

## ORDINANCE NO. 339-2021

(AN ORDINANCE TO AMEND ORDINANCE NO. 261-07, AMENDING THE CODE OF ORDINANCES AND ENACTING an ANIMAL CONTROL LAW FOR THE CITY OF STPHENS, ARKANSAS.)

WHEREAS, the City of Stephens, Arkansas has an animal control ordinance in place, and it is determined that persons found guilty of violating the ordinance more than once should pay the penalty.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEPHENS, ARKANSAS:

### SECTION 1. DEFINITIONS:

The following words and phrases shall, for the purpose of this article have the following meanings.

**DOGS:** When used herein, shall include animals of all ages, both male and female, which are members of the canine family physically and geographically subject to this ordinance.

**OWNER:** Any person having the right of property in or custody of a dog or who keeps or harbors a dog or knowingly permits a dog to remain on or about any premises occupied by that person or feeds the dog on or off of their own property.

**ATLARGE:** A dog will be "AT LARGE" when not confined to the premises of the owner or under restraint when away from the premises of owner.

**PERSON:** Any individual, corporation, partnership, association. Organization or institution commonly recognized by law as a unit.

**STATE LAW REFERENCE:** Authority of the City to prevent dogs from running at large, Ark. Stats- - - 14-54-1102.

**PENALTY:** Any person found guilty of violating any section of this code shall be fined a sum of \$145.00 first offense, \$195.00 second offense, and \$245.00 third offense, unless otherwise specified herein.

### SECTION 2.

- (A) The owner of any dog found to be at large should be guilty of allowing the dog to run at large.
- (B) It is unlawful for any resident of the City of Stephens to abandon, cast out, leave, or discard and dog, which they own or possess because it has become unwanted ill or aged.
- (C) It shall be unlawful for any person to keep on his premises or under his control, any dog that by loud and frequent barking or howling shall unreasonably disturb the peace.



- (D) It shall be unlawful to allow the premises where dogs are kept to become unclean and a treat to the public health.
- (E) All dogs whose owner, or keeper, resides in the City of Stephens shall be vaccinated for rabies evidence by a current rabies tag and /or rabies certificate.
- (F) The owner upon demand by the City Police Officer shall forthwith surrender any dog which has bitten a human, or which is suspected as having been exposed to rabies for supervised quarantine, the expense of which shall be borne by the owner. Said dog may be reclaimed by the owner if the dog is found free of rabies, upon payment of fees set for in this article.

**SECTION 3. ENFORCEMENT**

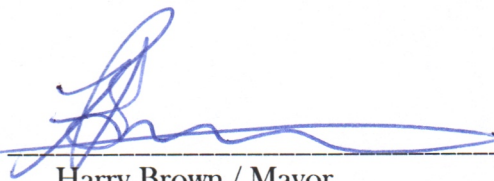
The provisions of this article shall be enforced by the Police Department of the City of Stephens, Arkansas.

**SECTION 4.**

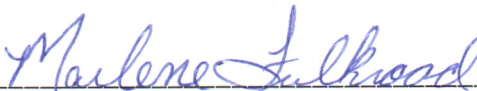
The Stephens Police Department is hereby authorized to issue a citation for arrest as defined by the ARKANSAS RULES OF CRIMINAL PROCEDURES, to the owner or possessor of any dog violation any provisions of this article. Said citation shall require the person so charged to appear before the Stephens City Court.

IT IS THEREFORE, declared that an emergency exists, and the Ordinance is necessary for the immediate preservation of the public peace, and this Ordinance shall take effect and be in full force upon its passage. All ordinances and portions in conflict herewith are hereby repealed.

PASSED THIS 21 day of June, 2021.



Harry Brown / Mayor



Marlene Fulkroad - Recorder/Treasurer



