

**INTRODUCED BY: LARRY COCHRAN, PARISH PRESIDENT
(DEPARTMENT OF ANIMAL CONTROL)**

ORDINANCE NO. 19-12-7

An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article I. In General, Section 4-1. Definitions., Section 4-4. Animals running at large., Section 4-10. Keeping of animals not considered pets and keeping of exotic animals., Article III. Licensing, Section 4-40. Rabies inoculation required., Article IV. Impoundment, Adoption, Section 4-50. Impoundment authorized., Section 4-51. Adoption and seizure of impounded animals., Section 4-52. Public offering of animals for adoption., and Section 4-54. Animal breeders.

WHEREAS, the amendment of the current impoundment fee, feral cat and animal breeder laws for St. Charles Parish, Louisiana is in furtherance of the public's best interest and purpose, and is in satisfaction of a public need to decrease the animal overpopulation issues in the parish.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article I. In General, Section 4-1. Definitions. be hereby amended with new text underlined and deleted text in ~~strikethrough~~:

Sec. 4-1. Definitions.

Animal control officer: ~~An employee of the parish animal shelter in the classified service of the parish in the class of position of animal control officer.~~ Animal control shall have the authority to appoint animal control officers and such other personnel as it deems proper to enforce the provisions of this title pertaining to animal control.

Feral cat: ~~Any cat born outside, lives outside, and is undomesticated or wild. It runs from you, hisses at all who approach and keeps its distance. This cat lives outside and forges its own way, it is neither neutered nor spayed and multiplies rapidly. Any cat who is unsocialized to humans, whose temperament is one of fear and survives on own outdoors.~~

Nuisance: Damaging, soiling, defiling or defecating on property other than its owner's or on public sidewalks, excessive noise making, excessive odor, excessive barking, molesting, threatening, attacking or interfering with persons on public or private property, interfering with another person's enjoyment of his property is hereby declared a nuisance.

Outdoor cat: Any free roaming cat that may be cared for by any person of the immediate area and may or may not be feral. Outdoor cats shall be sterilized, vaccinated against rabies, microchipped and ear notched. Qualified outdoor cats shall be exempt from at large provisions of this title, providing there is not a nuisance complaint.

SECTION II. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article I. In General, Section 4-4. Animals running at large. be hereby amended with new text underlined and deleted text in ~~strikethrough~~:

Sec. 4-4. Animals running at large.

(d) Any owner and/or keeper permitting his animal to run at-large shall be in violation of this section and shall be penalized as provided in ~~section 4-27.~~ section 4-51.

SECTION III. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article I. In General, Section 4-10. Keeping of animals not considered pets and keeping of exotic animals. be hereby amended with new text underlined and deleted text in ~~strikethrough~~:

Sec. 4-10. Keeping of animals not considered pets and keeping of exotic animals.

(e) Feral cat and feral dog.

(1) Any cat or dog that is determined by the animal control officer to be a feral animal. Feral animals are considered wild animals, unsociable, unpredictable, and unadoptable. These animals will be kept for three (3) days of observation before being euthanized not have a mandatory hold period. Feral animals are considered wild animals, unsociable, unpredictable, and unadoptable. If a feral cat is in full compliance of the outdoor cat management program, a three (3) business day hold is implemented.

(f) Outdoor cat management.

- (1) All cats that are part of outdoor cat management programs shall participate in free services offered by animal control or seek the following care from a private veterinarian and incur all costs to come into compliance with population control:
 - (a) Assessed by a veterinarian and deemed healthy;
 - (b) Sterilized;
 - (c) Vaccinated against the threat of rabies;
 - (d) Ear notched or tipped for easy identification of sterilization status;
 - (e) Microchipped to property owner for rabies verification and location identification.
- (2) All managed outdoor cats shall be maintained on private property of the care giver, or with the expressed permission on the property of another, including city, state and federal property. In no event shall a outdoor cat be returned to the private property if the owner of that property, after being educated on the outdoor cat program, does not consent to the return or the relocation to that property.
- (3) If the requirement of subsections 4-59 (a) and (b) are met, the outdoor cat is exempt from the at-large provisions that apply to owned animals. In no event shall an outdoor cat be exempted from the nuisance or rabies vaccine provisions.
- (4) Any person may provide for an outdoor cat that has completed the outdoor cat management program, including, but not limited to the following:
 - (a) Food, if supplied maximum of once daily and removed within 30 minutes to prevent nuisance wildlife from encroaching;
 - (b) Water, if supplied, clean, potable and free from debris and algae;
 - (c) Shelter, if provided, unobtrusive, safe and of proper size for the cat.
- (5) Any person may file a complaint with animal control stipulating the specific feral cat problem. Animal control may require relocation or removal from the feral cat program of any or all nuisance feral cats.
- (6) The parish council may review any feral cat programs three (3) years after its inception to assess its functionality and impact on the parish.
- (7) Violations of this section are subject to the penalties provided in section 4-60.

SECTION IV. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article III. Licensing, Section 4-40. Rabies inoculation required. be hereby amended with new text underlined and deleted text in ~~strikethrough~~:

ARTICLE III. LICENSING

Sec. 4-40. Rabies inoculation required.

- (e) The dog or cat license shall consist of a certificate issued and signed by the veterinarian who performed the rabies inoculation. The certificate shall state the name, breed, color and sex of the dog or cat; the inoculation certificate number is issued by the veterinarian; ~~and, for a guide dog for the handicapped, the animal's identification number.~~ In addition, the veterinarian who performed the inoculation shall issue a durable tag or collar, stamped with an identifying number and the year of issuance. Tags should be designed so that they may be conveniently fastened or riveted to the animal's collar or harness.
- (i) Any dog or cat found in violation as provided for in this section ~~shall~~ may be impounded.
- (j) In addition to impounding any animal found in violation of this section or any other section of this chapter, the animal control officer or law enforcement officer may issue to the known owner of such animal a notice of ordinance violation. Such notice shall impose upon the owner a penalty of fifty dollars (\$50.00) ~~plus seven dollars (\$7.00) ten dollars (\$10.00)~~ per day, which shall be paid to the department of finance within five (5) business days, by money order, or credit/debit card certified check or cash, no personal or business checks accepted, in full satisfaction of the assessed fine.

- (k) Prior to release to owner or keeper the animal shall be vaccinated at the parish animal shelter, licensed and tagged and microchipped at the following fee schedule:

(2) License and tagged	2.00
<u>Microchip and registration</u>	<u>20.00</u>

All fees for veterinarian service, vaccination, microchip, license and tags shall be reimbursed to the St. Charles Humane Society Animal Control.

SECTION V. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article IV. Impoundment, Adoption, Section 4-50. Impoundment authorized. be hereby amended with new text underlined and deleted text in ~~strikethrough~~:

ARTICLE IV. IMPOUNDMENT, ADOPTION

Sec. 4-50. Impoundment authorized.

- (a) Any dog or public nuisance animal found at large within the parish, contrary to the provisions of this chapter, may be seized and impounded by any law enforcement officer of this parish or by any person authorized by the designated administrative department. Any dog or public nuisance animal so seized and impounded not claimed or redeemed in accordance with section ~~4-52~~ 4-51 by its owner and/or keeper within (5) business days after being seized and impounded shall be offered for adoption or destroyed in some humane manner. The foregoing shall apply regardless of whether or not the dog or public nuisance animal shall have identification, and whether or not the owner or keeper shall be readily ascertainable.
- (c) Animal Control may offer owner intended euthanasia for aggression or severe medical issues facilitated by a certified veterinary euthanasia technician or veterinarian for one-hundred dollars (\$100.00) fee payable by credit or debit card to St. Charles Parish Finance.

SECTION VI. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article IV. Impoundment, Adoption, Section 4-51. Adoption and seizure of impounded animals. be hereby amended with new text underlined and deleted text in ~~strikethrough~~:

Sec. 4-51. Redemption and Adoption and seizure of impounded animals.

- (b) Any person claiming a dog or cat which has been seized and impounded shall pay: ten dollars (\$10.00) boarding per day, in addition to claim and microchipping fees. The owner of a non-sterilized impounded animal 6 months or older, not including dangerous dog impoundments or a licensed veterinarian certifies the dog should not be spayed/neutered for health reasons, are required to pay intact fees or choose sterilization prior to release.
- (1) For the first claim, a fee of not less than twenty dollars (\$20.00) for seizing, and a fee of not less than five dollars (\$5.00) for each day that it is impounded; of, if previously sterilized fifty dollars (\$50.00); unsterilized two hundred dollars (\$200.00) or choose sterilization for one hundred (\$100.00);
- (2) For a second claim of a dog or cat of which has been previously seized or impounded during a twelve month period, shall pay: ~~fifty dollars (\$50.00) or choose sterilization for the animal;~~ if previously sterilized one hundred dollars (\$100.00); unsterilized four hundred dollars (\$400.00) or choose sterilization and pay two hundred dollars (\$200.00);
- (3) For a third claim of a dog or cat which has been previously seized or impounded shall pay ~~two hundred dollars (\$200.00) and mandatory sterilization;~~ if previously sterilized two hundred dollars (\$200.00); unsterilized eight hundred dollars (\$800.00) or choose sterilization and pay four hundred dollars (\$400.00);
- (4) In the event of a fourth offense the fine will be five hundred dollars (\$500.00) and liability insurance coverage as stated in the following paragraph. A signed and notarized sheet will be provided for each animal.
- In the event the dog or cat is redeemed as provided for in subsection (c), the fee for seizing shall include the cost of rabies inoculation provided the animal has not been inoculated within the previous twelve (12) months, and provided the inoculation is performed by a licensed veterinarian. ~~Proof of inoculation must be submitted to the animal shelter within five (5) business days~~

~~following the release of the dog or cat. Failure to provide such proof shall be a violation of this article. Fees shall be paid to the animal control office.~~

- (c) Any dog or cat that has been impounded and unclaimed by its owner and/or keeper as provided for in section 4-50 within five (5) business days after being seized may be offered for adoption or destroyed in a humane manner. Any dog or cat that has been relinquished by its owner and/or keeper to the animal shelter may be immediately offered for adoption or be destroyed in a humane manner. Animal control may collect a fee of not more than eighty dollars (\$80.00) for the adoption of an animal, which shall include the cost of rabies inoculation ten dollars (\$10.00), veterinary care and microchipping twenty dollars (\$20.00).
- (d) ~~St. Charles Humane Society~~ St. Charles Parish owns and operates the adoption and spay/neuter program at the animal shelter. ~~The animal control office acts as an agent on behalf of the St. Charles Humane Society. Any questionable adoptions will need final approval from the St. Charles Parish Humane Society Board of Directors.~~

SECTION VII. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article IV. Impoundment, Adoption, Section 4-52. Public offering of animals for adoption. be hereby amended with new text underlined and deleted text in ~~strikethrough~~:

Sec. 4-52. Public offering of animals for adoption.

- (a) No person shall offer dogs or cats for adoption by the public without obtaining from the adopter a signed pledge that the animal will be sterilized by spaying or neutering within twenty (20) days or ~~as soon as it reaches an appropriate age by 6 months of age.~~
- (c) ~~The St. Charles Humane Society~~ St. Charles Parish Animal Control or any other agency, shall be allowed to offer for adoption animals that are obtained from the animal shelter.
- (d) No person or humane organization shall offer for adoption any animal which has been declared fierce, dangerous ~~or vicious~~. Any ~~fierce, dangerous or vicious~~ animal surrendered by its owner to the animal shelter ~~or to any humane organization~~ shall immediately be destroyed in a humane manner.
- (e) ~~A record of all animals placed for adoption shall be forward to the animal shelter within three (3) days and kept on file for three (3) months; the form(s) shall be furnished by the animal shelter.~~

SECTION VIII. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article IV. Impoundment, Adoption, Section 4-54. Animal breeders. be hereby amended with new text underlined and deleted text in ~~strikethrough~~:

Sec. 4-54. Animal breeders.

- (a) ~~Permit required.~~ No person shall be an animal breeder ~~unless a permit to operate as a breeder shall have been granted by the animal control office~~ cause or allow any dog or cat owned, harbored or kept within St. Charles Parish to breed without first obtaining a breeding permit. The animal must be microchipped as well. Application procedures and requirements for such permit shall be in accordance with rules and regulation stipulated by the animal control office. The permit period shall be the calendar year and the permit fee shall be one hundred dollars (\$100.00) for each intact female per permit period or part thereof beginning with the first day of the calendar year. Fees shall be paid to the St. Charles Parish Humane Society Animal Control for the spay/neuter of animals program.
- (b) *Requirements for holding of permit.* All breeders must, in addition to all other requirements of this article, comply with the requirements set forth below. Failure to meet these requirements shall be grounds for denial of a permit to operate, or revocation of any previously issued permit. All pups must have had their vaccines (for distemper, parvovirus at minimum) at six (6) weeks of age by a veterinarian, been certified healthy by a veterinarian and certified clean of intestinal parasites by a veterinarian. One copy of this certificate must be given to the new owner of the pups and one (1) copy must be kept by the breeder.

No offspring may be sold, adopted, bartered or otherwise transferred, whether for compensation or otherwise, until it has reached the age of at least 8 weeks.

Any holder of a breeding permit who advertises the availability of any dog or cat for sale, adoption or transfer, whether for compensation or otherwise, must prominently display the permit number in any such advertisement. Further, the breeding permit holder must provide the permit number to any person who purchases, adopts or receives any animal from the permit holder and include the permit number on any receipt of sale.

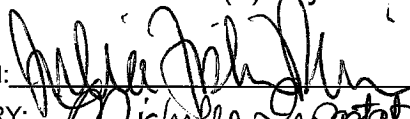
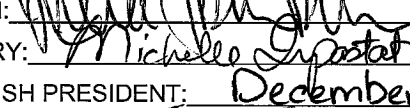
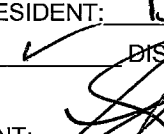
Commercial establishments selling locally bred dogs or cats shall prominently display the breeding permit number(s) of the breeder(s) whose dogs or cats are sold or given away in said establishments and any other information required by the United States Department of Agriculture. Commercial establishments selling dogs or cats not bred within St. Charles Parish shall prominently display the name and address of the breeder(s) of such dogs and cats and any other pertinent information required by the United States Department of Agriculture.

- (c) *Application for permit; temporary permit.* Permit application forms may be obtained from the animal control office. Completed, notarized forms accompanied by the appropriate fee will be brought to the animal control office within five (5) days of notification that the application is complete. If an applicant certifies that all of the requirements of these rules and regulations are being met in his establishment, the animal control office may issue a temporary permit until such time as they can make a physical inspection of the establishment. Such temporary permit, however, shall not be valid for more than three (3) months from date of issue, and shall be revoked at the time of inspection if all permit requirements are not being met. Upon certification by an authorized representative of the animal control office that all pertinent requirements are being met, the animal shelter supervisor shall forthwith issue a regular permit which shall be valid until ~~e~~December thirty-first of the year issued.
- (f) *Prohibitions.* No breeder shall allow any female dog or cat to produce more than ~~two (2)~~one (1) litters in any one (1) continuous twelve-month period and dogs cannot be bred until at least 18 months of age.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: BENEDETTO, HOGAN, WILSON, CLULEE, GIBBS, WOODRUFF,
BELLOCK, FLETCHER, FISHER-PERRIER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 2nd day of December, 2019, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: 
SECRETARY: 
DLVD/PARISH PRESIDENT: December 3, 2019
APPROVED:  DISAPPROVED: _____
PARISH PRESIDENT: _____
RETD/SECRETARY: December 10, 2019
AT: 3:48 pm RECD BY: 