

**CHAPTER 6
ANIMALS AND FOWL**

Art. I. In General §§ 6-1 -- 6-13

Art. II. Dogs §§ 6-14 -- 6-25

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ARTICLE I. In General

Sec. 6-1. Livestock at Large Prohibited.

Hereafter it shall be unlawful for any horse, mare, mule, colt, jack, jennet or swine of any kind, sheep, goats or cattle of any kind whatever to run at large within the limits of this City at any time, day or night, and it is hereby declared to be unlawful for the owner or person in charge of any of the animals above mentioned to suffer or permit any such animals to run at large within the limits of this City contrary to the provisions of this Article. *(Code 1938, § 155)*

Sec. 6-2. Keeping Hogs Prohibited.

The keeping of any hog or hogs within the limits of the City is hereby declared a nuisance and is hereby made unlawful. *(Code 1938, § 156)*

Sec. 6-3. Same -- Penalty.

Any person violating the provisions of Section 6-2 shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), and each day that the provisions of this Article are violated shall constitute a separate offense. *(Code 1938, § 157; Ord. No. 96-16, § 13, 6-10-96)*

Sec. 6-4. Keeping of Cows Prohibited; Penalty.

- a. The keeping or maintaining of any cow or cattle of any kind within the City limits of Searcy, Arkansas, is hereby declared a nuisance and is hereby made unlawful.
- b. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), and each day that the provisions of this section are violated, shall constitute a separate offense. *(Ord. No. 537, §§ 1,2, 5-4-71)*

Sec. 6-5. Keeping Fowl Prohibited; Penalty.

- a. Except as hereinafter provided, the keeping or maintaining of any fowl in excess of six (6) in number on any property by any person within the limits of the City of Searcy, Arkansas, is hereby declared a nuisance and is hereby made unlawful.
- b. For purposes of this Article the term "fowl" shall mean and include all chickens, ducks, geese, guineas, turkeys, pigeons, or any other type of manner of bird or fowl.
- c. Any person or persons violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed \$100.00, and each day that such offense continues shall constitute a separate offense.
- d. Notwithstanding anything to the contrary herein contained, the provisions of this section shall be inapplicable with respect to the keeping or maintaining of any such fowl, without regard to number, upon lands which are zoned within the urban transitional district under the provisions of the Searcy Zoning Code as adopted by Ordinance No. 683 of the City of Searcy, Arkansas. (*Ord. No. 88-19, 10-1-88; Ord. No. 88-16, § 1, 8-9-88*)

Sec. 6-6. Keeping of Wild Animals Prohibited; Penalties for Violation.

The keeping or maintaining upon any property within the City of Searcy of any wild animal is hereby strictly prohibited. For purposes hereof, the term, "wild animal" shall mean and include an animal incapable of being completely domesticated and requiring the exercise of art, force or skill to keep it in subjugation and shall specifically include, without limitation, lions, tigers, cougars, panthers, bears, wolves, boa constrictors, and coyotes. The keeping or maintaining of a wild animal in violation of this Section is hereby declared to be a misdemeanor and the owner of any property upon which any such wild animal is found shall, upon conviction, be assessed a fine of not less than \$25.00 nor more than \$100.00. Each day that any such wild animal remains upon property within the limits of the City of Searcy shall constitute a separate offense. (*Ord. No. 96-22, §1, 9-10-96*)

Sec. 6-7 Keeping Goats Prohibited; Penalty.

- 6-7-1. The keeping or maintaining of any goat upon any property within the City of Searcy, Arkansas, is hereby declared a nuisance and is hereby made unlawful.
- 6-7-2. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than twenty-five dollars (\$25.00) nor more than one hundred

dollars (\$100.00) and each day that the provision of this Section are violated shall constitute a separate offense. (Ord. No. 2013-18)

Sec. 6-8 — 6-13 Reserved.

ARTICLE II. Dogs

Sec. 6-14. Definitions.

For the purpose of this Article, the following words and phrases shall have the following meanings:

(a) *Abandon* – To give up, to leave completely, to give up the control of or refuse to provide care for any animal within the corporate city limits of Searcy, including not reclaiming from the Animal Shelter any animal which is impounded by the Animal Control Authority for a period of more than 120 hours.

(b) *Animal* – Any description of vertebrate, excluding Homo sapiens.

(c) *Animal Control Authority* – Officers of the Searcy Animal Control Department, as well as members of the Searcy Police Department.

(d) *At Large* – Any animal is at large when not confined to the premises of the owner, restrained on the premises of the owner by a leash or chain sufficient in strength to prevent the animal from escaping the premises, or not under the control of a responsible adult person if not on the owner's premises.

(e) *Breeder* – Any person who breeds animals for sale, consideration profit, fee, compensation, trade, barter or exchange.

(f) *Collar* – a protective or supportive device of reasonably sturdy material securely fastened around the neck of a dog to facilitate secure display of approved rabies tag and registration tag inscribed with the animal owner's name, address and phone number.

(g) *Control* – Any animal shall be considered under control if it is confined to the premises of its owner or is secured by a leash or chain of sufficient strength to prevent the animal from escaping the premises, or is under the physical restrained custody of a responsible adult when off the said premises.

(h) *Dangerous Animal* – Any animal which according to the records of the appropriate authority has inflicted injury on a human or killed or injured any other domestic animal without provocation whether on public or private property.

(i) *Dogs* – Animals of all ages and gender, which are members of the canine or dog family.

(j) *Harbor* – To keep and/or care for an animal on any premises for a period of three (3) days or more.

(k) *Humane Manner* – Care of an animal to include, but not be limited to, adequate heat, ventilation and sanitary shelter, and wholesome food and water, consistent with the normal requirements and feeding habits of the animals size, species and breed.

(l) *Kennel* – Any premises wherein any person engages in, for a fee or any other form of remuneration or gratuity, the practice of boarding, breeding, buying, letting for hire, raising, training, or selling of dogs, cats, rabbits, ferrets, chinchillas, guinea pigs, birds, rodents, reptiles, fowl, fish, or any other small animals, whether operated separately or in conjunction with another business or enterprise.

(m) *Muzzle* – A restraint device of appropriate material with sufficient strength to restrain a dog from biting, made of material and maintained in a manner so as not to cut or injure the animal.

(n) *Nuisance* – An animal shall be considered a nuisance if it:

(i) enters, damages, soils, defiles, or defecates on private property other than the premises of the owner or public walks or recreational areas.

(ii) causes unsanitary, dangerous, or offensive conditions.

(iii) causes a disturbance by barking or other noise making for excessive and/or repeated periods of time exceeding 15 minutes in duration (during either the day and/or the night) so as to cause a disturbance to those around the animal.

(iv) molests, attacks, or interferes with persons in public right-of-ways or on other private property other than their owner's

(v) attacks domestic animals or attacks any member of the public.

(vi) chases vehicles, motorcycles, bicycles or other means of conveyance operating on public or private property.

(o) *Owner* – Any person having a right of property or custody of an animal or who keeps or harbors an animal or knowingly permits an animal to remain on or about any premises for a period of three (3) days or longer.

(p) *Person* – Any individual, corporation, partnership, association, organization or institution commonly recognized by law as a unit.

(q) *Potentially Dangerous Dog* -Any animal which, when unprovoked:

(i) bites a human, domestic animal, or livestock either on public or private property.

(ii) chases or approaches a person upon any public or private property in a menacing fashion or apparent attitude of attack, or any dog that has a documented history to attack unprovoked, cause injury, or to otherwise threaten the safety of humans or domestic animals.

(iii) has been previously found to be vicious or potentially dangerous whether in or out of the corporate limits of the City Of Searcy.

(r) *Secure Enclosure* – Any lockable structure, building, or compound which confines a dog from which the dog cannot escape and otherwise meets the requirements of this Chapter. If fenced, the location must be constructed of such material and in such a manner that the dog cannot climb out or over the top, dig or slide under the gate or sides or, chew, bite or break through the sides of the enclosure.

(s) *Sterilized* – Incapable of sexual reproduction.

(t) *Stray* – Any dog which does not have affixed to it a collar with an identification tag with the owner’s name, address, phone number, and a current City of Searcy license tag, and/or identifying traceable tattoo.

(u) *Tether* – A rope, chain or cable of appropriate strength that is firmly anchored to the bed of an open pickup truck or similar vehicle in at least two places. Tether is to be used to restrain the dog and fastened to the dog by means of a harness and to be the appropriate length as to afford the dog freedom to move about the vehicle, but to restrict the dog to a set radius to prevent it from reaching either side or the rear of the vehicle so that the dog can not be thrown from, fall from, jump from or bite any person near the vehicle.

(v) *Vaccination* – An injection of any vaccine for rabies or other diseases approved by the State veterinarian and administered by a licensed veterinarian, veterinary clinic or hospital.

(w) *Vicious Dog* – Any dog:

(i) that exhibits overly aggressive, fierce or vicious behavior.

(ii) that has attacked another person or another domestic animal with such severity so as to cause harm, physical injury, or property damage to any degree or otherwise jeopardizes the well being of persons or other domestic animals.

(iii) with a known propensity, tendency or disposition to attack without provocation.

(iv) owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.

(v) that is of the Rottweiler or Pit Bull breed of dogs.

Sec. 6-15 Licenses and Required Fees.

- (a) It shall be unlawful for any person to own, keep or harbor a dog over the age of four (4) months within the corporate limits of the City of Searcy without having first registered the dog with the City Clerk, or such Clerk's designated representative, paid an annual registration fee, and obtained an annual license.
- (b) The annual dog registration fee shall be \$5.00 and shall be due on or before July 1 of each year, or within 10 days after any dog becomes subject to registration. Upon payment of the applicable registration fee, the Clerk shall issue a numbered tag evidencing such registration.
- (c) Before the required annual license may be issued, the owner of the dog shall show proof of the dog having been vaccinated against rabies by a licensed veterinarian within six (6) months of the date of application for registration.
- (d) Registration fees shall be waived for dogs serving the blind, deaf, or government owned dogs used for law enforcement. All other registration, licensing, vaccination, and ownership provisions shall apply.
- (e) All dogs, must wear a secure collar or harness and have firmly affixed a rabies tag, a license tag and a tag stating the owner's name, address, and phone number.
- (f) Rabies and license tags are non-transferable.

Sec. 6-16 Vicious or Dangerous Animals Prohibited; Additional Requirements and Prohibitions

- (a) It shall hereafter be unlawful for any person, business, or entity, to maintain or possess within the corporate limits of the City, any vicious dog or dangerous animal unless said animal is maintained in a secure enclosure or, when outside the secure enclosure is securely restrained in such a manner that it cannot bite, harm or harass, any person or other animal either on public or private property and is in compliance with the requirements of this Section.
- (b) The following additional requirements shall apply to the maintenance or keeping of any vicious dog:
 - (i) The animal shall have its registration number tattooed inside the right ear;
 - (ii) The animal shall not be chained upon the premises of the Owner;
- (c) The breeding, sale or transfer of ownership of any vicious dog or its offspring to any other person, household, business or entity, residing in the corporate City limits is strictly prohibited.

(d) All vicious dogs kept or maintained in the City shall be sterilized within ninety (90) days after the effective date of this Section, or, in the case of vicious dogs coming into the City hereafter, within ten (10) days after the owner or keeper of such dog brings such dog into the City. Upon request of the Animal Control Authority, any owner shall furnish written proof of such sterilization from the veterinarian performing such sterilization.

(e) No person shall be permitted to keep or harbor more than two (2) vicious dogs within the limits of the city, nor shall more than two (2) vicious dogs be permitted to be kept or maintained upon any property, lot or tract of property under control of any person. Any owner who possesses more than two (2) such vicious dogs after the effective date hereof shall be subject to the provisions of Section 6-16(g).

(f) The owner or keeper of a vicious or dangerous dog shall display in a prominent place upon the premises of the owner a clearly visible warning sign indicating that there is a vicious or dangerous dog on the premises. A similar sign is required to be posted on all sides of the pen, enclosure or kennel in which the animal is enclosed.

(g) Any vicious dog kept or maintained in violation of this Article II shall be subject to immediate seizure and impoundment by the Animal Control Authority. In addition, failure to comply will result in the revocation for the license of such animal and the owner shall remove the dog from the City within five (5) days of impoundment, or the dog shall be euthanized.

Sec. 6-17. Determination of Vicious Animal or Dangerous Animal.

(a) The Animal Control Authority shall be responsible for determining whether a dog is vicious (other than dogs of the Rottweiler or Pit Bull breeds which are found and determined to be vicious by the City Council) and upon such a determination said office shall notify the owner of such determination in writing. Although an appeal will not stay such determination, any owner may appeal such determination pursuant to the provisions of Section 6-25 hereof.

(b) the provisions of sub-section (a) to the contrary notwithstanding, except with respect to dogs of the Rottweiler or Pit Bull breeds:

(i) No dog may be declared to be a vicious dog if any injury or damage is sustained by a person who, at the time of such injury or damage was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog, or was teasing, tormenting, abusing or assaulting the dog or was committing or attempting to commit a crime;

(ii) No dog may be declared vicious if any injury or damage was sustained by a domestic animal which at the time such injury or damage was sustained was teasing, tormenting, abusing or assaulting the dog.; and

(iii) No dog may be declared vicious if the dog was protecting or defending its own offspring or, a human being within the immediate vicinity of the dog from an unjustified attack or assault.

Sec. 6-18. Animal Fighting or Attack Training.

No person, shall possess, harbor, or maintain care or custody of any dog, for the purpose of animal fighting, nor shall any person train, torment, badger, bait or use any animal for the purpose of causing or encouraging the animal to attack human beings, domestic animals, or livestock, except accredited animal training programs for police use.

Sec. 6-19. Nuisance Animals.

The owner of any dog which is determined by the Mayor, Chief of Police, or Animal Control Authority to constitute a nuisance shall be subject to fine as provided in Section 6-24, and written notice of such determination shall be given to or posted upon the premises of any such owner of such determination. In the event that such dog is determined to be a nuisance upon a subsequent occasion within sixty (60) days of the first such determination, the Animal Control Authority is authorized to enter upon the premises of such owner and seize the dog, and to the extent such nuisance determination involves unsanitary or offensive conditions upon such owner's property, the Mayor is authorized to direct that City employees, or other persons acting under the direction of the Mayor, or his authorized representative, enter upon such owner's property for purposes of cleaning or otherwise remedying such unsanitary or offensive condition.

Sec. 6-20. Maximum Number of Dogs Allowed on Person's Premises.

(a) Maximum Limitation. It shall be unlawful for any person or persons to own, possess, harbor or feed more than four (4) dogs upon premises owned or occupied by such person or persons. It is the express intention of this provision that no person or persons comprising a single household, residing upon the same premises or property, shall maintain more than four (4) dogs upon such premises at any time.

(b) Exceptions. The provisions of this Section 6-20 shall not apply to any business or non-profit organization which operates animal hospitals, veterinary clinics, kennels, or animal breeders, provided that such business is being conducted pursuant to an occupation permit issued by the City of Searcy, and provided that such business is being conducted in full compliance with the Zoning Code of the City of Searcy, Arkansas.

Sec. 6-21. Confinement; Requirements for Enclosure; Prohibition of Dogs in Certain Locations.

(a) All dogs in the City of Searcy shall be securely and humanely confined, restrained or held by some person capable of controlling such dog, at all times in order to prevent the dog from running at large.

(b) Confinement spaces for all dogs shall be adequately lighted, kept clean of all waste matter, and shall be maintained in such fashion to eliminate any foul odors.

(c) All dangerous or vicious dogs must be kept in a secure dwelling occupied by the owner or kept in an enclosure which must have secure sides and a secure top attached to the sides. All enclosures in which a dangerous or vicious dog is kept or maintained must meet the following minimum requirements:

- (i) if the pen or structure has no bottom secured to the sides, the ground beneath the gate shall be secured by posts embedded at least one (1) foot below the ground, the tops of which are at a height above ground so as not to allow a two (2) inch spherical object to pass under the gate.
- (ii) the sides must be embedded into the ground no less than one (1) foot, unless such pen has a concrete bottom in which case the sides need only be embedded two (2) inches deep into the concrete. Sides must be chain-link or like material that an animal cannot chew or claw through to escape.
- (iii) any stationary enclosure or pen shall have a minimum floor area of at least two (2) square feet per pound/per animal so confined with a minimum of 150 square feet.
- (iv) outdoor pens must be located a minimum of thirty (30) feet from any neighboring dwelling other than the dwelling of the dog owner.
- (v) the structure must be locked with a key or combination lock when the dog is within the structure.

(d) No vicious or dangerous dog shall be released from its required enclosure unless it is securely restrained on a substantial leash or chain having a minimum tensile strength of at least three hundred (300) pounds, does not exceed three (3) feet in length, and is in the custody of a responsible person who is capable of controlling the animal.

(e) The Animal Control Authority shall have the right to enter upon the property of any owner for purposes of inspecting any secure enclosure utilized by such owner for purposes of confining any dog. If the Animal Control Authority finds any vicious dog upon the premises of any owner which is not confined in an enclosure consistent with the requirements of this Section 6-21, the Animal Control Authority shall have the authority to impound the vicious dog until such time as such owner corrects any deficiencies found with respect to such secure enclosure, provided that if such deficiencies are not corrected within ten (10) days of impounding, the Animal Control Officer shall notify such owner who shall have three (3) days after such notice to remove the dog from the City, or the dog will be euthanized.

(f) Except for organized dog shows or other similar events conducted with the consent of the Mayor or his representative, it shall hereafter be unlawful and punishable as set forth in this Article for any person to bring or allow any dog to enter upon the premises of the Searcy Sports

Complex or any City Park maintained by the City of Searcy (excepting the bicycle trails), provided that this provision shall be inapplicable to seeing eye dogs or other dogs which are specially trained to provide assistance to any person suffering from a handicap.

Sec. 6-22. Impounding; Notice to Owner; Fees and Charges; Disposition When Unclaimed.

Dogs found running at large within the corporate limits of the City or otherwise in violation of this Article II, shall be taken by the Animal Control Authority, Police Chief, or such other representative as may be designated by the City Council, and shall be impounded in the City animal shelter for a period of one hundred twenty (120) hours during which time the owner of said dog may, subject to the requirements of this Section, regain possession of said dog by paying to the City, at the shelter, an impound fee of ten dollars (\$10.00) for the first day and five dollars (\$5.00) for each day or part of a day that said dog is impounded. In addition, sufficient evidence must be presented that the dog has been duly licensed and vaccinated. In the event said dog has not been licensed and/or vaccinated the licensing and/or vaccination shall be done and the fees paid therefor by the Owner before the dog is released. For purposes of facilitating the vaccination of any such dog, the Animal Control Authority, or any representative designated by the City Council, is authorized to receive and collect the costs and fees to be paid for such vaccination and to coordinate with such owner the vaccination of such dog prior to or as a condition to its release. If the owner of said dog is known to the Animal Control Authority, notice shall be given to the owner by telephone, mail or direct contact of the impounding of the dog. If the owner of the dog fails or refuses to claim and repossess the dog as prescribed herein within the one hundred twenty (120) hour period, the Animal Control Authority may deliver custody and possession of such dog to any person other than the owner upon the payment of the fees prescribed herein. If no one claims such dog and pays the fees prescribed herein after the expiration of the one hundred twenty (120) hour period, the dog shall be euthanized or may be held for adoption in the discretion of the Animal Control Authority, or other representative designated by the City Council. Notwithstanding the foregoing, the Animal Control Authority is authorized to euthanize any animal impounded in the City animal shelter when determined to be necessary by such officer to prevent the spread of disease, injury to other animals impounded within the said shelter, or other condition, all without regard to the notice and holding provisions herein provided. Further notwithstanding any contrary provision hereof, the Animal Control Officer for the City is authorized to take possession of and impound any animal which bites, molests or injures any person, or is suspected of doing so. All vicious dogs found running at large shall be seized and impounded by the Animal Control Authority or Chief of Police and shall not be released to the owner thereof except for purposes of permanently removing such dog from the City. All vicious dogs so impounded shall be euthanized five (5) days after the date of written notice to the owner thereof, if known. (*Ord. No. 482, § 8, 1-4-66; Ord. No. 96-16, § 14, 6-10-96; Ord. No. 96-22, § 3, 9-10-96; Ord. No. 2001-03, § 1, 1-9-2001*)

Sec. 6-23. Dogs Exposed to Rabies.

Any dog having rabies or symptoms thereof or suspected of having rabies or which have been exposed to rabies shall immediately be released by the owner or custodian of such dog to the Animal Control Authority, or such other representative as may be designated by the City, for disposal or confinement in the dog pound or in a veterinary hospital approved by the City. Such dog may be kept under the supervision of the Animal Control Authority for a period of thirty (30) days or for a longer period of time if in the opinion of a qualified veterinarian, additional confinement is deemed necessary. (*Ord. No. 482, § 9, 1-4-66; Ord. No. 2001-03, §1, 1-9-2001*)

Sec. 6-24. Penalties for Violation.

(a) Violation of Licensing Requirement. Any person who keeps or harbors a dog within the City without obtaining the annual license required by application of Section 6-15 of the Code, shall be guilty of a misdemeanor, and, upon conviction for a first offense for such violation, shall be fined in an amount not less than \$100.00, nor more than \$200.00, and, upon conviction for a second offense within one(1) year of the date of conviction for the first offense, shall be fined in an amount not less than \$200.00, nor more than \$300.00.

(b) Violation of Requirements Respecting Keeping Vicious Dogs. Any person who keeps or harbors a vicious dog within the City otherwise than in strict compliance with the requirements of this Article II, shall be guilty of a misdemeanor, and, upon conviction therefor, shall be fined in an amount not less than \$250.00, nor more than \$500.00.

(c) Other Violations. Any person who violates any other provision of Article II, of Chapter 6 of the Code shall be guilty of a misdemeanor, and, upon conviction therefor, shall be fined in an amount not less than \$50.00, nor more than \$250.00.

Sec. 6-25. Appeals.

(a) Right of Appeal. Any person aggrieved by a decision of the Animal Control Authority pursuant to Sections 6-17 or 6-19 hereof, may appeal such decision to the Animal Control Appeal Committee pursuant to the provisions of this Section 6-25.

(b) Time for Appeal. Written notice of appeal of any decision of the Animal Control Authority with respect to which appeal is authorized by this Section must be delivered to the Mayor for receipt within fifteen (15) days of the date of the notice of determination by the Animal Control Authority which is the subject matter of the appeal.

(c) Animal Control Appeal Committee. The Animal Control Appeal Committee shall consist of the Mayor and any four alderman of the City. The Mayor shall convene the Animal Control Appeal Committee and schedule a hearing upon the appeal within twenty (20) days of the date of receipt of the notice of appeal as herein provided, and shall give written notice to the person lodging the appeal and the Animal Control Authority of the date, time and place of such hearing. The Mayor shall preside at all hearings conducted by the Animal Control Appeal Committee and

shall have a vote upon the decisions of the Committee if such vote is necessary to break a tie. The decision of a majority of the members of the Committee shall determine the appeal. The Committee shall have the right to make such rules of procedure for the conduct of a hearing as it shall determine. The decision of the Animal Control Appeal Committee upon any issue brought before the Committee upon appeal shall be final. *(Ord. No. 482, § 12, 1-4-66; Ord. No. 96-22, § 4, 9-10-96; Ord. No. 2001-03, §1, 1-9-2001)*

ARTICLE III. Cats

Sec. 6-26. Definitions.

For the purpose of this Article, the following words and phrases shall have the following meaning:

- a. **CATS** - Animals of all ages, both male and female, which are members of the cat or feline family.
- b. **OWNER** - Every person, firm, partnership or corporation, owning, keeping or harboring a cat within the corporate limits of the City of Searcy.
- c. **VACCINATION** - An injection of any vaccine for rabies approved by the State Veterinarian and administered by a licensed veterinarian or his agent.
(Ord. No. 624, § 1, 9-11-79)

Sec. 6-27. Requirements for Vaccination.

It shall hereafter be unlawful for any owner of a cat six months of age or over, to keep or harbor a cat within the corporate limits of the City of Searcy without first having said cat vaccinated against rabies as set forth in Section 6-30(c) hereof. All such cats shall be required to have firmly attached to their collar, a tag signifying satisfaction of the vaccination requirement, and failure to keep such tag on the cat's collar shall be unlawful. *(Ord. No. 624, § 2, 9-11-79)*

Sec. 6-28. Duties of Dogcatcher.

Any cat found running at large within the corporate limits of the City of Searcy which does not have a current vaccination tag shall be taken by the City dogcatcher, or such other representative as may be designated by the City Council, and shall be impounded in the City animal shelter for a period of 120 hours during which time the owner of said cat may regain possession of said cat by paying to the City of Searcy or its designee a fee of \$10.00 for picking up said cat and a pound fee of \$4.00 for each day or part of a day that said cat is impounded. In addition, sufficient evidence must be presented that said cat has been duly vaccinated. In the event that said cat has not been vaccinated, the vaccination shall be completed and the fees paid therefor before the cat is released. If the owner of said cat is known to the pound keeper, he shall give the owner notice by telephone mail or direct contact of the impounding of said cat. If the owner of said cat fails or refuses to claim

or repossess the cat as prescribed herein within the 120-hour period, the pound keeper may deliver custody and possession of such cat to any person other than the owner upon payment of the fees prescribed herein. If no claim is made for such cat after the expiration of the 120-hour period, said cat shall be humanely destroyed. *(Ord. No. 624, § 3, 9-11-79)*

Sec. 6-29. Rabid Cats.

Any cat or cats having rabies or symptoms thereof, or suspected of having rabies or which have been exposed to rabies, shall immediately be released by the owner or custodian of such cat or cats to the City dogcatcher or such other representative as may be designated by the City, for disposal or confinement in the City animal shelter or in a veterinary hospital approved by the City. Such cat or cats may be kept under the supervision of the pound keeper for a period of 30 days or for a longer period of time if, in the opinion of the City health officer or a qualified veterinarian additional confinement is deemed necessary. *(Ord. No. 624, § 4, 9-11-79)*

Sec. 6-30. Penalties for Violation.

Any person violating any portion of this Article shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than \$5.00 nor more than \$50.00. Each day that such violation continues shall be deemed a separate offense. *(Ord. No. 624, § 5, 9-11-79)*

Sec. 6-31. Enforcement Responsibility.

Responsibility for the enforcement of the provisions of this Chapter shall be vested in the Animal Control Officer or Officers who shall be deemed Code Enforcement Officers (within the meaning of A.C.A. Sec. 12-9-108). The Animal Control Officer or Officers shall be supervised by the Police Chief of the City. *(Ord. No. 96-22, § 5, 9-10-96)*

Sec. 6-32. The Animal Control Officer or Officers are empowered to issue citations for violations of the provisions of this Chapter 6 which citations shall be upon a form approved by the Searcy Municipal Court and shall be returnable to such Court. *(Ord. No. 96-22, § 5, 9-10-96)*

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