tag shall become lost the owner or keeper of such dog or cat shall forthwith obtain a duplicate or substitute tag at a cost of \$2.00 upon proving such loss. The tag required by this section shall not be issued unless the dog or cat is vaccinated at the time of the issuance of the tag. The tag fee covers the cost of the tag only; any fee charged for the anti-rabies vaccine and/or its injection shall be over and above the tag fee and is payable to the veterinarian for this service.

For persons owning multiple animals, in lieu of the regularly required annual registration of each individual animal, multiple animals may be registered under a Breeder and/or Kennel registration. This registration shall be in addition to the annual rabies vaccination, shall be required for each animal over the age of six (6) months and shall be obtained from the Parish of Pointe

Coupee. The annual cost of such registration shall be \$25.00 for up to 5 animals; \$35 for 6 to 10 animals; and, \$50 for 10 animals and over.

Failure to register animals as set forth herein shall result in a fine of \$50.00 per animal plus all court costs and may also subject the owner to removal of their animals.

6. Preparation and expiration date of tags; issuance by veterinarian; record of tags issued to be kept.

The parish shall cause to be made suitable tags, consecutively numbered, which tags shall be issued only by a licensed veterinarian acting as agent of the parish, and be required for every dog or cat over three months old, and remain valid for one year from the date of its issuance. Before any such tag is delivered to the owner or keeper of the dog or cat, the veterinarian shall make a record of the name and address of the person who owns or has charge of the dog or cat to which the tag is to be attached, which information shall be furnished by the applicant, a brief description of the dog or cat and the registered number assigned to it, which shall correspond to the number of the tag. The veterinarian vaccinating the dog or cat shall collect and remit to the parish documentation of all tags issued and the fees for registration.

7. Counterfeiting; improper use of tags.

No person shall:

- (a) Counterfeit or imitate the license or vaccination tags as provided for in this article;
- (b) Put on a dog or cat any such counterfeit or imitation tag; or
- (c) Use such a tag on a dog or cat for which it was not issued.

8. Improper removal of tag.

No person shall maliciously or wantonly remove or cause to be removed, directly or indirectly, any tag from the dog or cat of another person.

9. Anti-rabies vaccination required.

It shall be unlawful for any person to own, keep, maintain, harbor or possess any dog or cat in the parish unless such dog or cat, if it is over three months old, is vaccinated with approved anti-rabies vaccine by a licensed veterinarian and a tag evidencing such vaccination is affixed to the collar or harness as provided in section 5. Veterinarians shall not issue a license or tag unless the dog or cat has been properly vaccinated.

10. Dogs or cats to be vaccinated every 12 months.

The owner or keeper of every dog or cat over three months old shall at his expense have such dog or cat vaccinated by a licensed veterinarian with approved anti-rabies vaccine at least once every 12 months, under health rules and regulations as prescribed by the state.

11. Dogs not to run, roam or be at large.

No dogs, licensed or unlicensed, shall be permitted to run, roam or be at large upon any street, alleyway, common or public square or public place within the parish. Each owner or keeper of a dog shall have such dog securely confined within his yard or enclosure or secured by a chain at all times, except that a dog properly licensed under this article may be allowed outside of such enclosure if under a secure leash and accompanied by its owner or keeper.

REGISTRATION OF BREEDERS AND SELLERS OF ANIMALS:

A. Any resident offering animals for sale in Pointe Coupee Parish, Louisiana shall be required to register their animals as stated herein and prior to the sale of any animal, to obtain a Permit from the Parish of Pointe Coupee for the sale of live animals. This license shall be required annually and the fee for such permit shall be set by the Parish of Pointe Coupee.

B. Failure to obtain a Permit for the sale of live animals shall result in a minimum fine of \$100.00 and a maximum fine of \$300.00, plus all court costs and may also subject the owner to the removal of their animals."

SPECIFIC DOG BREEDS REGULATED:

1. It shall be unlawful for any person to own, possess, keep, exercise control over, maintain, harbor, transport, or sell any dog used as a guard dog, for security purposes and/or for protection including, but not limited to the following breeds: American Pit Bull, American Staffordshire Terrier, Staffordshire Bull Terrier, Bull Terrier, German Shepherd, Rottweiler, Chow Chow, Doberman Pinscher, Boxer, and Akita within the Parish of Pointe Coupee unless said ownership, possession, keeping, exercising control over, maintenance, harboring, transportation, or sale is in compliance with the requirements of this article.
2. Definitions:
 - (a) An "owner" for purposes of this Ordinance is defined as any person who owns, possesses, keeps, exercises control over, maintains, harbors, transports or sells a dog of any of the above mentioned breeds.
 - (b) The dogs regulated under this Ordinance shall be defined as breeds set forth above or any other dog of mixed breed which contains as an element of its breeding any of the aforementioned breeds of dog and, which is, due to its size, color or conformity, identifiable by a veterinarian licensed to practice veterinary medicine by the state

and/or by the Pointe Coupee Parish Animal Control Supervisor, as being partially of any of the aforementioned breeds of dog, or which substantially conforms to the standards established by the American Kennel Club or United Kennel Club for any of the above breeds.

3. The owner of any of the dogs described above which had been licensed pursuant to Pointe Coupee Parish Code of Ordinances shall be allowed to keep such dog within the Parish of Pointe Coupee upon compliance with the terms of the Pointe Coupee Parish Code of Ordinances if the owner applies for and receives an annual specific breed license starting July 1, 2010. As a condition of issuance of an annual specific breed license, the owner shall at the time of application comply with or otherwise provide sufficient evidence that the owner is in compliance with all of the following regulations:
 - (a) The owner must be at least eighteen (18) years of age and must never have been convicted of a felony.
 - (b) The owner of the specific breeds listed above shall provide proof of rabies vaccination, proof that it has been micro-chipped for identification by a licensed veterinarian and shall pay the one time license fee of \$50.00.
 - (c) The specific breed license is not transferable. Such license tag will be issued to the owner at the time of issuance of the license. Such license tag shall be attached to the dog by means of a collar or harness and shall not be attached to any dog other than the dog for which the license was issued. If the dog tag is lost or destroyed, a duplicate tag may be issued upon the payment of a \$_____ fee.
 - (d) The owner shall keep the dog "confined" either within the owner's residence or within a fenced area, which area may include chain link, wood or electric fencing. Upon any action of the dog which would pose a violation of any Pointe Coupee Parish Ordinance in effect at the time of acceptance of this Specific Breed Ordinance, within fifteen (15) days, the dog shall be kept in a fully enclosed pen a minimum size measuring four (4') feet by seven (7') feet with a concrete floor at least two and one-half (2 1/2") inches thick and at least six (6') foot high fencing on all sides with a secure cover. The sides must be attached to the floor or alternatively, the sides must be embedded no less than twenty-four (24) inches into the ground. Said enclosure shall be securely closed and locked at all times and may be inspected by Animal Control personnel randomly or upon complaint made to the Parish regarding said enclosure. At any time, when the animal is not confined, it shall be securely leashed on a leash no longer than six (6') feet and the dog shall be muzzled.
 - (e) The owner shall have posted at each possible entrance to the owner's property where the dog is kept, a conspicuous and clearly legible sign, which must be at least eight (8") inches by ten (10") inches in

rectangular dimensions and shall contain only the words 'BEWARE OF DOG' in lettering not less than two (2") inches in height.

- (f) Any person failing to register a dog as set forth above shall be subject to a fine of one hundred (\$100.00) dollars per animal plus the \$50.00 registration fee.
4. An owner found to be in violation of this article as a first offense shall be fined not more than five hundred (\$500.00) dollars. An owner found to be in violation of this article as a second offense shall be fined not less than three hundred (\$300.00) dollars nor more than five hundred (\$500.00) dollars. An owner found to be in violation of this article as a third or subsequent offense shall be fined five hundred (\$500.00) dollars and/or _____ days in jail and the dog(s) kept in violation of this article shall be impounded.
5. When Pointe Coupee Parish has impounded any dog pursuant to this article, and the owner of such dog disputes the classification of such dog, the owner of such dog may file a written petition with Pointe Coupee Parish for a hearing concerning such classification no later than seven (7) days after impoundment. Such petition shall include the name and address, including mailing address, of the petitioner. Pointe Coupee Parish will then issue a notice of hearing date by mailing a copy to the petitioner's address no later than ten (10) days prior to the date of the hearing. Where no written request from the owner for a hearing is received by Pointe Coupee Parish within seven (7) days of impoundment, the animal may be destroyed.

The hearing, if any, will be held before a hearing officer designated by Pointe Coupee Parish. Any facts which the petitioner wishes to be considered shall be submitted under oath or affirmation either in writing or orally at the hearing. The hearing officer shall make a final determination whether the dog is of a specific breed as described and defined in this article and whether said dog falls within any exception listed in this article. Such determination shall be considered a final order of Pointe Coupee Parish subject to appellate review by the Pointe Coupee Parish Council and thereafter by the state district court.

If the dog is found to be a breed not excepted from the prohibition provided in this ordinance the owner shall have fourteen (14) days to produce evidence deemed sufficient by Pointe Coupee Parish showing either compliance with the requirements of this article or that the dog is to be permanently take out of the parish of Pointe Coupee Parish and in either case, the owner shall pay the cost of impoundment. Failing this the dog shall be surrendered to the parish and may be destroyed.

If the dog is found not to be of a specific breed covered by this article or is found to fall within any exceptions listed in this article, the dog shall be released

to the owner upon payment to the Parish of Pointe Coupee for the cost of impoundment.

RESPECTFULLY SUBMITTED BY:
The Animal Control Ordinance
Committee of Pointe Coupee Parish
this _____ day of October, 2010

CAROL VINCENT, CHAIRPERSON