

Chapter 5 ANIMALS AND FOWL¹

ARTICLE I. IN GENERAL²

Secs. 5-1—5-19. Reserved.

ARTICLE II. LIVESTOCK AT LARGE ON HIGHWAYS

Sec. 5-20. Livestock at large prohibited.

No person owning livestock shall knowingly or negligently permit such person's livestock to go at large upon the public highways in the parish.

(Res. of 5-2-57)

State law reference(s)—Livestock at large when prohibited, R.S. 3:3003; punishment therefor, R.S. 3:3013; highways upon which livestock at large prohibited, R.S. 3:2803; authority to regulate livestock, R.S. 33:1236(5).

Sec. 5-21. Impoundment required and authorized.

The sheriff, deputy sheriffs, constables, and justices of the peace shall, and any other person may, take possession of and impound any livestock found at large upon any public highway of the parish.

(Res. of 5-2-57)

Sec. 5-22. Notice to owner—If known and a resident.

The owner of any livestock taken and impounded, if known, shall be notified personally or by leaving written notice at the place of such person's residence within twenty-four (24) hours after taking possession of such livestock. Any person other than a sheriff, deputy sheriff, constable, or justice of the peace taking possession of and impounding livestock shall immediately notify the sheriff, and the sheriff shall, within twenty-four (24) hours of such notification notify the owner in the manner hereinabove provided.

(Res. of 5-2-57)

¹Cross reference(s)—Noisy animals, § 14-43(g).

²Editor's note(s)—Formerly, Art. I contained substantive §§ 5-1—5-3, which pertained to rabies control, derived from an ordinance adopted July 1, 1952. Such sections were deleted as superseded by an ordinance adopted May 16, 1996, §§ A—D, set out herein at Art. III, §§ 5-41—5-44.

Sec. 5-23. Same—If unknown or a nonresident.

- (a) If the owner of any livestock found at large on any public highway is unknown or if the owner has no residence in the parish, a statement by the person impounding the animal if other than the sheriff shall be filed with the sheriff setting forth:
- (1) The name and address of the person taking up the livestock;
 - (2) A description of the livestock as to kind, sex, marks, brand, color and apparent age;
 - (3) The place of taking up and the place where the livestock is impounded;
 - (4) The amount of charges due for feeding and caring for the livestock;
 - (5) The amount of the fee for taking the livestock.
- (b) The sheriff shall then give notice by advertising in a newspaper of general circulation within the parish setting forth the fact of the taking of possession, a description of the livestock, that the owner is unknown or if known that the owner cannot be located. This advertisement shall notify any person claiming to be the owner of such livestock to appear before the sheriff at a place named and a time not less than three (3) days nor more than six (6) days from the date of the notice to prove such claim of ownership.

(Res. of 5-2-57)

Sec. 5-24. Redemption by owner authorized; fees.

The owner of livestock so taken shall have the right to secure such livestock upon the payment to the officer or person taking up the livestock of a fee of ten dollars (\$10.00) for each head of livestock taken. Such owner shall also pay to the person taking and impounding such livestock the cost of feeding and caring for such livestock at the rate of two dollars (\$2.00) per day for each animal.

(Res. of 5-2-57)

State law reference(s)—Similar provisions, R.S. 3:3004.

Sec. 5-25. Sale of livestock.

If after notice provided for herein the owner does not appear at the time specified, the sheriff shall proceed to sell such impounded livestock in the following manner: The sheriff shall advertise in a newspaper of general circulation in the parish stating where in the parish the sale is to take place and the date of the sale. The place of the sale may be at the courthouse or at some other public place in the vicinity of the courthouse. The sale shall take place not less than twenty (20) days after publication of one notice of said sale. Said sale shall be made by auction to the last and highest bidder for cash. From the price of said sale the sheriff shall deduct the fee of the person impounding the livestock, the cost of feeding and caring for the livestock at the rate hereinabove specified and all expenses incurred in the sale. The sheriff shall pay to the person taking up the livestock the fee due such person and the person feeding and caring for the livestock the fees provided for such services, and the remainder shall be paid to the parish treasury.

(Res. of 5-2-57)

Secs. 5-26—5-30. Reserved.

ARTICLE III. ANIMAL CONTROL³

DIVISION 1. GENERALLY

Sec. 5-31. Title.

This article shall be known as the "Parish of Ascension Animal Control Ordinance."
(Ord. of 2-20-02, § 1:100)

Sec. 5-32. Jurisdiction.

This article shall apply to the entire area of the parish.
(Ord. of 2-20-02, § 1:200; Ord. of 12-1-22(3), Exh. A)

Sec. 5-33. Definitions.

For the purpose of this article, the following definitions, terms, words and phrases shall have the following meaning or usage:

Abandonment or abandon: (a) Leaving an animal for a period in excess of twenty-four (24) hours without adequate food, water, or shelter; (b) leaving an animal by a roadside or other area; or (c) leaving an animal on either public or private property without the property owner's consent.

Adequate food: The provision, in a sanitary manner, at certain intervals not to exceed twenty-four (24) hours, of a quantity of wholesome age and species appropriate food sufficient to maintain an adequate level of nutrition.

Adequate shelter: Facilities that are well constructed, adequate to provide shelter from the elements, and appropriate to the animal's age and physical condition. All animals shall be able to comfortably stand at their full height, stretch out, turn around, lie down and make postural adjustments. Said shelter must be free of an excessive amount of animal waste, maintained in a safe and healthful manner and be free of standing water.

Adequate water: Provision of, in a sanitary manner and at certain intervals not to exceed twenty-four (24) hours, a supply of clean water sufficient for the needs of the animal.

Animal control shelter: Any facility operated by the parish for the purpose of impounding animals under the authority of this article or state law.

³Editor's note(s)—An ordinance adopted Feb. 20, 2002, pertained to animal control, §§ 1:100—1:300, 2:100—2:300, 3:100—3:800, 4:100—4:800, and 5:100, 5:200. Such ordinance provided that §§ 5-31—5-44, being Arts. III and IV, of the Code be repealed and replaced with the provisions of the Feb. 20, 2002 ordinance. Sections of the ordinance were redesignated by the editor to conform to the numbering system of the Code, and the user is directed to the history note following each section of Art. III for the derivation of that section. See also the Code Comparative Table at the back of this volume.

At-large: Any animal that is not within the confines of its owner's property or automobile or in the owner's physical possession.

EXCEPTION: Hunting, cattle or stock dogs, government or law enforcement dogs actively being worked under the physically present supervision of their owners or agents or employees of owners are excepted from this definition.

Bite: Any abrasion, puncture, tear or piercing of the human skin by an animal.

Cat: Any domestic feline of either sex.

Collar: A band, chain, or other device worn around the neck of the animal. The collar shall be monitored and maintained to insure proper fit in order to prevent discomfort or injury.

Dangerous: Any animal whose behavior, including, but not limited to, attempted or actual attack on a human or another animal, constitutes a reasonable risk of (1) injury, (2) exposure to rabies to a human or animal, or (3) damage to personal or real property, or any animal who has been owned or kept, primarily or in part, for dog fighting.

Dog: A domestic canine of either sex.

Euthanasia: The humane destruction, by a veterinarian or other person duly certified or trained, of an animal accomplished by a method that involves the use of an agent that produces painless loss of consciousness and subsequent death during such loss of consciousness.

Exotic animal: Any species of animal born or whose natural habitat is outside the continental United States and including any undomesticated animal, indigenous to the United States, which can normally be found in the wild state.

Harboring an animal: An animal is harbored if it is fed or sheltered seven (7) days or more, unless the animal is being boarded for a fee.

Impounded: Any animal received into custody by an animal control officer.

May: "May" is permissive.

Nuisance: Any animal which (1) molests or chases pedestrians or passing vehicles; (2) damages public or private property; (3) barks, whines or howls in a continuous, excessive or untimely manner; (4) is an at large or roaming female animal in its mating season or (5) causes unsanitary conditions or odors about the property of the owner or on public property through urination or defecation.

Owner: Any person owning, keeping, harboring or controlling a dog or cat, including persons temporarily in possession of a dog or cat at the owner's request.

Parish: The Parish of Ascension.

Premises: A definite portion of real estate/property, including land with its appurtenances, a building or part of a building.

Poison: Any substance that causes injury, illness or death, especially by chemical means.

Severely injured: Any animal which because of major trauma, broken bones, blood loss, or other apparent life threatening condition, is not expected to live or is in extreme pain or suffering.

Shall: "Shall" is mandatory.

State: The State of Louisiana.

Stock, working, or cattle dogs: Dogs used primarily to herd or work cattle.

Stray dog/cat: Any dog or cat that is found, observed, secured or impounded while at-large and is not physically wearing a rabies tag, license tag, or any other means of identification.

Vaccination certificate: A numbered certificate signed by the veterinarian who administered the rabies vaccine, stating the year issued, the name of the animal's owner, description of the animal, and certifying that the animal was vaccinated against rabies.

Vaccination against rabies: An inoculation by a veterinarian of a recognized rabies vaccine.

Vaccination license tag: A suitable tag bearing the same number as the vaccination certificate and the year issued.

Veterinarian: Any person duly licensed to practice veterinary medicine by the Louisiana Board of Veterinarian Medical Examiners.

Vicious animal: A cat or dog which has demonstrated a propensity to bite or attempt to bite humans, or which causes reasonable fear of bodily injury by attacking or threatening to attack a person, except when such person may be in the act of unlawfully trespassing upon private property of the owner.

Year or yearly: A calendar year.

(Ord. of 2-20-02, § 1:300)

Sec. 5-34. Enforcement.

This article may be enforced by the parish sheriff's office, the parish animal control officer, the constables of the parish, or any other law enforcement officer of the state or the parish.

(Ord. of 2-20-02, § 5:100)

Sec. 5-35. Waiver of liability.

The parish, the animal control officer, the sheriff, or any enforcement officer shall not be liable for damages or subject to prosecution for euthanizing or killing any nuisance, dangerous, or vicious dog or cat, any dog or cat suspected of having rabies, or any dog or cat which has bitten any person.

(Ord. of 2-20-02, § 5:200)

Sec. 5-36. Ascension Parish Animal Services Board bylaws.

- (a) *Purpose.* The purpose of the Ascension Parish Animal Services Board (hereinafter the ASB) is to provide oversight, management, advice, recommendations, financial and operations reports, and presentations to the parish council and administration on matters involving animal services and related issues in Ascension Parish, Louisiana. The ASB will have fiduciary responsibility for the Ascension Parish Animal Services Department and ensure animal tax dollars are appropriately spent.
- (b) *Vision and mission.* The vision of the ASB is that someday all citizens, their property and their neighborhoods will be safe from the dangers and nuisances of irresponsible pet ownership, that someday: animals will not suffer because of human abuse, neglect or ignorance, and that every pet born will have a good home and proper care all its natural life. In keeping with our vision, our mission is to balance the health, safety and welfare needs of people and animals in Ascension Parish by:
 - (1) Protecting the rights of people from dangers and nuisances caused by uncontrolled animals;
 - (2) Ensuring the legal protection of animals from mistreatment;

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- (3) Promoting, motivating and enforcing responsible pet ownership;
 - (4) Being good stewards of the animal tax revenues of Ascension Parish.
- (c) *Members.* The ASB shall consist of seven (7) members which shall be appointed by the parish council and serve at the pleasure of the parish council and will include:
- (1) Up to four (4) citizens eighteen (18) years of age or older who are residents of Ascension Parish with an interest in the care, handling or rescue of pets and companion animals. No one (1) organization, agency or association may have more than one (1) representative holding one (1) of these seats at any given time;
 - (2) One (1) citizen eighteen (18) years of age or older with expertise in finance, business development, or business operations;
 - (3) One (1) practicing veterinarian, who is licensed in the State of Louisiana and/or a retired veterinarian not employed by or under contract with Ascension Parish;
 - (4) A current parish council member appointed by council chairperson.

Members shall annually elect, from its members, a chairperson, vice-chairperson, secretary and treasurer (could be same person). The parish council board member is not eligible for any of these positions.

Board members are encouraged to visit and/or volunteer at the Ascension Parish Animal Services shelter on a semi-annual basis in an effort to remain educated and informed on animal services issues.

Employees of companies or members of organizations involved with animal services under contract with Ascension Parish cannot serve on the ASB.

The ASB may request that a member be removed for cause. Removal for cause may include three (3) or more unexcused absences during a single term. For an absence to be excused, members are encouraged to contact the chairperson within twenty-four (24) hours prior to a posted meeting if they are unable to attend. Any board member may be removed with or without cause by a simple majority of the parish council members at a duly convened meeting.

- (d) *Terms of board members.* ASB members will serve a term of four (4) years, with one (1) member's term expiring after the first two (2) years, three (3) of the members' terms expiring after the first three (3) years and the other three (3) members' terms expiring after four (4) years. This will create the appropriate "stagger" so the terms of board members will not all expire at the same time. Following the first four (4) years, members appointed to the board will each serve a four-year term, and either roll off the board or be re-appointed if they re-apply, and are approved by the parish council.
- (e) *Meetings.* Meetings of members of the ASB shall be monthly. Items may be placed on the agenda at the request of the parish president, chairperson of the parish council, the ASB chairperson and by the request and agreement of any two (2) current board members. Agendas will be prepared and approved by the chair prior to public posting of agendas. Meeting minutes will be prepared for ASB approval. Meetings shall be conducted by the chairperson, and if absent by the vice-chairperson. A quorum shall consist of a simple majority of the ASB. Special meetings may be called by the chairman and must be in compliance with the Louisiana Open Meetings Laws. Meetings will be conducted under Roberts Rules of Order.
- (f) *Operation.* The board shall be responsible for oversight of the rules and regulations for operation of the facilities including consultation with organizations under contract for animal services with the parish. The rules and regulations shall be submitted to the council for ratification.

The ASB may periodically review the parish's animal services ordinances and make appropriate recommendations for amendments to the council. The ASB shall be held responsible for the care and maintenance of the buildings and equipment used for animal services in the parish. The ASB shall be responsible for establishing its annual budget following established guidelines by parish government.

(Ord. of 10-3-19, Exh. A)

Secs. 5-37—5-45. Reserved.

DIVISION 2. OWNER'S RESPONSIBILITIES

Sec. 5-46. General.

Except as otherwise provided in this article, the owner of an animal shall:

- (1) Provide for the animal's physical needs, including, but not limited to, veterinary care, adequate food, adequate water, and adequate shelter shall;
- (2) Insure that the animal is not a nuisance, not dangerous, not vicious;
- (3) Insure that the animal is not at large or is not running at large;
- (4) Have the animal vaccinated against rabies in accordance with the state law or regulations or this article;
- (5) Not abandon the animal or permit the animal to run at large; and
- (6) Register or license the dog with the parish.

If an owner fails to comply with this section, the animal may be removed or seized from the owner and impounded at the animal shelter.

(Ord. of 2-20-02, § 2:100)

Sec. 5-47. Rabies vaccination and tags.

Every owner of a cat or dog over three (3) months of age shall have the animal vaccinated against rabies by a licensed veterinarian on a yearly basis or effective January 1, 2023, a three-year basis and tagged with the vaccination license tag attached to a collar to be worn by the animal at all times.

In addition to the license tag, the veterinarian vaccinating any dog or cat shall issue a vaccination certificate to the owner or keeper of such animal.

(Ord. of 2-20-02, § 2:200; Ord. of 12-1-22(3), Exh. A)

Sec. 5-48. Registration, license, and tags.

Except as provided hereinafter, every owner of a dog or cat shall register the animal with the parish, shall pay all registration fees, and shall affix the registration tag to the collar worn by the animal. The registration and license shall be renewed on a yearly basis.

The annual registration fee shall be twenty dollars (\$20.00) for each infertile animal and twenty-five dollars (\$25.00) for each fertile animal. An infertile animal is a dog or cat that has been neutered, spayed, or has been rendered incapable of birthing a litter by a veterinarian.

An animal shall not be registered unless the owner presents a valid vaccination certificate.

Said registration may be obtained from the animal control officer or any veterinarian that has agreed to register animals for the parish. These fees shall be remitted to the Ascension Parish Government at the end of

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every month. Veterinarians that perform rabies vaccinations in Ascension Parish shall issue a valid Ascension Parish license tag.

It shall be the duty of the parish or veterinarian to record the name of the person who owns the animal, a description of the animal, and the license number assigned to the animal.

The color and shape of such tags shall be changed each year. Each registration and the tag issued pursuant thereto shall be valid from that date for a period of one (1) year.

Any person who attaches the tag to any dog or cat other than the dog or cat for which it was issued shall be subject to the penalties provided in Chapter 1, Section 1-8.

For the purpose of compensating veterinarians who account for and remit rabies license fees, an amount equal to eight (8) percent of the amount of the fees due shall be allowed as a deduction when remitting such fees to the city/parish.

The animal control and rescue center shall recognize tags issued by legal licensing authorities of other parishes of this state and counties of another state, provided the animal owner is able to produce a certificate of registration which has been issued within the preceding year by such licensing authority of another parish of this state or county of another state, as the case may be.

EXCEPTION: This section shall not apply to hunting dogs, cattle or working dogs, or government or police dogs.

All veterinary hospitals, clinics, animal feed stores, pet supply facilities, animal establishments and any establishment, where animal vaccines are sold shall post a sign, supplied by the animal control and rescue center, in a conspicuous location stating:

"Chapter 5, Article III (Parish Code of Ordinances) REQUIRES ALL DOGS AND CATS TO BE:

1. Vaccinated against rabies by a LICENSED VETERINARIAN at three (3) months of age initially, revaccinated one (1) year later and vaccinated either annually or triennially thereafter.
2. Registered with Animal Control and Rescue Center on an annual basis.
3. Tagged with the rabies license tag) on a collar or harness with the current registration tag.

Exceptions: Ferrets and community cats shall be exempt from wearing tags.

4. Prevented from running at large and/or causing a nuisance.

For your convenience, your veterinarian collects the registration fees. These fees fund the Animal Control and Animal Services public health and safety function by administering the rabies program, investigating cruelty, dog-fighting and dangerous animal cases and conducting animal rescues, stray animal, leash law and nuisance animal investigations involving domestic, exotic, wildlife and livestock animals.

VIOLATION: FINES UP TO FIVE HUNDRED DOLLARS (\$500.00) AND/OR THIRTY (30) DAYS IMPRISONMENT UPON CONVICTION."

(Ord. of 2-20-02, § 2:300; Ord. of 11-4-21(2), Exh. A; Ord. of 12-1-22(3), Exh. A)

Secs. 5-49—5-55. Reserved.

DIVISION 3. PROHIBITIONS

Sec. 5-56. Abandonment prohibited.

It shall be unlawful for any person to abandon any dog or cat.

(Ord. of 2-20-02, § 3:100)

Sec. 5-57. Neglect prohibited.

It shall be unlawful for any person to violate any provision of section 5-46.

(Ord. of 2-20-02, § 3:200)

Sec. 5-58. Running at large prohibited.

It shall be unlawful for any person to permit an animal to run at large. It shall be the duty of the owner or keeper to have the animal confined within his property or under his immediate control.

EXCEPTION: This prohibition does not apply to working, stock, or hunting dogs.

(Ord. of 2-20-02, § 3:300)

Sec. 5-58.1. Prohibition on animal sales in restricted areas.

- (a) It shall be unlawful for any person to sell, exchange, barter, trade, lease, rent, give away, or display any live animal on any roadside, public right-of-way, median, park playground, swimming pool, or other recreational area, flea market, commercial or retail parking lot or property adjacent to such locations, that is generally accessible to the public, regardless of whether such access is authorized or not.
- (b) Exception: This section shall not apply to humane societies, animal welfare groups, animal control agencies or non-profit organizations sponsoring animal adoption events.
- (c) Reserved.

(Ord. of 3-12-09; Ord. of 12-1-16, Exh. A)

Sec. 5-59. Reserved.

Editor's note(s)—Ord. of 12-1-2016, Exh. A, repealed § 5-59, which pertained to civil penalties regarding §§ 5-56—5-58.1. For prior history, see Code Comparative Table.

Sec. 5-60. Cruelty to animals; simple and aggravated.

- (a) Any person who intentionally or with criminal negligence commits any of the following shall be guilty of simple cruelty to animals:
 - (1) Overdrives, overloads, drives when overloaded, or overworks a living animal.
 - (2) Torments, cruelly beats, or unjustifiably injures any living animal, whether belonging to himself or another.
 - (3) Having charge, custody, or possession of any animal, either as owner or otherwise, unjustifiably fails to provide it with proper food, proper drink, proper shelter, or proper veterinary care.

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- (4) Abandons any animal. A person shall not be considered to have abandoned an animal if he delivers to an animal control center during operating hours only an animal which he found running at large.
 - (5) Impounds or confines or causes to be impounded or confined in a pound or other place, a living animal and fails to supply it during such confinement with proper food, proper drink, and proper shelter.
 - (6) Carries, or causes to be carried, a living animal in or upon a vehicle or otherwise, in a cruel or inhumane manner.
 - (7) Unjustifiably administers any poisonous or noxious drug or substance to any domestic animal or unjustifiably exposes any such drug or substance, with intent that the same shall be taken or swallowed by any domestic animal.
 - (8) Injures any animal belonging to another person.
 - (9) Mistreats any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering or death is caused to or permitted upon the animal.
 - (10) Causes or procures to be done by any person any act enumerated in this subsection.
- (b) Search warrant; animal cruelty offenses: If the complaint is made, by affidavit, to any magistrate authorized to issue search warrants in criminal cases, that the complainant has reason to believe that an animal has been or is being cruelly treated, in any building or place, such magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant to any law enforcement officer authorized by law to make arrests for such offenses, authorizing any such officer to make a search of said building or place, and to arrest any person found in violation. Said warrant may also authorize said officer to seize any animal believed to be cruelly treated and to take custody thereof. This section shall not be construed as a limitation on the power of law enforcement officers to seize animals as evidence at the time of the arrest.

(Ord. of 2-20-02, § 3:500; Ord. of 12-1-22(3), Exh. A)

Sec. 5-61. Criminal penalties for cruelty to animals.

- (a) Whoever commits the crime of simple cruelty to animals shall be fined not more than one thousand dollars (\$1,000.00), or imprisoned for not more than six (6) months, or both.
- (b) This section shall not apply to any of the following:
 - (1) The lawful hunting or trapping of wildlife as provided by law.
 - (2) Herding of domestic animals.
 - (3) Accepted veterinary practices.
 - (4) Activities carried on for scientific or medical research governed by accepted standards.
 - (5) Traditional rural Mardi Gras parades, processions, or runs involving chickens.

(Ord. of 2-20-02, § 3:600; Ord. of 12-1-22(3), Exh. A)

Sec. 5-62. Seizure and disposition of animals cruelly treated.

When a person is charged with a violation of section 5-60, the animal may be impounded in the discretion of the animal control officer until final disposition of the charge.

An animal that is not expected to survive as the direct result of cruelty may be euthanized. A veterinarian shall certify in writing that the animal will not survive prior to said euthanization.

All veterinarian and boarding fees incurred during the impounding period shall be the responsibility of the person so convicted.

(Ord. of 2-20-02, § 3:700)

Sec. 5-63. Wild or exotic bite cases.

Any wild or exotic animal that bites a human shall be euthanized and the head sent for rabies testing at an appropriate facility.

Any wild or exotic animal that is found dead and has bitten a human will be impounded and the head sent for rabies testing at an appropriate facility.

(Ord. of 2-20-02, § 3:800)

Secs. 5-64—5-75. Reserved.

DIVISION 4. IMPOUNDMENT OF ANIMALS

Sec. 5-76. General provisions for impoundment.

Animals kept without adequate food, water or shelter; that are treated cruelly, that are infected with disease, or that present a threat to public safety shall be impounded.

Animals that are at large, that are not vaccinated or registered, or that are not wearing a current rabies or license tag shall be impounded.

Animals that are abandoned shall be impounded.

Animals that considered a nuisance, dangerous, or vicious shall be impounded.

(Ord. of 2-20-02, § 4:100)

Sec. 5-77. Dog or cat bite; mandatory impoundment.

A dog or cat which bites a human shall be seized and placed in quarantine for at least ten (10) days for surveillance.

The place of quarantine shall be at the discretion of the seizing officer and may be at the parish animal shelter, at a veterinary clinic, or in the home of the owner.

Impounding fees incurred during the quarantine shall be the responsibility of the owner and the animal shall not be released to the owner until the fees are paid.

(Ord. of 2-20-02, § 4:200)

Sec. 5-78. Notification of owner and reclamation.

If an impounded animal is bearing identification, the animal control officer shall, within forty-eight (48) hours of impoundment, notify the owner of the impoundment, by certified mail or hand-delivered notice, and advise of the procedures, fees, and the requirements for reclaiming the animal.

An impounded animal may be reclaimed by its owner only after all boarding/impounding fees, civil penalties, and any and all other fees are paid by the owner and all vaccination, licensing and tag requirements are met.

(Ord. of 2-20-02, § 4:300)

Sec. 5-79. Time for impoundment and effect of failure to reclaim.

If the identity of the owner is known, the animal shall be impounded in the animal shelter for a minimum of five (5) days, holidays excluded, inclusive of the day of impoundment, after the date of receipt or delivery of the notice to the owner, unless the animal is reclaimed.

If the identity of the owner is not known or the animal is not wearing a registration tag or identification of the owner, the impounded animal shall be impounded in the animal shelter for a minimum of three (3) days, holidays excluded, inclusive of the day of impoundment, unless the animal is reclaimed.

Impounded animals that are not claimed at the end of the subject period will be considered forfeited by the owner thereof. The animal will be considered for adoption which shall include microchipping and/or spay/neuter. If the animal does not meet the specifications established by the parish for adoption, the animal may be euthanized at the sole and exclusive discretion of the parish.

(Ord. of 2-20-02, § 4:400; Ord. of 11-4-21(2), Exh. A; Ord. of 12-1-22(3), Exh. A)

Sec. 5-80. Fees.

The owner of an impounded animal shall be responsible for the following fees/costs, plus applicable impounding fees set forth in section 5-81 and the civil penalties set forth in section 5-59, if any:

Registered animal wearing a valid tag:

First offense\$ 50.00

Second offense60.00

Third offense200.00

Every subsequent offense in a calendar year300.00

Unregistered animal or registered animal:

First offense\$ 60.00

Second offense80.00

Third offense200.00

Every subsequent offense in a calendar year300.00

No animal shall be released from impoundment until all fees are paid. Failure to pay the fees within the expiration of the time for impoundment shall constitute forfeiture of the animal. At that time, the animal may be placed for adoption or euthanized.

(Ord. of 2-20-02, § 4:500; Ord. of 12-1-22(3), Exh. A)

Sec. 5-81. Fee schedule for impounded animals.

[The following fees shall be applied to impounded animals:]

Board per day or part of day\$ 10.00
Litter of puppies, pick-up10.00
Adult animal, pick-up10.00
Medical inspection/care fee per animal100.00
Heartworm and flea treatment per animal, per month36.00
Euthanasia and disposal20.00
Euthanasia and disposal (out of parish animals)60.00
Impoundment of animals other than dogs or cats30.00

All animals will receive medical inspection/care and heartworm and flea treatment upon impoundment or seizure.

(Ord. of 2-20-02, § 4:600; Ord. of 12-1-22(3), Exh. A)

Sec. 5-82. Severely injured or terminally ill animals.

Any animal seriously injured or terminally ill and having no expectation of survival, may be euthanized at the discretion of the supervisor or director if the animal is impounded at the shelter or by the impounding officer if the animal is in the field.

(Ord. of 2-20-02, § 4:800; Ord. of 12-1-22(3), Exh. A)

Ord. of 12-1-22(3), Exh. A, repealed § 5-82, which pertained to penalty for failure to reclaim animal and derived from Ord. of 2-20-02, § 4:700. Additionally, said ordinance renumbered §§ 5-83 and 5-84 as §§ 5-82 and 5-83.

Sec. 5-83. Potentially dangerous dog, dangerous dog, vicious dog.

The owner of a dog that has been classified as dangerous shall abide by the following mandates within ten (10) days after the dog has been so classified:

- (1) A "dangerous" dog tag supplied by the animal control center shall be purchased annually and affixed to the dog's collar to be worn at all times. First time registration fee ten dollars (\$10.00), five dollars (\$5.00) annually thereafter.
- (2) A micro-chip shall be obtained at the owner's expense for each dog that has been classified as "dangerous."
- (3) A dangerous dog must be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the dog from coming into contact with either a human being other than the owner or any other animal, and designed to prevent the animal from escaping. The pen or structure must have minimum dimensions of four (4) feet wide by ten (10) feet long by seven (7) feet high, allowing a primary gate and four (4) feet inside the secondary gate. This allows for a minimum of ten (10) feet of space for the canine. Such pen shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure. The enclosures shall provide a humane existence for the dog and protection from the elements. The pen shall meet all of the requirements of a dog pen and the pen sides shall be embedded securely in concrete. The enclosing material for the sides, top and gates shall be 9 gauge 1¼" galvanized diamond mesh. All tensions bars are to be welded together at each junction to prevent weak points. Top is to be welded onto supports. Both primary and

secondary gates shall have double latches no closer than two (2) feet apart and shall be secured at all times with locks. Both the primary and secondary gate shall be placed no closer than four (4) feet apart and gates shall remain closed and latched while feeding, cleaning, etc., to prevent dog from escaping. Concrete shall be finished with slight slope to allow for drainage. Waste shall be removed daily. Pen shall be inspected daily and repairs promptly made. Signage displaying a "growling dog" and reading "Dangerous" or "Will Bite" must be affixed to each side and gate, also on gate there shall be a "Do Not Enter" sign.

- (4) The owner shall prominently display a sign to be provided by the animal control center at the owner's expense on his premises at all entry points warning that there is a dangerous dog on the property.
- (5) A dangerous dog may be off the owner's premises or out of its enclosure only if it is muzzled and restrained by a substantial chain or leash not exceeding four (4) feet in length and under the control of an able-bodied person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.
- (6) The animal control center, at its discretion, may require a dangerous dog to be spayed or neutered.
- (7) The animal control center, in the exercise of its discretion, shall have the authority to make whatever inspections are deemed necessary to ensure that the provisions recited herein are complied with.
- (8) A dangerous dog shall not be used as a guard dog.
- (9) An owner of a dangerous dog shall have the option to have said dog humanely euthanized at his expense by the animal control center or licensed veterinarian if said owner is unable to comply with the requirements recited herein.
- (10) It shall be unlawful for any person to keep, harbor or possess a dangerous animal on a porch, patio or in any part of a house or building that would allow the animal to exit to escape on its own volition. Screened windows or screened doors alone are considered inadequate.
 - a. The animal control center shall have the right to inspect the premises of dangerous animals' enclosures to ensure compliance with this part.
- (11) The owning, keeping or harboring of a dangerous animal in violation of this title is deemed a public nuisance.
- (12) If the animal control center reasonably believes that an owner cannot or will not abide by the above requirements, a seizure warrant may be requested, pending final disposition of the case.
- (13) The animal control center shall have the right to inspect the premises of dangerous animals' enclosures to ensure compliance with this part.
- (14) The owner shall immediately notify the animal control center when a "dangerous" dog:
 - a. Is loose or unconfined;
 - b. Has bitten a human being or attacked another animal;
 - c. Was sold, given away, or died; or
 - d. Has moved to another address.

Prior to a dangerous dog being sold or given away, the owner shall provide the name, address, and phone number of the new owner to the animal control center. Each owner shall execute a document to be supplied by the animal control center, acknowledging that said owner is aware of the "dangerous" dog classification, and that said owner shall comply with the requirements of this title.

(Ord. of 9-4-14, Exh. A; Ord. of 12-1-22(3), Exh. A)

