

ORDINANCE NO. 02-0712-2010

AN ORDINANCE DEFINING DANGEROUS DOGS, DEFINING VICIOUS DOGS, PROVIDING REQUIRMENTS FOR THE OWNERSHIP OF DANGEROUS DOGS, PROVIDING ACTIONS THAT MUST BE TAKEN WHEN A DOG IS DECLARED VICIOUS AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

WHEREAS, there have been several instances in Jackson Parish where dogs have attacked individuals and other animals while off of the property of their owners creating fear and causing property damage in Jackson Parish; and

WHEREAS, it is necessary that certain regulations be adopted in order to protect members of the public and property belonging to citizens of Jackson Parish from dangerous and vicious dogs:

NOW, THEREFORE, be it ordained by the Police Jury of Jackson Parish, Louisiana, in legal session herein assembled:

SECTION I: Definitions

For the purpose of this ordinance, in addition to their usual and ordinary meanings the following terms shall mean:

1. Dangerous Dogs: Any dog which has, without provocation, bitten a person; or any dog which, when unprovoked, on two separate occasions within a 36 month period, engages in any behavior that requires defensive action by any person to prevent bodily injury, when the person and the dog are off of the property of the owner of the dogs; or a dog which has killed, seriously bitten or inflicted significant injury to a domesticated animal off of the property of the owner of the dog.
2. Vicious Dog: A dog which, when unprovoked and not on property belonging to a lease to its owner, bites a person causing serious injury or death.

SECTION II: Dangerous Dog

It shall be unlawful for any person in Jackson Parish to own a dog which is dangerous as defined in this ordinance unless, immediately after the dog has committed an act or acts resulting in the dog being a dangerous dog as defined in this ordinance the owner shall:

- A.) At all times thereafter keep the dog indoors, or outdoors in a secure location; notify the Sheriff of Jackson Parish in writing of the secure location; and, if the secure location is outside, allow the Sheriff of Jackson Parish, or his duly authorized deputy, the right to inspect the secure location at anytime.
- B.) The dog, if off the owner's property, shall be restrained by a leash which prevents the dogs from escaping or having access to another person;
- C.) Within 10 day of the conduct causing the dog to be a dangerous dog is defined as in this ordinance the owner shall observe the dog for 10 days and report any unusual behavior to the Jackson Parish Sheriff's Office; shall provide all vaccination records to the Jackson Parish Sheriff's Office within 5 days or, if no vaccination records exist within 5 days of the incident causing the dog to be a dangerous dog have the dog examined by a licensed veterinarian, at the owner's expense and, after that examination, cause a report of the examination to be given to the Jackson Parish Sheriff's Office within 10 days; and
- D.) If the dog dies, is transferred or permanently removed from the owner's residence where the dog is normally kept the owner shall notify the Jackson Parish Sheriff's Office of the changed condition and the new location of the dog, in writing, within 2 days.

SECTION III: Vicious Dogs

The owner of any dog which would be a vicious dog is defined in this ordinance shall immediately turn the vicious dog over to the Jackson Parish Sheriff's Office. The dog shall be disposed of in a humane manner, at the expense of the owner of the dog.

SECTION III: Unlawful Use of Dogs

It should be unlawful for any person to use violent or aggressive behavior of a dog for the purpose of intimidation or threats to another person. This prohibition shall not apply to any dog that is owned by or in the service of any State or local law enforcement agency for the principle purpose of aiding in prevention of criminal activity, the enforcement of laws or the apprehension of offenders.

SECTION IV: Penalty

Any person who violates any provision of this ordinance shall be subject to a fine of not more than \$500 and imprisonment in the parish jail for not more than ninety days or both.

SECTION V: Effective date

This ordinance shall become effective immediately upon its adoption.

SECTION VI: Severability

Severability is intended throughout and within the provisions of this Ordinance. Should any item or provision, including any section, exception, part, phrase or term, or the application thereof be held invalid, the application to other persons or circumstances shall not be affected thereby and the validity of this Ordinance in any and all other respects shall not be affected thereby. If any phrase, clause, word or portion of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the invalidity shall be limited to that portion of the Ordinance.

All ordinances or parts of ordinances in conflict herewith are repealed as of the effective date of this Ordinance.

Upon motion by Mr. Smith and seconded by Mr. Zeno the above ordinance was adopted at the legal meeting of the Police Jury of Jackson Parish, Louisiana held on the 12th day of July, 2010 by the following vote.

YEAS: Mr. Goss, Mr. Langston, Mr. Zeno, Ms. Monroe, Mr. Duck and Mr. Smith

NAYS: None

ABSENT: Mr. Hightower

ATTEST:

PRESIDENT

SECRETARY/TREASURER

CERTIFICATE

I, KENNETH PARDUE, the undersigned Secretary/Treasurer of the Jackson Parish Police Jury declare that the above and foregoing is a true and correct copy of an ordinance adopted by the Jackson Parish Police Jury at a legal meeting held on the 12th day of July, 2010 at which a quorum was present and voting.

Jonesboro, Louisiana, on this 12th day of July, 2010.

/s/ Kenneth Pardue
KENNETH PARDUE, SECRETARY/TREASURER