

## **ORDINANCE AMENDING CHAPTER 10 – ANIMALS**

WHEREAS, the Mayor and Board of Alderman of the City of Natchez recognize a need to enact legislation to curb the prevalence of unrestrained and stray dogs and cats that have grown into unrestrained feral colonies; prevent the inhumane treatment of animals, and protect the citizens of Natchez and their property from unsanitary conditions, aggressive animals and disease, and protect their general health and welfare within the City of Natchez, which has recently resulted in damage to property and a threat of serious bodily injury to citizens, and is degrading the quality of life and disturbing residents and businesses; and

WHEREAS, the Mayor and Board of Aldermen have duly considered the matter and, recognize the City's continuing interest in promoting the health, safety and welfare of the citizens of Natchez; and

WHEREAS, the Mayor and Board of Aldermen, find that changes in the current animal control ordinance should be enacted, and failure to do so will negatively affect the City's legitimate interest in fostering a safe environment for all citizens; and

WHEREAS, the Mayor and Board of Aldermen find that amending and replacing Chapter 10 - ANIMALS, Article I. through Article V. prohibited conduct will protect the health, safety and welfare of all citizens of Natchez, and is in the best interest and welfare of the citizens of Natchez, Mississippi:

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND ALDERMEN OF THE CITY OF NATCHEZ, in council convened, that Articles I. through Article V. of Chapter 10 ANIMALS, is hereby amended, deleted and replaced with the following:

### **CHAPTER 10 - ANIMALS**

#### **ARTICLE I. GENERAL**

##### **I. OFFICE OF ANIMAL CONTROL**

- A. The office and position of animal control officer falls within the jurisdiction of the police department of the city. The animal control officer shall investigate violations of this ordinance based on personal observations and complaints filed by observations by others to determine the factual validity of such complaints.
- B. Such office shall be filled by appointment by the mayor and board of aldermen, and each of the persons filling such offices shall serve at the will and pleasure of the mayor and board of aldermen.
- C. The animal control officer shall enforce this ordinance, as amended from time to time, reference to which is made for all purposes. The animal control officer shall have the power to enforce all City ordinances and State laws regulating animals and shall have the power to issue notices and legal citations returnable to the municipal court of the city and to pursue and file criminal affidavits for the violation of such ordinances or laws. The form of notices and citations shall be approved by the judge of the municipal court. The animal control officer shall not affect a physical arrest of a violator for whom an arrest warrant has been issued. Only a sworn police officer can affect an arrest bases on a warrant or personal observation.

##### **II. DEFINITION AND TERMS**

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.

- A. "Cat" means a domesticated feline species of animal.

- B. "Dog" means a domesticated canine species of animal.
- C. "Notice" means oral notification by telephone or written notice left at the usual place of abode by the animal control officer or by the city police department setting forth that the owner's dog or cat has been taken up and setting forth therein a brief description of the dog or cat and the name of the owner, if known.
- D. "Owner" means not only the actual owner of a dog, but the person having the control and custody of the dog. If the dog is owned by a minor, the word "owner" shall mean either the parents or guardian or person having the custody and control of such minor.
- E. "Inhumane Treatment" shall mean any treatment which deprives an animal of food, water, essential grooming, exercise, a clean environment, veterinary care and protection from weather, and any treatment to include but not limited to, loading, overworking, tormenting, beating, mutilating, poisoning, or abnormal treatments as may be determined by an authorized Health Officer or an authorized Animal Control Officer, Law Enforcement Officer, or a qualified Representative of a State Registered non-profit humane society. Such violations shall be charged under Mississippi State Title 97. Crimes. Chapter 41. Cruelty to Animals. Title 97. Crimes. Chapter 29. Crimes Against Public Morals and Decency. In General. No person within the city except a licensed veterinarian shall crop a dog's ears or perform any other surgical procedure upon a dog.
- F. "Shelter" is defined as a recognizable dog house for canines that protects from heat, cold, strong winds, rain, and is not subject to standing water, or muck.
- G. "Livestock" means horses, cattle, swine, sheep, poultry and other domestic or exotic animals, birds or fish produced for profit.

### III. OWNER RESPONSIBILITY

- A. The owners of all animals within the city are required to keep the animals within suitable enclosures and are further required to keep the enclosures sanitary and clean to prevent illness or injury, disagreeable odors arising therefrom, or the presence or breeding of flies, mosquitoes and other pests. Tethering of dogs is not allowed.
- B. It shall be unlawful for the owner of any animals to permit the animals to create a disturbance in the neighborhood or to destroy property in the neighborhood, or to chronically disturb the peace of others in any manner, particularly by reasons of noises, odors, filthy conditions, destruction of property, tearing of garbage bags, scattering of refuse or the breeding of flies, mosquitoes and other pests. Courtesy tickets, warnings or other notice followed by subsequent written citations by the animal control officer shall create a rebuttable presumption as to the violation of this subsection.
- C. The owners of all animals within the city are required to remove any feces deposited by such owner's animal on public or private property. Feces deposited by an animal upon public property or upon the private property of any person other than such animal's owner shall be collected and removed at once by such animal's owner. Animal feces deposited upon any other property shall be collected and removed daily. Collection and removal of animal feces shall be in a container of such a type that, when closed, is rat proof and fly tight. Such container shall be kept closed after each collection. At least once a week, each such animal owner shall cause all feces collected to be disposed of in such a way as not to permit fly breeding.

- D. Mississippi law dictates all cats or dogs must be **vaccinated for rabies** when the animal is 3 months old and thereafter as required by the state board of health. If the owner fails to do so, he/she can be charged with a misdemeanor punishable by a fine. It is the duty of the owner to secure the rabies tag to the pet's collar and each pet owned by or in the possession of any person within the state of Mississippi shall wear at all times a collar or other device which shall have securely bradded on to it the metal tag provided for above. Any such tag shall not be transferable to any dog/cat other than the dog/cat for which it was issued.

## ARTICLE II: REGULATIONS

### I. FIGHTING ANIMALS

A. It shall be unlawful to train for fighting, keep, harbor, breed, transport through the City limits, own or in any way possess an animal for the purpose of fighting exhibitions, displays, training or acts. Scars and wounds on the animal are rebuttable evidence that the animal is a fighting animal or is trained for fighting. For the purpose of this Section, fight training shall include, but not be limited to:

1. The use or possession of treadmills, unless under the direction of a veterinarian;
2. Actions designed to torment, badger or bait any animal for the purpose of encouraging the animal to fight;
3. The use of weights on the animal unless under the direction of a veterinarian;
4. Any activity designed for the purpose of training or encouraging the animal for aggression or vicious activity;
5. Use of heavy chains, weights or staking in such a way as to build neck strength or jaw strength.

### II. ROADSIDE AND OTHER ANIMAL SALES

It shall be unlawful for any person to engage in selling animals, including dogs, puppies, cats, kittens, snakes and birds by the roadside or in parking lots even with the express permission of the owners of said parking lots.

### III. ABANDONMENT

It shall be unlawful to abandon animals.

### IV. EXPOSING TO POISONS

It shall be unlawful to willfully or through negligence poison any animal.

### V. MOTOR VEHICLES

It shall be unlawful to leave an animal in an unattended vehicle when such action is reasonably potentially harmful to the animal.

### VI. DOGS AT LARGE

A. It shall be unlawful for the owner or other person having in his or her possession or under his or her control, within the limits of the City, to cause or permit any dog animal to be at large in the city. Dogs running at large at any place in the city where they are not on leash or under immediate control of some person may be taken by officers of the city and placed in the dog pound and may be pursued and captured on any public or private property within the city limits.

- B. If any dog bites or attempts to bite any person while such animal is at large, then such animal shall be conclusively presumed to be a dangerous animal and an animal of dangerous tendencies.
- C. If any dog attacks or attempts to attack any other domesticated animal while such dog is at large, or chases or otherwise attempts to catch a person, then such dog shall be conclusively presumed to be a vicious animal and to have vicious tendencies.
- D. If any dog at large overturns a securely covered garbage container or removes any garbage from any such securely covered container, then such animal shall be conclusively presumed to be a mischievous animal.

## VII. VICIOUS DOGS

- A. Whenever any vicious dog or one that has previously bitten any person is kept upon any premises, it shall be confined in a secure enclosure, consisting of a securely enclosed and locked pen or structure, suitable to prevent the entry or proximity of young children. All humane necessities as outlined elsewhere in this ordinance shall be provided. It shall be the duty of the keeper and of the owner of the dog to post a notice conspicuous to the public at each entrance to such premises reading in large letters, "BEWARE OF DOG."
- B. Liability insurance
  - 1. The caretaker of a vicious dog shall maintain, in full force and effect, a liability insurance policy of \$500,000 for personal injury or death of any person resulting from an attack of such dog. If the caretaker or keeper of the dangerous dog is a minor, the parent or guardian of such minor shall be liable for all injuries and property damage sustained by any person or domestic animal caused by an unprovoked attack by such animal.
  - 2. Destruction of dangerous, vicious dogs. Any dangerous or vicious dog found at large after the owner thereof has previous knowledge or notice that such animal is dangerous or vicious may be killed by any animal control officer of the city without such officer having to catch or impound such animal.

## VIII. KEEPING OF LIVESTOCK

- A. It shall be unlawful for any person to keep any livestock within the city, except that the Mississippi Department of Agriculture has ruled that pot-bellied pigs are pets and are subject to the same municipal regulations as dogs and cats.
- B. Fowl running at large. It shall be unlawful for any owner of chickens and other fowl to permit such chickens and other fowl to run at large upon the streets and other public places of the city.
- C. Exception: Livestock kept in the City prior to the adoption of this ordinance shall be allowed to remain until they expire or are otherwise disposed of, with the provisions that a permit is obtained for said livestock; the premises upon which they are kept are a minimum of 300 feet from any occupied neighboring residence; and the premises are subject to random inspection by the animal control officer to ensure that the conditions are dry, with adequate shelter, food and water and free of odor.

To obtain a Livestock Permit, a person must submit an application at the City Clerk's office (on a form provided by the City Clerk for that purpose) and pay an annual permit fee of \$150. The breeding permit application must include:

- 1. the name, address, and telephone number of the applicant;

2. the location where the dog or cat is harbored;
3. a description of the dog or cat, including but not limited to, a photograph of the animal;
4. proof that the animal is qualified for a breeding permit under Subsection A of this section; and
5. any other information determined necessary by the City for the enforcement and administration of this section.

A permit expires one year after the date of issuance and may be renewed by applying in accordance with this section. If the City Clerk does not receive an application for a permit renewal within forty-five (45) days after the expiration of the permit, a \$10 late fee will be added to the permit fee.

#### IX. REMOVAL OF DEAD ANIMALS

- E. It shall be unlawful to leave any carcass of any dead animal or fowl of any kind in any street, alley or sewer or ditch of the city or upon any public or private premises or land within the city. In no event shall a dead animal be allowed to remain undisposed of for a period of time longer than 12 hours.
- F. Dead animals weighing less than 100 pounds shall be removed and disposed of at a permitted landfill.
- G. It shall be the job of the City animal control officer or the street department to remove such carcasses.
- H. The city shall not remove dead animals of any size from places of business which treat, handle, butcher or dispose of animals.

#### X. REPORT OF RABID ANIMALS

It shall be the duty of the owner or persons who harbor any animal and all practicing veterinarians to report to the county health officer all cases of rabies with which he or she comes in contact or to which his or her attention has been directed. This report shall be made immediately upon diagnosis or suspicion of such cases of rabies.

#### XI. TETHERING REGULATIONS (SEE SECTION III A

- A. Tethering of dogs is not allowed except for the following reasons:
  - B. The dog is tethered because it is:
    1. Tethered while receiving medical care or treatment by a licensed veterinarian or is being groomed except that the collar or tether must be humanely applied.
    2. Is actively participating in an exhibition, show, contest, or other legal event in which skill, breeding, or stamina of the dog is judged or examined except that the collar or tether must be humanely applied.
    3. Being actively trained by a federal, state, or local law enforcement agency, military, or National Guard unit except that the collar or tether be humanely applied.
    4. Under the direct control of its owner or handler, and the leash or tether is affixed in a humane manner.
- C. Each incident involving a violation of this section shall be a separate offense. A person who violates this section is subject to the following penalties:

1. A first offense shall result in a correction warning being issued requiring the offense to be corrected by the person who owns, keeps, or controls the dog within 48 hours, unless the offense poses an immediate risk to the health or safety of the dog or the dog has been injured as a result of the offense.
2. A second offense or failure to comply with the first offense warning will result in the removal and impoundment of the dogs by the responding animal control officer, law enforcement officer, or agent of the city or the county and a violation of this ordinance shall constitute a misdemeanor and shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than Five Hundred Dollars (\$500) or thirty (30) days in jail, or both; however, if it is determined that the violation was intended as punishment or intended cruelty to the dog for which the violation shall be prosecuted under the applicable state anti-cruelty to animals statute.

## **XII. TRAP, NEUTER AND RELEASE**

A. Trap, Neuter, Release (TNR) means the process of humanely trapping, sterilizing, vaccinating for rabies, and ear tipping community feral cats and returning them to their original location.

### **B. Community Cat Program**

Trap, neuter and release is the preferred method for controlling the community feral cat population through the Community Feral Cat Program. The Natchez TNR program shall prioritize community feral cats for TNR as the preferred outcome for community feral cats. As funding permits, it is the goal of the City that all community cats be sterilized, ear tipped, vaccinated and returned in accordance with the TNR process.

In certain circumstances, community cats may be humanely trapped and relocated to a pre-approved farm or barn where adequate food, water and shelter are provided.

Very young kittens are permitted to be put into foster care and socialized.

Trapping of community feral cats is permitted only for the purpose of TNR unless the cat is injured, medical care is required, or the cat is targeted for the Barn Cat program..

## **ARTICLE III. DOGS AND CATS**

### **I. COMPLIANCE WITH CHAPTER PREREQUISITE TO KEEPING**

No dogs or cats shall be permitted to be and remain within the corporate limits of the city unless owner thereof shall have complied with all of the provisions of this chapter.

### **II. PRIMA FACIE EVIDENCE OF OWNERSHIP**

The custody, care and control of a dog or cat within the corporate limits of the city by a person shall be prima facie evidence that such person is the owner of such dog, or cat. The general reputation in the neighborhood that a certain person is the owner of a dog or cat shall be prima facie evidence that such person is the owner of the dog or cat.

### **III. SPAY/NEUTER**

All dogs and cats owned in the City of Natchez must either be spayed or neutered. There are a few exemptions to this ordinance:

A. Dogs and cats under six (6) months of age;

B. Dogs and cats unable to be spayed/neutered for health reasons (as verified by a licensed veterinarian);

- C. Show/Competition cats or dogs with owners holding a valid Breeding/Unaltered Animal permit (See Section VI below);
- D. Owners holding a valid Breeding/Unaltered Animal Permit (see Section VI below);
- E. Dogs and cats for adoption at Natchez Adams County Humane Society. These animals are required to be spayed and neutered by the adopter.
- F. See Section XII

IV. ALTERING OR REMOVAL OF TAGS

It shall be unlawful for any person other than the owner to alter or remove any tags placed upon any dog as provided for by this chapter or by law.

V: DOGS RUNNING AT LARGE; IMPOUNDMENT; FEE FOR REDEMPTION;  
DISPOSAL OF UNCLAIMED ANIMALS.

A. Dogs Running at Large

It shall be unlawful for the owner of any dog to permit the dog to run at large in the city. It shall be the duty of the animal control officer to pick up any dog found running at large in the city, and to impound the same in an enclosure kept for that purpose to be provided and maintained by the city, or may include a facility maintained by The Natchez-Adams County Humane Society, a private non-profit, and similar remote rescue operations on a case by case basis. Such dog shall be kept by the impounder for at least five days unless claimed sooner by the owner.

B. Disposition of Unredeemed Common Pets

Any common pet impounded under the provisions of this division which is not redeemed by the owner thereof within the time provided will become the property of the impounder and may be rehomed or humanely destroyed after at least five (5) business days.

C. Fee for Redemption

Every owner of any animal, including dogs, impounded, whether by the city or voluntarily by the owner, shall be liable for all costs and fees incurred by such impoundment. Within five days the rightful owner of any dog held by the impounder may, provided the dog has been vaccinated and tagged as required in this chapter or by law, obtain the dog upon payment of a pound fee in the amount of \$25.00, and, in addition thereto, the payment of the sum of \$5.00 per day, or a fraction thereof, for the time the dog remained impounded.

D. Inoculation of Redeemed Dogs and Cats

Every dog or cat redeemed under the provisions of this division which has not been inoculated shall be immediately inoculated. If the dog does not bear evidence of having been vaccinated, the owner shall be required to have said dog vaccinated MCA 1972, § 41-53-11 pursuant to within 48 hours of the following business day or relinquish the dog to animal control and to pay a fine of \$50.00.

VI. BREEDING/UNALTERED ANIMAL PERMIT

It shall be required of any person, owners of dogs/cats or otherwise, keeping and maintaining the same for breeding or show/competition purposes within the City Of Natchez to secure a Breeding/Unaltered Animal Permit from the City Clerk's office and to keep the permit posted for inspection by the animal control officer or Health Department for compliance with the provisions set out thereon. The Breeding/Unaltered Animal Permit shall be \$150, annually. **A separate permit is required for each unaltered dog/cat.**

A. A Breeding/Unaltered Animal Permit may only be issued for a dog or cat:

1. that is current on their vaccination requirements;

2. that, not more than 90 days before the date of the breeding permit application, has been approved to breed by a licensed veterinarian; and
  3. that is used to show, to compete or to breed, which is of a breed recognized by and registered with the American Kennel Club (AKC), United Kennel Club (UKC), American Dog Breeders Association (ADBA), Cat Fanciers' Association (CFA), or other bona fide registry and meets one (1) of the following requirements:
    - a) The dog or cat has competed in at least one show or sporting competition sanctioned by a bona fide national registry within the last 365 days;
    - b) The dog earned conformation, obedience, agility, carting, herding, hunting, protection, rally, sporting, working or other title from a purebred dog registry, referenced above, or other registry or dog sport association; or
    - c) The owner of the dog or cat is a member of, and the dog or cat is registered with a bona fide purebred dog breed club or cat fancier's association, which maintains and enforces a code of ethics for dog or cat breeding that includes restrictions from breeding dogs or cats with genetic defects and life threatening health problems that commonly threaten the breed, or the owner signs a statement under oath attesting that the dog or cat is being trained to comply with subsections a) or b), above
- B. To obtain a Breeding/Unaltered Animal Permit, a person must submit an application at the City Clerk's office (on a form provided by the City Clerk for that purpose) and pay an annual breeding permit fee of \$150. The breeding permit application must include:
6. the name, address, and telephone number of the applicant;
  7. the location where the dog or cat is harbored;
  8. a description of the dog or cat, including but not limited to, a photograph of the animal;
  9. proof that the animal is qualified for a breeding permit under Subsection A of this section; and
  10. any other information determined necessary by the City for the enforcement and administration of this section.
- I. A breeding permit expires one year after the date of issuance and may be renewed by applying in accordance with Subsection B. of this section. If the City Clerk does not receive an application for a permit renewal within forty-five (45) days after the expiration of the permit, a \$10 late fee will be added to the permit fee.
- J. A breeding permit is not transferable.
- K. A permittee commits an offense:
1. if he allows a permitted female dog or cat to have more than two (2) litters during the permit term.
  2. allows the offspring of a female dog or cat for which he holds a breeding permit to be sold, adopted, or otherwise transferred, regardless of compensation, before the offspring have reached at least eight (8) weeks of age and have been vaccinated against common diseases;
  3. has more than the allowed number of dogs/cats in Kennel License section XII below.
- L. All changes of address and change of ownership must be reported to the City Clerk's office within thirty (30) calendar days following such change.

## XII. KENNEL LICENSE

A kennel license will be required if the number of dogs/cats kept upon one residential premise within the City, above the age of six (6) weeks, is in excess of the below:

Acreage	Allowed Number of	
	Dogs	Cats
≤ 1	3	5
> 1	4	6

This license will be obtained from the City Clerk's office for a fee of \$100, annually and will permit the premises to be inspected by the animal control officer or Health Department on a random basis and without prior notification for compliance with provisions set out thereon.

#### VII: PENALTY FOR VIOLATION OF ARTICLE III

Any person violating any provision of Article III shall be deemed guilty of a misdemeanor and shall be punished by a fine or not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or imprisonment in the city jail not to exceed thirty (30) days or both fine and imprisonment. IF any violation be continuing, each day's violation shall be deemed a separate violation.

#### ARTICLE IV. BIRD SANCTUARY

##### I. DESIGNATION

The entire area embraced within the corporate limits of the city is hereby designated as a bird sanctuary.

##### II. PROHIBITED ACTS

It shall be unlawful for any person to trap, hunt, shoot or attempt to shoot, or to molest in any manner any bird or to rob any bird's nest within the city.

##### III. NUISANCE BIRDS

If any English sparrows, jay birds, crows or crow blackbirds are found to be congregating in numbers in a particular locality within the city, the mayor and board of aldermen, after an investigation thereof and a hearing thereon, may determine such congregation to be a menace to health or property and a nuisance.

If the mayor and board of aldermen shall ascertain and determine that the congregation of any English sparrows, jay birds, crows or crow blackbirds in a particular locality within the city shall constitute a menace to health or property and a nuisance, they shall proceed to abate the nuisance. If no satisfactory method of abatement can be found, such birds may be destroyed.

#### ARTICLE V: CARRIAGE HORSES

##### I. REGISTRATION

Carriage horses must receive regular veterinary care. Carriage horses must be registered with the City of Natchez and records kept daily of the number of hours each animal works.

##### II. FACILITIES AND CARE

All facilities used to house or hold Carriage Horses are subject to inspection at any time by the Animal Control Officer. All Carriage Horses must have appropriate and adequate food and water at all times. Stalls must be roomy and dry, with a fresh mat of hay at least once a week.

##### III. ENCUMBRANCES

Encumbrances must be less than three (3) times the horse's body weight. Consideration must be given to extremes of weather particularly heat and humidity and its impact on the horse. Shade shall be provided for the horses through the summer heat while they are idle. The Animal Control Officer may make a determination to issue a citation if he/she believes the horse is not being treated humanely.

#### **ARTICLE VI: KEEPING BEES**

It shall be unlawful for any person to establish or maintain any hive, stand or box where bees are kept, or keep any bees in or upon any premises within the corporate limits of the City unless the bees are kept in accordance with the following provisions:

- A. If bee colonies are kept within fifty (50) feet of any exterior boundary of the property on which the hive, stand or box is located, a barrier that will prevent bees from flying through it, no less than five (5) feet high, shall be installed and maintained along the exterior boundary.
- B. Fresh, clean watering facilities for bees shall be provided on the premises.
- C. The bees and equipment shall be kept in accordance with the provisions of State statutes.

#### **ARTICLE VII: LIVESTOCK, EXOTIC OR WILDLIFE ANIMALS**

The provisions of this article shall not apply to dogs, cats, pot-bellied pigs or other common household pets.

##### **I. GENERAL**

If any exotic wild animal is found within the city limits the game warden will be summoned for the animal(s) removal.

##### **II. IMPOUNDMENT AND FEES**

Any livestock found within the city in violation of the provisions of this ordinance shall be impounded by the animal control officer. The owner thereof must make provision for the sale of said animal or relocation outside of the city limits and pay the sum of \$25.00, plus \$10.00 per day for each day that such animal has remained impounded, plus the cost of capture and transportation. Within three (3) working days after any animal is impounded under the provisions of this article, if the animal remains unredeemed and the charges for holding, as well as any charges for capturing and transportation are not paid, the animal control officer shall, after advertising the unredeemed animal three (3) times in a newspaper having general circulation in the city, or by public notices posted in three (3) or more public places, proceed to sell at public sale to the highest bidder, for cash, any such animal.

##### **III. DISPOSITION OF PROCEEDS FROM SALE OF UNREDEEMED ANIMALS**

The animal control officer shall pay over to the City Clerk all monies received under the provisions of this article.

##### **IV. RECOVERY OF PROCEEDS OF SALE OF UNREDEEMED ANIMALS**

Owner may recover proceeds of sale less expenses. Any person whose animal may have been sold under the provisions of this article shall, by making proper proof of ownership, be repaid the proceeds arising from the sale thereof, after deducting the expenses of advertising, feeding, selling and impounding, by petition to the animal control officer.

##### **V. RECORDS AND INFORMATION FOR IMPOUNDED ANIMALS**

The animal control officer shall keep a book in which the date on which any animal impounded under the provisions of this article shall be entered, registering the animal, with a description specifying its kind, color, stature, marks or brands, by which it may be identified, and if it is a horse or mule, its estimated age.

## **ARTICLE VIII. ADDITIONAL REGULATIONS**

### **I. IMPOUNDMENT OF ANIMAL, WHICH ATTACKS PERSON**

- A. In case of an attack by an animal resulting in injury to any person, such animal shall be impounded by the impounder for observation for a period of 14 days, or the owner thereof may, upon notification to the impounder, have such animal impounded for 14 days with a private veterinarian licensed to practice veterinary medicine within the state. If at the end of such period of time, or any time prior thereto, it is determined that such animal has rabies, such animal shall be immediately destroyed.
  
- B. Any animal desired for observation by the animal control officer shall be delivered to such officer upon demand and shall not be withheld, hidden or harbored. Upon refusal of any person to so deliver such animal, the animal control officer or any officer of the police department shall cause a warrant to be issued for the arrest of such person, which warrant shall also provide for the surrender of the animal and shall be lawful authority for the apprehending and forcible taking of such animal.

### **II. INTERFERENCE WITH ANIMAL CONTROL OFFICER.**

It shall be unlawful for any person to interfere with the animal control officer while in the performance of his or her duties.

### **III. BREAKING INTO ANIMAL SHELTER**

It shall be unlawful for any person to break into the duly designated animal shelter or secure any animal or dog while impounded or while being conveyed to or from the shelter.

## **ARTICLE IX. PENALTY FOR VIOLATION**

Any person violating any provision of this Ordinance for which there is not specific penalty stated shall be deemed guilty of a misdemeanor and shall be punished by a fine or not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or imprisonment in the city jail not to exceed thirty (30) days or both fine and imprisonment. IF any violation be continuing, each day's violation shall be deemed a separate violation.

### **Severability**

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

### **Applicability**

This Ordinance shall be in full force and effect by vote of the Mayor and the Board of Aldermen.

### **Safety Clause**

The City of Natchez hereby finds, determines and declares that this ordinance is necessary for the immediate preservation of animal welfare, public health, safety of the City of Natchez and the inhabitants thereof.

The City of Natchez will enforce all applicable animal control or cruelty laws of the State of Mississippi and make them a part hereof.

Following the reading of the foregoing Ordinance, Alderwoman Hall moved the adoption of the foregoing Ordinance. Alderman Dillard seconded the Motion for its adoption. The matter was then put to a roll call vote and the results were as follows:

**Alderwoman Hall: Aye**  
**Alderman Frazier: Aye**  
**Alderwoman Smith: Aye**  
**Alderwoman Irving: Aye**  
**Alderman Davis: Aye**  
**Alderman Dillard: Aye**

Whereupon the Mayor declared the vote carried and the Resolution approved and adopted, on the 22<sup>nd</sup> day of February, 2022.

This the 22<sup>nd</sup> day of February, 2022.

CITY OF NATCHEZ, MISSISSIPPI

BY: \_\_\_\_\_  
DAN M. GIBSON, Mayor

ATTEST:

\_\_\_\_\_  
CITY CLERK