

Chapter 10

ANIMALS*

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State law references—Dogfighting, O.C.G.A. § 16-12-37; cruelty to animals, O.C.G.A. § 16-12-4; sale of dog meat for human consumption prohibited, O.C.G.A. § 26-2-160; fish, O.C.G.A. § 27-4-30 et seq.; wild animals, O.C.G.A. § 27-5-4 et seq.; control of rabies, O.C.G.A. § 31-19-1 et seq.; animal bites, O.C.G.A. § 31-19-4; inoculation of dogs and cats against rabies, O.C.G.A. § 31-19-6; rabies inoculation tags, O.C.G.A. § 31-19-6; Georgia Animal Protection Act, O.C.G.A. § 4-11-1 et seq.; livestock running at large, O.C.G.A. § 4-3-1 et seq.; Dead Animal Disposal Act, O.C.G.A. § 4-5-1 et seq.; Dangerous Dog Control Law, O.C.G.A. § 4-8-20 et seq.; permitting dogs in heat to run at large, O.C.G.A. § 4-8-6; liability of owner or keeper of vicious or dangerous animal for injuries caused by animal, O.C.G.A. § 51-2-7; authority to exercise animal control, Ga. Const. art. IX, § II, ¶ III(a)(3).

JASPER COUNTY CODE

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ARTICLE I. IN GENERAL

Sec. 10-1. Definitions.

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

Abandoned animal means any domesticated animal that has been placed upon public property, within a public building upon or within the private property of another without express permission of the owner, custodian, or tenant of the private property, and is unattended or cared for. Any domesticated animal shall also be considered abandoned when it has been unattended and without proper food and water for a period of 36 hours, regardless of where such animal may be found or kept.

Animal at large means an animal not under restraint and off the property of its owner.

Animal shelter means the facility designated by the board of commissioners for detention of animals.

Animal shelter officer means any person so designated by the animal shelter director to perform the duties prescribed by this chapter.

Animal under control means any hunting dog and animal that shall be deemed under control while engaged in the particular hunting activity process that such animal is involved with.

Animal under restraint means any animal secured by a leash, lead, or person being present with the animal; or confined within a vehicle, parked or in motion. Voice commands will not apply in residentially zoned areas.

Companion animal or pet means a domesticated animal kept for pleasure rather than utility. Pets include, but are not limited to, birds, cats, dogs, fowl, horses, potbellied pigs, hamsters, domesticated wild animals, mice, reptiles and/or exotic animals and other animals associated with man's environment.

Director means the animal shelter director.

Domesticated animals means animals that are accustomed to living in or about the habitation of man, including but not limited to cats, cows, dogs, fowl, horses, swine, domesticated wild animals and/or exotic animals. This definition only applies to these animals mentioned in this definition and is only applicable to this chapter and in no way affects the meaning or application of a definition of the described animal, as may be found in any county ordinance.

Guard dog means any dog which has been trained to attack persons or other animal independently or upon oral command and any dog which, while not so trained, is reasonably expected to perform as a guardian of the property upon and within which he is located.

Kennel means any establishment, other than an animal shelter where dogs or cats are maintained for boarding, holding, training, or similar purposes for fee or compensation.

Owner means any person having the right of property of, keeping, harboring or acting as custodian of a domesticated animal.

Pet dealer or pet dealership means any person who sells, offers to sell, exchange, or offers for adoption dogs, cats, birds, fish, reptiles or other animals customarily obtained as pets in this state. However, a person who sells only animals that he has produced and raised, not to exceed 15 animals a year shall not be considered a pet dealer under this chapter, unless such person is:

- (1) Licensed for a business by a local government;
- (2) Has a state tax number; or
- (3) Sells to a pet shop or broker either within or out of the state.

Public nuisance means an animal which:

- (1) Is found at large in violation of sections 10-4 and 10-41.
- (2) Is vicious. For the purpose of this definition an animal shall be considered vicious if it attacks, without provocation, any human or other domesticated animal.
- (3) Produces, because of quantity, manner or method in which the animals are domesticated or maintained, unsanitary conditions in the county.
- (4) Attacks a passerby or passing vehicle.
- (5) Is inimical to the public health, welfare, safety according to the rules and regulations promulgated by the county health department, whose rules and regulations are incorporated in this chapter and made a part hereof as is fully set out in this chapter.
- (6) Barking or howling for an excessive period of time.

Such nuisance is hereby declared to be a public nuisance and any person that knowingly keeps, owns, harbors, or acts as custodian of an animal constituting such nuisance shall be guilty of an unlawful act and shall be punished as provided in this chapter.

(Ord. of 6-7-1999, § 1, art. 2)

Cross reference—Definitions generally, § 1-2.

Sec. 10-2. General responsibility of animal control department; department head.

The animal control department shall be charged with the responsibility of enforcing this chapter of the county and the operation of the county shelter. This department shall be under the direction of the animal shelter director.

(Ord. of 6-7-1999, § 2, art. 1)

Sec. 10-3. Animal shelter created.

There is hereby created the county animal shelter, which shall be under the supervision of the director and staffed with such personnel as may from time to time be authorized by the board of commissioners.

(Ord. of 6-7-1999, § 2, art. 2)

Sec. 10-4. Running at large.

It shall be unlawful for the owner of any animal to allow it to run unattended:

- (1) On or about the streets and highways of the county;
- (2) In areas zoned residential; or
- (3) On the property of another without such property owner's consent.

Any such animal at large shall be impounded by the director or his authorized representative.
(Ord. of 6-7-1999, § 2, art. 3)

Sec. 10-5. Abandonment of animals.

(a) It shall be unlawful for anyone to knowingly abandon any domesticated animal within the county. Each person who does abandon, knowingly or willingly permits such abandonment, or aids in the abandonment of any domesticated animal shall be in violation of the law and shall be punished as provided.

(b) Each offense under this section shall be punished with a fine of the maximum amount allowable by law.

(Ord. of 6-7-1999, § 2, art. 9)

Sec. 10-6. Cruelty to animals.

No person shall, by act, omission or neglect, cause unjustifiable physical pain, suffering or death to any animal. This section shall not apply to the killing of animals raised for the purpose of providing food nor does it apply to any person who shall hunt wild animals or pen-raised animals in compliance with the game and fish laws of the state. This section shall not apply to the killing or injuring of animals for humane purposes or in the furtherance of medical research.

(Ord. of 6-7-1999, § 2, art. 10)

Sec. 10-7. Fees.

Fees collected pursuant to this chapter shall be adopted from time to time by the board of commissioners and kept on file with the director. These fees shall be kept in a separate fund, not the general fund and in an account set up for the shelter only.

(Ord. of 6-7-1999, § 2, art. 11)

Secs. 10-8—10-40. Reserved.

ARTICLE II. RESTRAINT OF ANIMALS**Sec. 10-41. Restraint of animals while on owner's property.**

(a) It shall be the duty of the owner of any animal to ensure that the animal is confined by way of a fence or other enclosure, or is restrained, by chain or leash, in some other physical manner, under the control of a competent person so that it cannot wander off of the real

property limits of the owner. It is the intent of this section that all animals be prevented from leaving, while unattended, the real property limits of their owners, in areas zoned residential.

(b) In addition, all female dogs and cats that have not been spayed and are in heat, must be securely confined in such a way that they not only cannot run loose, but also cannot be reached by other dogs or cats.

(Ord. of 6-7-1999, § 2, art. 4)

Sec. 10-42. While off of owner's property in an area zoned residential.

(a) It shall be the duty of the owner to keep the animal under control at all times while the animal is off of the real property limits of its owner. For the purpose of this section an animal is deemed under control when it is confined within a vehicle, parked or in motion, is secured by a leash or other device held by a competent person, or is properly confined within an enclosure with permission of the owner of the real property where the enclosure is located.

(b) Any animal that is kept in the back of an open truck or convertible car must be restrained by a leash. Such leash must be of the size and length to restrict the animal within the confines of the car or bed of the truck and to prohibit the animal from jumping out over the side or back of such vehicle.

(Ord. of 6-7-1999, § 2, art. 5)

Sec. 10-43. Enforcement.

(a) The primary responsibility for the enforcement of this article shall be vested in the director. He may, in the exercise of his authority as the director, delegate the enforcement responsibility of this article to such county employees as he may select.

(b) If a violation of this article has not been personally witnessed by the director or his authorized representative or other employees of the county, a subpoena shall be issued to the person making the complaint to be and appear on the day set for trial, then and there to testify on behalf of the county. The director shall refuse to respond to anonymous complaints.

(c) It shall be unlawful for the owner of any dog or other animal to knowingly allow the animal to run unattended upon public streets, alleys, sidewalks, school grounds, or other public places or premises or the property of another without that property owner's permission, as prohibited by this article, upon complaint made known to the animal shelter. It shall be the duty of the director or his authorized representative to immediately take possession of such dog or animal and impound it in the animal shelter. Once impounded, an animal shall be kept for a period of time as stated in section 10-44; thereafter, if the animal is not claimed by anyone after a reasonable effort has been made to locate the owner of the animal as provided in section 10-44, the animal may be disposed of in a humane fashion or in accordance with O.C.G.A. ch. 62. Where the director or his authorized representative is required in this section to take possession of any dog or animal and to impound it, he may use any and all means available that is humane.

(d) In all cases of violations of this article, the director shall have the authority to exercise his discretion and may, in addition to in lieu of impounding any animal, issue a citation to the owner of such animal. However, in all such instances where the owner of such animal is known or discovered, the director shall at least issue a citation to such owner. The citation shall state the violation, the name and address of the owner, and the name of the individual issuing the citation. All citations shall be transferred to the magistrate court of the county for prosecution. (Ord. of 6-7-1999, § 2, art. 6)

Sec. 10-44. Notice to owners of impounded animals.

(a) Upon impounding any dog or other animal, the director or his authorized representative shall cause to be made a prompt and reasonable effort to notify the animal's owner and, upon location of such owner, shall send to such owner a certified letter, with return receipt requested, notification of impoundment. If the animal is not claimed by the owner within three working days of the receipt of the certified letter or the letter is returned by the U.S. Postal Service, or within five working days of the impound and the owner cannot be located, it shall be the duty of the director or his authorized representative to dispose of the dog or other animal in a humane fashion, in accordance with O.C.G.A. § 4-11-5.1.

(b) For the first time in a 12 consecutive month period a dog, cat or other animal is found by animal control in violation of the leash law provision, regardless of whether or not the animal is picked up and impounded by animal control, a warning shall be issued to the owner.

(c) For the second offense by the owner for the same animal in a 12 consecutive month period, there will be issued a citation with a \$100.00 fine.

(d) For the third offense in a 12 consecutive month period with the same animal there will be a citation with a fine of \$250.00.

(e) For the fourth offense in a 12 consecutive month period for the same animal, the animal will be impounded, spayed or neutered at the expense of the owner plus a \$500.00 fine.

(f) In addition to the provisions of subsections (a)—(e) of this section, any animal picked up and impounded by the animal shelter will receive a rabies shot, prior to being returned to its owner or its adoption, if there is no current tag.

(g) If for any reason an animal is impounded and not claimed after proper notification imposed by this section, and if the owner is identified by a rabies or license tag on an animal or can be identified by a witness, the owner will be considered in violation of this article for the offense of abandoning the animal, and shall be guilty of a misdemeanor and subject to a fine of up to \$500.00 and/or imprisonment in jail for a period not to exceed 60 days, or both.

(h) In addition, if an animal is impounded and not claimed, the owner shall be conclusively presumed to have given consent to the adoption of the impounded animal or to have given his consent to the disposal of the animal in a humane fashion in accordance with O.C.G.A. ch. 62.

(i) If any animal is not claimed as provided within this article, the director or his authorized representative, in his sole discretion and after he has satisfied himself that such animal is in good health, may offer the animal for adoption. All animals adopted will be spayed or neutered and rabies shots given. A sworn authorized statement from a veterinarian must state that the animal has been spayed or neutered by a doctor of veterinary medicine under O.C.G.A. § 43-50-1 et seq., and such statement must be received by animal control within ten working days following the adoption. Such statement must state that the animal has been spayed or neutered, or must explain in detail, for health reasons why the animal cannot be spayed or neutered. The owner of such an animal will be considered in violation of this article for failure to submit a veterinary statement, and shall be guilty of a misdemeanor and subject to a fine up to \$500.00 and/or imprisonment in jail not to exceed 60 days, or both.

(j) In no event shall any animal be redeemed by an owner or custodian unless those fees established for boarding animals, or provided for in section 10-7 are paid. Approximately \$5.00 per day.

(Ord. of 6-7-1999, § 2, art. 7)

Secs. 10-45—10-80. Reserved.

ARTICLE III. DANGEROUS ANIMALS

Sec. 10-81. Definitions.

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

Dangerous dog means any dog that, according to the records of an appropriate authority:

- (1) Inflicts a severe injury on a human being without provocation on public or private property at any time after the effective date of the ordinance from which this section derives; or
- (2) Aggressively bites, attacks, or endangers the safety of humans without provocation after the dog has been classified as a potentially dangerous dog and after the owner has been notified of such classification.

Owner means any natural person or any legal entity, including but not limited to a corporation, partnership, firms, or trust, owning, possessing, harboring, keeping or having custody or control of a dangerous dog or potentially dangerous dog within this county.

Potentially dangerous dog means any dog that without provocation bites a human being on public or private property at any time after the effective date of the ordinance from which this section derives.

Proper enclosure means an enclosure for keeping a dangerous dog or potentially dangerous dog while on the owner's property securely confined indoors or in a securely enclosed and locked pen, fence, or structure suitable to prevent the entry of young children and designed to

prevent the dog from escaping. Any such pen or structure shall have secure sides and a secure top; and, if the dog is enclosed within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the dogs escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the dog.

Severe injury means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery or a physical injury that results in death.

Vicious animal or fowl means any animal or fowl:

- (1) Which attacks, bites or injures humans, other animals, or fowl without provocation;
- (2) Which because of temperament, conditioning or training, has a known propensity to attack, bite or injure other living creatures without provocation;
- (3) An animal or fowl which has on one or more occasions caused injury to other living creatures without provocation; or
- (4) Any animal which constitutes a physical threat to human beings or domesticated animals by one or more attacks without provocation of such severity to cause physical injury.

Exception: An animal or fowl is not considered vicious if it attacks, bites or menaces:

- (1) Anyone attacking the owner.
- (2) Unlawful trespassers on the property of the owner.
- (3) Any person or animal that has tortured or abused such animal or fowl that is acting in a vicious manner.
- (4) Or if it is defending it's young or other animal.

(Ord. of 6-7-1999, § 2, art. 8)

Cross reference—Definitions generally, § 1-2.

Sec. 10-82. Violation.

Failure to keep any animal or fowl confined or under restraint as provided for in section 10-84 shall be unlawful and shall be punishable as provided in this article.

(Ord. of 6-7-1999, § 2, art. 8)

Sec. 10-83. Warning sign.

A warning sign, i.e., "Beware of Dog," shall be conspicuously posted, denoting a vicious animal or fowl is on the premises.

(Ord. of 6-7-1999, § 2, art. 8)

Sec. 10-84. Restraint.

(a) No person owning or having custody of any dog or other animal or fowl known to be vicious shall permit it to run at large, or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises.

(b) It shall be the duty of every owner of any vicious animal or fowl, or anyone having any vicious animal or fowl in his possession or custody, to ensure that the vicious animal or fowl is kept under restraint and that reasonable care and precautions are taken to prevent the vicious animal or fowl from leaving, while unattended, the real property of its owner, custodian, harbinger, and to ensure that it is securely and humanely enclosed within a house, building, fence, pen, or other enclosure out of which it cannot climb, dig, jump or otherwise escape on its own volition. Such enclosure must be securely locked anytime the animal is left unattended.

(c) For owners of any vicious animal or fowl who maintain their animal or fowl out-of-doors, a portion of their property shall be fenced with a perimeter or area fence. Within this perimeter fence, the vicious animal or fowl must be humanely confined inside a pen or kennel of adequate size. The pen or kennel shall not share common fencing with the area or perimeter fence. The kennel or pen must have secure sides and top attached to all sides. The sides must be securely set into the ground or onto a concrete pad, or securely attached to a wire bottom. The gate of the kennel must be locked.

(d) A vicious animal shall not be upon any street or public place except when securely restrained by a leash not more than six feet in length and humanely muzzled and in the charge of a competent person.

(e) Whenever outside of its enclosure, as provided in subsections (b) and (c) of this section, but on the owner's property, a vicious animal must be attended by the owner or handler, and restrained by a secure collar and leash of sufficient strength to prevent escape.

(Ord. of 6-7-1999, § 2, art. 8)

Sec. 10-85. Tied to object.

No vicious animal or fowl shall be chained, tethered, or otherwise tied to any inanimate object such as a tree, post or building, outside of its own enclosure.

(Ord. of 6-7-1999, § 2, art. 8)

Sec. 10-86. Guard dogs and security dogs.

(a) It shall be the duty of all persons who keep, use or maintain a guard dog or security dog to ensure the dog is vaccinated against rabies and licensed as required by sections 10-126 and 10-127. The dog must also have the current vaccination tag affixed to the collar and worn by the dog at all times as required by section 10-128.

(b) It shall be the duty of any person who sells, leases and/or rents any guard dog or security dog to be used within the county to notify the county animal control office of the location and number of guard dogs or security dogs in use, kept or maintained at this particular location.

The animal control officer shall maintain a record of the location, number of guard dogs or security dogs utilized within the county. The person who sells, leases, and/or rents a guard dog or security dog to be used in the county shall furnish the following information to the county animal control office:

- (1) Name, address, and phone number of the location where the guard dog is located.
- (2) Name, breed, sex and current license tag information of each guard dog at any location in the county.

(c) It shall be unlawful to transport any guard dog or security dog in an open bed truck, and any vehicle transporting guard or security dogs shall be identified as the business owner. It shall be unlawful to transport any guard dog or security dog in the county except under the following conditions:

- (1) Each dog shall be placed in a separate holding enclosure.
- (2) Each holding enclosure shall measure a minimum of 48 inches long by 18 inches wide by 30 inches high, or of proper size to fit the animal.

(3) Outside enclosure.

(Ord. of 6-7-1999, § 2, art. 8)

Sec. 10-87. Restrictions.

(a) It is unlawful for an owner to have or possess within this county a dangerous dog or potentially dangerous dog without a certificate of registration issued in accordance with the provisions of O.C.G.A. § 4-8-25.

(b) It is unlawful for an owner of a dangerous dog to permit the dog to be outside a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and is under the physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person.

(c) It is unlawful for the owner of a potentially dangerous dog to permit the dog to be outside a proper enclosure unless the dog is restrained by a substantial chain or leash and is under the restraint of a responsible person.

(d) A hearing board of five people will hear complaint and appeal cases, and render a decision based on fact, with no bias.

(Ord. of 6-7-1999, § 2, art. 8)

Secs. 10-88—10-120. Reserved.

ARTICLE IV. RABIES CONTROL

Sec. 10-121. Title.

The title of this article shall be Rabies Control Rules and Regulations of Jasper County. (Ord. of 6-7-1999, § 3, art. 1)

Sec. 10-122. Purpose.

The purpose of this article is:

- (1) To prescribe rules for the prevention and control of rabies within the county by providing for the vaccination, tagging and certification of dogs and cats;
- (2) For the confinement of dogs, cats, and other animals;
- (3) For the establishment of a full-time rabies control officer;
- (4) For the impoundment of stray animals; and
- (5) For other purposes.

(Ord. of 6-7-1999, § 3, art. 4)

Sec. 10-123. Definitions.

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

Board means the county board of health.

Cat means a cat, of either sex, vaccinated or not vaccinated against rabies.

Certificate means a certificate of vaccination on a form furnished or approved by the state department of human resources.

Department means the state department of human resources.

Director means the chief executive of the county board as defined in O.C.G.A. §§ 31-3-11 and 31-3-15, or in his absence, subject to approval of the board, a member of the board appointed by the chairman for the purposes enumerated in this article.

Dog means a dog of either sex, vaccinated or not vaccinated against rabies.

Health department means the county health department, or in the absence of a functioning health department, the county board of health.

Owner means any person having a right of property in a dog or any person who permits a dog to remain on his premises more than seven days.

Rabies vaccination tag means a tag furnished or approved by the state department of human resources, which tag shall be worn by the vaccinated dog.

Vaccinate and *inoculate* mean the injection of a specified dose of antirabies vaccine by a veterinarian into the proper site of an animal, such vaccine having been approved by the state department of human resources.

Vaccine means antirabies vaccine approved by the state department of human resources. Vaccines used for the purposes of this article shall be stored at the temperature prescribed on the package label. Outdated vaccines shall not be used.

Veterinarian means any person who holds a degree of doctor of veterinary medicine.
(Ord. of 6-7-1999, § 3, art. 2)

Cross reference—Definitions generally, § 1-2.

Sec. 10-124. Legal authority.

Pursuant to the authority vested in the county board of health under O.C.G.A. § 31-19-1 et seq., the county board of health and the board of commissioners adopt the rules and regulations of this article for the control of rabies within the county.

(Ord. of 6-7-1999, § 3, art. 3)

Sec. 10-125. Rabies control officer.

(a) The rabies control officer shall be appointed by the board of commissioners.

(b) Duties of the rabies control officer will include:

(1) To investigate and maintain a record of animal bites in the county.

(2) To provide for proper confinement of an animal involved in a bite, or if the animal is dead or killed, preparation and submission of the head for laboratory examination.

(3) To enforce proper disposition of animals exposed to known rabid animals.

(4) To provide stray animal pickup service.

(5) To assist in rabies immunization clinics.

(6) Other duties as stated in the rabies control regulations or as ordered by the director.

(Ord. of 6-7-1999, § 3, art. 8)

Cross reference—Officers and employees, § 2-61 et seq.

Sec. 10-126. Vaccination of dogs and cats.

Every owner of a dog or cat three months of age or older, shall cause such dog or cat to be vaccinated against rabies. Dogs and cats will be revaccinated one year later. When dogs or cats one year of age or older are vaccinated with vaccines accepted by the department for providing a three-year duration of immunity, boosters will be required every three years.

(Ord. of 6-7-1999, § 3, art. 5)

Sec. 10-127. Dog, cat license required.

(a) It shall be the duty of each owner, custodian or harbinger of any dog or cat over four months of age, kept, maintained or harbored in the county to obtain a license for such animal. Vaccination certificates must accompany all animals sold.

(b) It shall be the duty of all persons owning or having custody of any dog or cat over four months of age, brought into and remaining beyond 14 days in any areas of the county, to obtain a license for such dog or cat.

(c) All animal shelters, kennels, and pet dealers or pet dealerships must obtain a license from the state department of agriculture and the county.
(Ord. of 6-7-1999, § 3, art. 6)

Sec. 10-128. Vaccination and license tag required.

(a) In order to maintain a centrally located record of all vaccinated dogs and cats kept, maintained or harbored in any area of the county, including those within any corporate limits, the owner of such dog or cat is required to apply to the county animal control office for a vaccination and license tag.

(b) A vaccination and license tag shall be issued upon presentation of a certificate showing that the dog or cat for which the tag is issued has been vaccinated as prescribed by this article. The vaccination and license tag will be available to the public throughout the year and is issued on behalf of the county by the health department or its designee. The tag shall be valid for one year, the same period as the time specified by the vaccination.

(c) It shall be the duty of the owner, custodian or harbinger of any dog or cat in the areas designated in subsection (a) of this section to affix such vaccination and license tag to a collar worn by the dog or cat at all times, except that the wearing of a vaccination and license tag is not required for show dogs where the wearing of such tag could damage the coat, and except dogs when boarded in kennels or veterinary clinics, or in an area zoned for agricultural purposes where the owner or custodian of the dog in question is using the dog for hunting purposes. In the latter case, the owner, custodian or harbinger shall have a valid tag or vaccination certificate in his possession and it must be shown to a duly constituted authority upon demand.

(d) Should the vaccination and license tag become lost, misplaced or stolen, it shall be the duty of the owner, custodian or harbinger of the dog or cat to obtain a replacement tag at a reasonable cost as set by the rabies control officer.

(e) It shall be unlawful for any person to attach a vaccination and license tag to the collar of any animal for which it was not issued, or to remove a vaccination and license tag from any animal without the consent of the owner or custodian.

(Ord. of 6-7-1999, § 3, art. 7)

Sec. 10-129. Confinement of dogs or other animals.

(a) The rabies control officer will maintain enforcement of all regulations pertaining to confinement of dogs or other animals.

(b) The owner of any dog or other animal as defined in this article shall confine or cause to be confined such dog or animal as prescribed in this section:

- (1) A dog or other animal, whether vaccinated or not, which has bitten a person or other animal shall be confined for a period of ten days following the date of the bite.
- (2) A dog or other animal, whether vaccinated or not, having signs suggestive of rabies shall be confined and in isolation until its death or until its freedom from suspicion of having rabies is established and the director authorizes its release.
- (3) A dog or other animal not vaccinated and bitten by a known or suspected rabid animal shall be immediately destroyed. If the owner is unwilling to destroy the exposed animal, strict isolation of the animal in an approved kennel for six months shall be enforced. One month prior to release, the dog shall be vaccinated according to prescribed methods.
- (4) Any dog or other animal, the rabies vaccination of which is current as evidenced by the certificate of vaccination, which is bitten by a known or suspected rabid animal may be revaccinated, confined in an approved manner for 60 days, and then released if no signs of rabies are evident.
- (5) Every dog or cat, whether vaccinated or not, in a quarantined area shall be kept confined to the owner's or custodian's premises during the entire quarantine period, unless other provisions suitable to the board are made.
- (6) Any dog or cat less than three months old may be confined to the owner's premises or kept on a leash, provided such permission is granted by the rabies control officer.
- (7) Any dog or cat brought into the county for a permanent stay from outside the county shall be confined or on a leash until vaccinated as provided by this article; except that, when the owner of such dog or cat produces evidence satisfactory to the director that such dog or cat has been vaccinated in a manner and by procedures comparable to the requirements of this article, a certificate of vaccination and a vaccination tag may be issued for the current vaccination year.
- (8) Any dog or cat brought into the county on a temporary stay not exceeding 14 days shall be confined or on a leash at all times; except that, if the owner or custodian of such dog or cat has evidence that such dog or cat has been vaccinated in a manner and by procedures comparable to the requirements of this article.

(Ord. of 6-7-1999, § 3, art. 9)

Sec. 10-130. Confinement area facility.

The area or facility to which any dog or animal is confined in compliance with the provisions of this article shall be subject to the approval of the director. The confinement area or facility may include a pound, a kennel, an animal hospital, or other place which provides:

- (1) Construction and management, which will keep the animal dry and clean and prevent its escape.
- (2) A method and procedure for the identification of the animal and the recording of the date of its admission to the area or facility.
- (3) Assurance that the animal will be safe and have adequate water and food.
- (4) Adequate space for the animal to exercise.
- (5) Protection against excessive heat and cold.
- (6) Space, cages, pens, and other necessary equipment to isolate the animal for its protection against injury and infectious disease.

(Ord. of 6-7-1999, § 3, art. 10)

Sec. 10-131. Reporting.

(a) The owner or custodian of any animal having signs suggestive of rabies shall confine the animal and immediately notify the director, reporting any information regarding any persons bitten or attacked by such animal.

(b) The director shall report all known cases of rabies in the county to the department.

(c) The director shall report accumulated data relating to rabies in the county to the department when in his opinion rabies is prevalent or likely to become prevalent to the extent that quarantine procedures are indicated.

(Ord. of 6-7-1999, § 3, art. 11)