



Legislation Text

File #: ORD-88:1357, **Version:** 1

AN ORDINANCE TO AMEND ORDINANCE NO.1266, PROVIDING FOR PENALTIES AND FOR OTHER PURPOSES.

WHEREAS, the population of domestic animals has increased substantially in the City of Jonesboro, and there is a need for increased control of vicious animals for the public's safety:

IT IS ORDAINED by the City Council of the City of Jonesboro, Arkansas:

SECTION 1: Section 1, Subsection (E) is amended as follows:

A vicious animal as the term is used in this section means:

(A) Any animal with a demonstrated propensity, tendency, or disposition to attack, to cause injury, or to otherwise endanger the safety of Human Beings or domestic animals; or

(B) Any animal which attacks a Human Being or a domestic animal on two (2) or more occasions without provocation.

SECTION 2: Section 1, Subsection (C) is amended as follows:

A vicious animal is "unconfined" as the term is used in this section if such animal is not securely confined indoors or confined in a securely enclosed and locked pen, as described hereinafter, or structure upon the premises of the owner.

SECTION 3: Section 2 is amended as follows:

It shall hereafter be unlawful for any person to keep within the corporate limits of the City any vicious animal unless the side animal is securely confined indoors or confined within a pen upon the premises of the owner. The pen shall have secure sides and a secure top. If the pen has no bottom secured to the sides, the sides must be embedded in the ground no less than twelve (12) inches.

No person owning, harboring, or having the care of a vicious animal shall allow or permit such animal to go unconfined on the premises of such person. No person own, harboring, or having the care of a vicious animal shall allow or permit such animal to be loose unless it is securely leashed with a leash no longer than four (4) feet in length. No person shall permit a vicious animal 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 animal may not be leashed to inanimate objects such as:

Trees, posts, buildings, etc., unattended. In addition, all vicious animals on a leash outside its kennel or pen must be muzzled by a muzzling device sufficient to prevent such animal from biting persons or other animals.

SECTION 4: PENALTIES - Any person found guilty of violating this section shall be fined not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1,000.00) or imprisoned not more than sixty (60) days, or both. In addition, any vicious animal which attacks a Human Being may be ordered destroyed when in the Court's judgment such vicious animals represent a continuing threat of serious harm to Human

Beings.

It shall be an affirmative defense if the intended victim of any attack has made an unlawful entry into the dwelling of the owner.

SECTION5: 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 effect the validity of the remaining portions thereof.

SECTION 6: All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 7: Owing to the danger to public safety posed by vicious animals, the above amendments are immediately necessary to the protection of the public peace, health and safety. Therefore, an emergency is declared to exist, and this ordinance shall be in effect from and after its passage and approval.

PASSED AND ADOPTED this 6th day of June, 1988.