

ARTICLE II. - DOGS AND CATS

FOOTNOTE(S):

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Editor's note—Ord. No. 518, §§ 1—5, adopted Mar. 3, 1987, repealed Ord. No. 1297, §§ 1—4, adopted Sept. 19, 1972, set out as Art. II, Dogs, §§ 5-16—5-19; and enacted in lieu thereof new provisions pertaining to similar subject matter.

Sec. 5-16. - Restraint requirement.

It shall be unlawful for any person to keep a dog within the corporate limits of the city, except in an enclosed area of the owner's premises, or within the motor vehicle of the owner, or upon a leash.

(Ord. No. 1518, § 1, 3-3-87; Ord. No. 1723, § 1, 4-3-01; Ord. No. 1741, § 1, 3-19-02; Ord. No. 1824, § 1, 9-18-07)

Sec. 5-17. - License required, renewal; fee; rabies inoculation; tag.

- (a) *License.* Any person owning or keeping a dog in the city shall, within five (5) days after bringing into the city, or within five (5) days after said dog becomes three (3) months old, procure from the city clerk a license authorizing the keeping of such dog, which license shall be renewed annually. It shall be unlawful for any person to own or keep a dog in the city as hereinabove set forth unless a current license has been issued as required herein, said license being issued on a calendar-year basis.
- (b) *Fee; rabies inoculation.* There shall be a license fee of five dollars (\$5.00) per year for each sterilized dog or ten dollars (\$10.00) per year for each unsterilized dog. It shall be a requirement that the owner or keeper thereof shall exhibit to the city clerk at the time application for license is made evidence of inoculation against rabies by certification made by some person licensed to give such inoculations.
- (c) *Metal tag.* Upon licensing, the clerk shall issue a metal tag, to be attached to the collar of each dog, with a serial number thereon and shall maintain records to show ownership as cross-indexed to such records.

(Ord. No. 1518, § 2, 3-3-87; Ord. No. 1723, § 2a, 4-3-01; Ord. No. 1741, §§ 2(a)—2(c), 3-19-02; Ord. No. 1824, §§ 2(a)—2(c), 9-18-07)

Sec. 5-18. - Enforcement official; impoundment and disposition of animals unlicensed or at large.

- (a) *Animal control officer and impoundment.* The mayor shall appoint an animal control officer. The Forrest City Animal Shelter is authorized to accept from the animal control officer any

dog found running at large in violation of this article. The animal control officer may use humane animal traps or tranquilizers to assist in confining the dog.

(b) *[Impoundment procedure and disposition.]* Whenever any animal in the animal shelter bears a current city tag, it shall be the duty of the animal control officer to notify the owner or the person to whom the tag was issued, if such person or owner can be found, that the animal has been taken up and placed in the animal shelter. If the owner or person to whom the tag was issued cannot be found, the animal control officer shall, by certified mail sent to said person's last known address, notify said person that the animal has been impounded at the animal shelter, and will be destroyed or released to the humane society after five (5) days if the fee hereinafter prescribed is not paid. Provided, however, any dog which has bitten a person shall be confined for ten (10) days as required by ACA §20-19-307. For the purpose of this section, the first day of taking up said animal shall be counted as the first day of the impoundment period provided herein. Unlicensed animals may be destroyed if the animal is suffering from disease or injury, with the approval of the animal control officer in charge and one other party. In the event any dog poses an imminent threat to the health or safety of any person, the animal control officer, or any authorized law enforcement officer, shall have the right to destroy such dog immediately if necessary to remove such imminent threat.

(c) *Redemption of animals.*

(1) After the expiration of five (5) days' impoundment (except in cases in which A.C.A. §20-19-307 applies), said animal shall become the property of the city, and the city shall be empowered to release said animal to the humane society or to destroy and dispose of said animal as provided herein. The animal control officer is hereby authorized to release said animal to the humane society or to destroy such animal and dispose of the carcass. For the purpose of this section, the day and precise time of taking up shall be counted as the first day of the impoundment period; the time shall run based on five (5) twenty-four-hour periods.

(2) An owner reclaiming an impounded animal shall pay the cost of such impoundment. Said costs are hereby ascertained to be five dollars (\$5.00) for the first impoundment if the animal has a rabies vaccination and is currently licensed in the city; fifteen dollars (\$15.00) for the first impoundment if the animal is not currently vaccinated and licensed in accordance with this article; twenty-five dollars (\$25.00) for the second impoundment for the same animal within a twelve-month period; fifty dollars (\$50.00) for the third impoundment for the same animal within a twelve-month period; and one hundred dollars (\$100.00) for the fourth and subsequent impoundments of the same animal within a twelve-month period. In addition to the impoundment fees, a boarding fee of seven dollars and fifty cents (\$7.50) per day per animal for owners of animals living within the city limits of Forrest City, and ten dollars (\$10.00) per day per animal for

owners of animals living outside the city limits of Forrest City, shall be charged for each day such animal is impounded in the animal shelter, together with the licensing fee on such animal if the same has not been paid.

- (3) No unclaimed dog or cat shall be released by the humane society for placement without being sterilized, or without a written agreement from the recipient guaranteeing that such animal will be sterilized.
- (4) All fees or costs assessed pursuant to this section shall be received by the city for deposit to the city's general fund and subject to appropriation by the City Council of Forrest City.

(Ord. No. 1518, §§ 3, 4(b), 3-3-87; Ord. No. 1723, § 3a, 4-3-01; Ord. No. 1741, §§ 3(a)—4(e), 3-19-02; Ord. No. 1824, §§ 3(a)—4(d), 9-18-07)

Sec. 5-19. - Keeping vicious dogs.

It shall be unlawful for any person to keep a vicious dog within the corporate limits of the city. A vicious dog is defined as a dog which has bitten someone, or which displays a propensity to bite someone.

(Ord. No. 1567, § 1, 8-7-90)

Sec. 5-20. - Penalty.

Any person found in violation of the provisions of this article shall upon conviction be fined in any amount not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00).

(Ord. No. 1518, § 4(a), 3-3-87; Ord. No. 1567, § 1, 8-7-90)