

By Jenkins, D.C.

ORDINANCE NO. 1437

**AN ORDINANCE REGULATING DOGS IN
THE CITY OF HARRISON, ARKANSAS;
AND DECLARING AN EMERGENCY**

Be it ordained by the City Council of the City of Harrison, Arkansas, that Section 6.04 is hereby established as follows:

6.04.01 Dogs Running at Large: Any dog running at large is hereby declared to be a nuisance and a health hazard.

- A. It shall be unlawful for the owner of any dog to allow or permit said dog to run at large within the corporate limits of the City of Harrison, and the owner of every dog shall be responsible to keep said dog confined or restrained by leash of no more than ten (10) feet in length, when not in a confined area.
- B. It shall be unlawful for the owner of any dog to allow or permit said dog to defecate upon property of others, including City property. The owner is responsible for pick up, clean up and disposal of any and all waste.
- C. Dogs found running at large within corporate limits of the City of Harrison shall be impounded in the Ozark Humane Society facility for a period of ten (10) days during which period the owner of said animal may reclaim said animal by paying to the Ozark Humane Society Seventy-Five dollars (\$75) for the impoundment of said animal. All animals unclaimed within ten (10) days from the time of impounding will be acclimated into the Ozark Humane Society shelter population and made available for adoption.
- D. If a dog is picked up by the Animal Control Officer, and the dog's owner does not provide evidence of current rabies inoculation, in addition to any other penalty imposed herein, the dog must be inoculated for rabies and licensed within ten (10) days.

- E. If a dog is picked up by the Animal Control Officer, the animal will be returned (first time ONLY) at no cost to the owner. Thereafter, the fee for the return of the dog is Seventy-Five dollars (\$75) per event.

6.04.02 Kennels Prohibited:

- A. From and after adoption of this section, it shall be unlawful in any area of the City, zoned residential, for any person to place or cause to be placed on their property a kennel for the maintenance of dogs, whether for boarding or breeding purposes. A kennel shall be defined as any lot or premises on which are kept six (6) or more dogs more than six (6) months of age.
- B. Any City licensed kennel, including Veterinary Clinics or Boarding Facilities, validly pre-existing the date of this Ordinance, shall continue to comply with the pre-existing Municipal Ordinances, and if not maintained as set out therein, the person convicted of violating said Ordinance shall be punished as set out below.

6.04.03 Impoundment: Animals that have bitten, scratched, clawed, or otherwise attacked a human being, shall be seized and held for a minimum of ten (10) days at and under the supervision of a licensed Veterinarian, and the cost of such detainment is to be borne by the owner. Detainment will cease once proof of inoculation against rabies is provided and authenticated by the Veterinarian and Animal Control Officer. Incidents of aggressive behavior by a dog will be addressed on a case by case basis.

6.04.04 Barking Dogs Prohibited: It shall be unlawful for any person, firm, or corporation to keep on their premises, or under their control, any dog which by loud and frequent barking and/or howling disturbs the peace and quiet of any person who may reside within hearing distance of the place where such dog(s) is kept.

6.04.05 Penalties: Persons found guilty of violating any provisions of the above codes shall be deemed a misdemeanor, and in addition to the specific fines stated for violations of this code, may be punished or assessed court costs and fines up to \$1,000 by the Harrison District Court. Each day the violation continues shall constitute a separate

offense with cumulative fines assessed. The minimum fine for any violation shall be One Hundred dollars (\$100) plus court costs. Should a second offense occur within one (1) year of the first offense, the fine shall be Five Hundred dollars (\$500). Should a third offense occur within one (1) year of the first offense, the fine shall be One Thousand dollars (\$1,000), and for each offense thereafter within the same year the fine shall be One Thousand dollars (\$1,000) per offense.

6.05.06 All prior Ordinances or Codes in conflict with this Ordinance are hereby repealed.

Emergency Clause: Time is of the essence and the City Council deems the immediate effect of this Ordinance to be in the best interest of Harrison citizens, and this Ordinance shall be in full force and effect upon publication.

PASSED AND APPROVED this 24th day of May, 2018.

CITY OF HARRISON, ARKANSAS

BY:


DANIEL D. SHERRELL, MAYOR

ATTEST:


JEFF PRATT, CITY CLERK



STATE OF ARKANSAS }
COUNTY OF BOONE }

I hereby certify that this instrument was filed for record in my office the 05/25/2018 10:10AM and duly recorded. Record as Instrument # 2018002796 Witness my hand and the court seal this 05/25/2018 10:10AM
RHONDA WATKINS
Circuit Clerk and Recorder

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By  R.W.