

ORDINANCE # 01-15

AN ORDINANCE ENACTED TO CONTROL ANIMALS THAT CREATE A NUISANCE TO THE RESIDENTS OF THE CITY OF HIGHLAND, ARKANSAS.

Circumstances have been brought to the attention of the City Council for the City of Highland, Arkansas, whereby animals are creating disturbances such that the animal's actions create a danger and hindrance to the lives and property of the residents of the City of Highland;

Therefore, be it enacted that any animal violating any provisions of this Ordinance shall be considered to be a nuisance to the general safety and welfare of the residents of the City of Highland.

Acts by any animal considered by this Ordinance to constitute a nuisance are as follows:

Public Nuisance: Any animal or animals that:

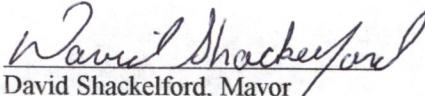
- a. unreasonably annoys humans or endangers the life or health of other animals or persons; or
- b. substantially interferes with the rights of citizens, other than owners, to the enjoyment of life and property; or
- c. is repeatedly found at-large; or
- d. damages the property of anyone other than its owners; or
- e. molests or intimidates pedestrians, or passersby; or
- f. chases vehicles; or
- g. excessively makes disturbing noises, including, but not limited to, continued and repeated howling, barking, growling, whining, or other utterances causing unreasonable annoyance, disturbance, or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; or
- h. causes fouling of the air by odor and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored; or
- i. causes unsanitary conditions in enclosures or surroundings where the the animal is kept or harbored; or
- j. is offensive or dangerous to the public health, safety or welfare by virtue of the number and / or types of animals maintained; or

- k. is vicious; or attacks other domestic animals, or has been found by the animal control officer, city police officer, or the city's designated representative, after notice to its owner and an opportunity for a hearing, to be a "public nuisance animal" by virtue of being a menace to property or the public health, welfare, or safety; or interferes with refuses collection or spreads trash from refuse containers or molests meter readers or other service providers.

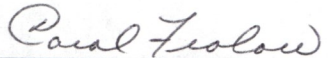
ENFORCEMENT / FINE: Upon the owner of the animal being cited by the animal control officer, city police officer, or the city's designated representatives, that their animal is alleged to be a nuisance, the owner of the animal shall be cited into the appropriate Court for the violation of this Ordinance and upon the finding that the animal is in fact a nuisance, as defined herein, the owner shall be fined not less than \$25.00, plus cost, nor more than \$50.00, plus cost, for each violation of this Ordinance, plus any restitution ordered by the Court.

EMERGENCY: It is found and determined that the effectiveness of this Ordinance is essential to the operation of the City and that a delay in the effective date of this Ordinance could work irreparable harm upon the proper administration and provision of essential governmental progress. Therefore, an emergency is declared to exist and this Ordinance being necessary for the preservation of the public peace, health, and safety, shall be in full force and effect from and after its immediate passage.

Dated this 24th day of July, 2001.


David Shackelford, Mayor

ATTEST:


Carol Frolow, Recorder

