

2019-0053

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

ORDINANCE NO. 19-3-3

An ordinance to amend the dangerous dog laws found in the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article I. In General, Section 4-1. Definitions., Section 4-6. Fierce, dangerous or vicious animal., Section 4-7. Penalties., Section 4-10. Keeping of animals not considered pets and keeping of exotic animals and to add Section 4-6.1. Animal Classification Appeals Committee., and Section 4-6.2. Liability insurance, liability bond, property surety bond for dangerous dogs.

WHEREAS, the amendment of the current dangerous dog 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.

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.

~~At large: An animal shall be deemed to be at large if off the premises of its owner and/or keeper and not under the immediate control of a responsible person. Any dog or cat that is not within the confines of its owner's home, fencing or fencing system, dog pen, primary enclosure or automobile and that is not on a tether which restricts the animal to the confines of its owner's property, nor on a leash no longer than six (6) feet long shall be considered at large. Pit bulls and bully mixes cannot be tethered. Exception: Hunting or stock dogs, show dogs and cats, government or law enforcement dogs actively being worked or other animals being worked or shown under the physically present supervision of their owners or agents or employees of owners are excepted.~~

~~Fierce, dangerous or vicious animal:~~

~~(1) Fierce animal means any dog or other animal:~~

- ~~a. Which is not securely confined and jeopardizes any postal carrier, meter reader, utility or building inspector or other lawful invitee on the property of the owner; or~~
- ~~b. Which chases vehicles on public property in a menacing or terrorizing manner; or~~
- ~~c. Which upon review of the facts is declared and designated a fierce animal, after an inquiry with the animal control supervisor.~~

~~(2) Dangerous animal: means any dog or other animal:~~

- ~~a. Which when unprovoked:
 - ~~1. Bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal on public or private property; or~~
 - ~~2. Chases or approaches a person upon the streets, sidewalks or on any public grounds in a menacing or terrorizing manner or apparent attitude of attack; or~~~~
- ~~b. Which has a known propensity or disposition to attack unprovoked, to cause injury or otherwise endanger the safety of human beings or domestic animals; or~~
- ~~c. Which has undergone quarantine for rabies observation two (2) or more times within a two-year period; or~~
- ~~d. Any animal, which is deemed dangerous by the animal control supervisor.~~

~~(3) Vicious animal means any dog or other animal:~~

- ~~a. Has without provocation:
 - ~~1. Inflicted severe injury on a human being on public or private property; or~~
 - ~~2. Has killed a domestic animal without provocation while off the owner and/or keeper's property; or~~~~

- ~~3. Has previously been found to be a "dangerous animal: the owner and/or keeper having received notice of such and the animal again bites, attacks or endangers the safety of human beings or domestic animals; or~~
- ~~b. Which is owned or harbored primarily or in part for the purpose of dog fighting; or~~
- ~~c. Which would otherwise be deemed dangerous, but upon review of the facts by the animal control supervisor designated a vicious animal.~~

Minor Injury: The injury results in a superficial wound such as a scratch, laceration, bruise or minor tissue swelling.

Moderate Injury: The injury may require sutures, but does not result in temporary or permanent disfigurement, permanent pain or risk of death.

Severe Injury: The injury results in a physical condition serious enough to require any of the following:

- (1) Hospitalization or prolonged treatment, physical harm involving substantial risk of death;
- (2) Physical harm involving substantial risk of death; or rabies exposure or
- (3) Physical harm involving partial or permanent disfigurement.

Provocation: Overt act(s) by a person, which would reasonably be expected to harass, irritate, or aggravate a dog to the point of aggression. This includes, but is not limited to, hitting or approaching a dog in a menacing fashion, but does not include any act by a person, reasonably seen by that person, as necessary to intervene to protect himself or another person or livestock or domestic animal or fowl. An unauthorized intruder or a wild or domestic animal shall be deemed to have provoked a dog by the act of entering the owner's dwelling or enclosed premises not normally accessible to the public.

Unauthorized Intruder: Means any person who enters a dog owner's apartment, house, business or enclosed premises not normally accessible to the public with the knowledge that he not does have the dog owner's permission to do so.

SECTION II. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article I. In General, Section 4-6. Fierce, dangerous or vicious animal. be hereby amended with new text underlined and deleted text in strikethrough:

Sec. 4-6. Potentially Fierce, dangerous, dangerous or vicious animal dogs.

~~(a) Any animal classified as fierce, dangerous or vicious by its actions or through evaluation by an animal control officer, which subsequently attacks, causes injury, or otherwise exhibits a propensity to endanger the safety of human beings or domestic animals shall require such animal to be registered with the animal control office. Issuance of a permit, which is renewable each year from the anniversary date of such issue, and a signed statement attesting under oath that said owner and/or keeper, has met the following requirements:~~

- ~~(1) A fence or structure of at least six (6) feet in height, forming a pen suitable to prevent the unauthorized entry of human beings, and suitable to confine a fierce, dangerous or vicious animal. Such enclosure shall be securely closed and locked at all times and shall have secure sides. Such structures shall further have a secure bottom sufficient to prevent said animal from digging its way under and/or out of the said enclosure. The enclosure shall be located in a secure fenced area so as to prevent any person, except under conditions supervised by the animal's owner, from gaining any contact with the said animal. The enclosure shall have adequate shelter for the animal consisting of at least a roof and three sides. The dimensions of the enclosure shall meet or exceed the width of eight (8) feet and depth of eight (8) feet. Said structure shall be complete and ready for occupancy prior to the effective date of the permit for which application is being made.~~

- ~~(2) The above classified animal shall be penned in a proper enclosure at all times when the animal is not confined and supervised within the owner's and/or keeper's dwelling, or being moved or exercised.~~
- ~~(3) It is unlawful for any owner and/or keeper to allow any classified animal outside the dwelling of the owner and/or keeper, or outside of the herein above defined enclosure without restraints on a leash and collar having a minimum tensile strength of three hundred (300) pounds and not exceeding six (6) feet in length. The animal shall be kept under the direct control and supervision of owner and/or keeper at all times. The owner and/or keeper shall display in a prominent place on the premises on which the animal is kept a sign warning that a fierce, dangerous or vicious animal is housed on the premises. Such sign shall be easily readable by the members of the general public and intelligible to young children and/or those who are unable to read and write the English language. A similar sign shall be posted on the animal's pen. These signs must be posted within thirty six (36) hours.~~
- ~~(4) The owner and/or keeper shall provide two (2) color photographs of the animal clearly depicting color, approximate size, and facial characteristics.~~
- ~~(b) The owner and/or keeper shall notify the animal control office or the sheriff's department immediately whenever a fierce, dangerous or vicious animal is on the loose, is unconfined, has attacked another animal or has attacked a human, has died, been sold, or given away, or has been relocated. If the animal has been sold or given away, the owner and/or keeper shall provide the name, address and phone number of the new owner to the animal control office.~~
- ~~(c) Any fierce, dangerous or vicious animal can be destroyed by the animal control office or the sheriff's department if found to be in violation of this ordinance and which cannot be safely taken up or impounded. It shall be unlawful for any other person other than agents of the animal control office or the sheriff's department to kill any such animal, except under such circumstances where such action is necessary for defense or where such animal is imminently threatening attacking any person.~~
- ~~(d) Upon designation of any animal being classified as fierce, dangerous or vicious by the sheriff's department or an animal control officer as a result of a complaint or by other means, owner and/or keeper will surrender said animal to the animal control office or sheriff's department to be impounded at the parish animal shelter until the owner and/or keeper provides an enclosure for the animal as defined above or for a maximum period of thirty (30) days. After the thirty-day period set forth above, if the owner and/or keeper does not provide the proper enclosure as set forth by this section, then the said animal may be destroyed.~~
- ~~(e) Any animal that has been impounded as the result of a complaint or by other means may be required by the animal control office to be micro-chipped prior to release from impoundment. All costs associated must be paid by owner and/or keeper before release of said animal or within five (5) days of micro chipping. Failure to cover all expenses incurred may result in euthanizing of said animal and legal charges brought against owner and/or keeper to cover all expenses plus legal fees.~~
- ~~(f) The owner and/or keeper of any animal that has been impounded as a result of a complaint, attack or other means may require said owner and/or keeper to remove the animal from the parish. Said owner and/or keeper will have ten (10) days to provide a viable plan for the removal of said animal from the parish. Any owner and/or keeper that has not presented an appropriate plan to the satisfaction of the animal control office for removal of said animal may lose all rights to said animal and said animal may be euthanized.~~
- ~~(g) The requirements of this section for the maintenance of physical control over above described animal shall not be satisfied by the mere chaining, roping, leashing, or similar restraining of the animal to inanimate objects such as stakes, trees, posts or buildings.~~

~~(h) The provisions of this section shall not apply to proprietors of animal hospitals, to veterinarians, or to search and rescue organizations and law enforcement agencies who keep or maintain said described animal on their professional premises in the usual and normal course of business, or to zoological gardens, theatrical exhibits, or a circus provided that such animal hospital, veterinarian, zoological garden, theatrical exhibit, or circus possesses all permits required by the laws of this parish and state and complies with all other regulations concerning the keeping and maintaining of such animal.~~

(a) Determination of potentially dangerous or dangerous characteristics:

(1) Any dog may be deemed "potentially dangerous" if such dog constitutes a menace to public health or safety by committing any of the following acts:

- a. An attack or minor injury occurs, which results in injury to a person when such person is conducting himself peacefully and lawfully;
- b. The dog bites a domestic animal resulting in moderate injury while the dog is at large;
- c. The dog chases or approaches a person upon the streets, sidewalks, public grounds or property owned by a person other than the owner of the dog, in a terrorizing or menacing manner or apparent attitude of attack;
- d. A dog which on two (2) separate occasions has been observed at large, on or off the owner's property, or has been impounded at least once previously for being at large; or
- e. A dog that, in the opinion of the animal control supervisor, constitutes a threat to public safety such that the animal control supervisor recommends a dog as "potentially dangerous".

(2) The animal control supervisor may investigate reported incidents involving dogs that may be "potentially dangerous" and shall send written notification of the animal control supervisor's classification of the animal by certified mail and the last known address of the dog's owner. The classification of "potentially dangerous" shall be added to the registration records of the dog.

(3) A summons may be issued to the owner of any potentially dangerous dog alleged to be in violation of this section. The investigating officer may issue such summons upon receipt of a sworn affidavit of the complaint.

(4) Proper handling of a potentially dangerous dog:

- a. A potentially dangerous dog must be under the supervision and control of an owner over 16 years old when outside of the owner's dwelling;
- b. The dog can be off of the owner's property to be walked only if restrained by a leash, not to exceed 6 feet, which prevents its escape or access to other persons. The dog may not be taken to public parks or private dog parks;
- c. Based on the size and behavior of the dog, the owner may be required to muzzle the dog when it is on public property or those areas of private property that are unfenced and normally accessible to the public. The muzzle shall neither injure the dog nor interfere with its vision or respiration;
- d. The dog must be spayed or neutered and micro-chipped, at the owner's expense, prior to being returned to the owner, unless it is certified as unfit for surgery with documentation provided by a Louisiana Licensed veterinarian with a specific diagnosis; or
- e. The dog may be evaluated by a board certified veterinary behaviorist, certified animal behaviorist or recognized expert and may successfully complete training and any other treatment deemed necessary at the owner's expense.

(5) A dog may be deemed "dangerous" if it commits any of the following acts under the following circumstances:

- a. The dog bites a human being, resulting in moderate injury, when the person is conducting himself peacefully and lawfully;

- b. The dog, off the property of owner of offending dog, causes severe injury to a domestic animal resulting in hospitalization of the domestic animal;
 - c. The dog kills any domestic animal;
 - d. The dog is already classified as "potentially dangerous" and commits any of the acts enumerated in this section; or
 - e. An animal that, in the opinion of the animal control supervisor, constitutes a threat to public safety and recommended by the animal control supervisor to be as "DANGEROUS".
- (6) Animal control may investigate reported incidents involving dogs that may be "dangerous." Upon such investigation, if the animal control supervisor finds the dog to constitute a "dangerous dog" as defined in this section, said dog shall be impounded and so classified. The owner shall receive written notification of the animal control departments' classification of the dog. Said notification shall include the procedure for appeal. The classification of "dangerous" shall be added to the registration records of the dog.
- (7) The owner of a dog that has been classified as dangerous shall abide by the following mandates within thirty (30) days after receipt of the dog's classification as dangerous:
- a. While on the owner's property, a dangerous dog shall be securely confined indoors or in a securely locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping at times when the animal is not confined and supervised within the owner's and/or keeper's dwelling;
 - b. Such an outdoor pen or structure shall have a sealed cement floor and be surrounded by a chain link fence that is anchored to a cement slab. The pen must also have a chain link top that is securely fastened to the top of the pen. The top must also have a solid cover to protect the animal from the elements and a doghouse of proper size within the enclosure. The outdoor enclosure size will be determined by the size of the dog or dogs being housed and must be reviewed and approved by the animal control supervisor. A 6 foot fence must surround the premises, suitable to prevent the unauthorized entry of human beings and suitable for confinement of the dog;
 - c. Such enclosure shall be securely closed and locked at all times. The fence must have chain wall or cement sides to prevent said animal from digging its way under or out of the fenced area. The dog shall be penned in the proper enclosure at all times when the animal is not supervised within the owner's fenced property;
 - d. The supervisor, after reviewing the circumstances associated with each situation, shall make a determination as to whether the enclosure meets its requirements. Such enclosure shall assure the safety of the public as well as confinement of the dog in a humane, safe, sanitary and healthful environment;
 - e. The dog must remain in an interior room of house secured by a lock, when anyone is entering or exiting the house or when someone outside of the immediate family is inside the house. The room size will be determined by the size of the dog and reviewed and approved by the animal control supervisor;
 - f. The dog shall not be walked in public parks, public or private dog parks, on public sidewalks or any areas outside the owner's property except to go to the veterinarian. The dog shall be muzzled in a manner that prevents the dog from biting but shall not injure the dog or interfere with its vision or respiration and it shall be in the direct control of the owner over 16 years of age with a secure leash no longer than 6 feet in length when traveling to or from the veterinarian;
 - g. The dog shall be spayed or neutered and microchipped, at the owner's expense, prior to being returned to the owner unless it is

- certified as unfit for surgery with documentation provided by a Louisiana Licensed veterinarian with a specific diagnosis;
- h. The dog may be required to be evaluated by a board certified veterinary behaviorist, certified animal behaviorist or recognized expert and may successfully complete training and any other treatment animal control deems necessary at the owner's expense;
 - i. The owner shall pay all boarding costs to animal control, while awaiting hearing;
 - j. Animal Control shall be notified if the owner is moving the dog to new housing. 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. Each owner shall execute a document to be supplied by Animal Control, acknowledging that said owner is aware of "dangerous" dog classification and that said owner shall comply with the requirements of this title. Animal Control shall perform a Dangerous Dog house inspection at the new residence if in St Charles Parish;
 - k. A dog that has been deemed dangerous in another parish or state must register with animal control and meet the same requirements listed in this section;
 - l. A sign indicating that a dangerous dog is housed shall be visible from the street and affixed to the entrance of the house and fence. The sign shall be at least 8"x11"with letters no smaller than 3" high;
 - m. Animal control, 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;
 - n. An owner of a dangerous dog shall have said dog humanely euthanized at his expense by animal control or by a licensed veterinarian, if said owner is unable to comply with the requirements recited herein;
 - o. 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 or escape on its own volition. Screened windows or screened door alone are considered inadequate;
 - p. The owning, keeping or harboring of a dangerous animal in violation of this title is deemed a public nuisance and the animal may be seized;
 - q. If animal control 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;
- (8) A "dangerous dog" that is impounded for any violation of this section, may be reclassified as a "vicious dog."
- (9) The owner of a dog that has been classified as "dangerous" may appeal this classification to the animal classification appeals committee within the ten-day period after the animal control center classifies said dog:
- a. A notice of appeal shall be filed with the animal control supervisor within ten (10) days of the receipt of notice of classification. The supervisor shall then notify the animal classification appeals committee;
 - b. The animal classification appeals committee shall hear the appeal within thirty (30) days after the owner has submitted a notice of appeal.
 - c. The classification of a dog as "dangerous" shall be revoked only by a majority vote of the animal classification appeals committee.
 - d. All decisions made by the animal classification appeals committee shall be final and binding, unless an appeal is made to a court of competent jurisdiction. Notification of said appeal must be filed ten (10) days after the animal classification appeal committee

upholding the decision to classify the said dog as “dangerous”. Should a Temporary Restraining Order be received within the ten-day period, then the owner will also be responsible for payment of all boarding costs and other fees at that time as may be required to humanely and safely keep the animal at the shelter through the appeals process.

e. Payment of all boarding costs and fees shall be placed as bond with the registry of the court in which the Temporary Restraining Order was obtained. If the dog classification is reversed, payment will be refunded.

(b) Vicious Dog

(1) The animal control supervisor may deem a dog “vicious” if it commits any of the following acts:

a. **ATTACKS OR** Bites a human being resulting in severe injury or death; or

b. Is already classified as a “DANGEROUS” dog and commits any of the acts enumerated in Section 4-6(b)(1) above.

(2) Animal control may investigate reported incidents involving dogs that may be “vicious.” Upon such investigation, if the animal control supervisor finds the dog to constitute a “vicious dog,” said dog shall be impounded and so classified. The owner shall receive written notification of the animal control supervisor’s classification of the dog. Said notification shall include the procedure for appeal. The classification of “vicious” shall be added to the registration records of the dog.

(3) Any dog that has been classified as “vicious” shall be impounded by animal control. The animal will be kept at the shelter and placed in rabies quarantine, if necessary, for the proper length of time or held for ten (10) days after the owner’s receipt of notification and then shall be euthanized unless the owner initiates an appeal procedure within this ten-day period.

(4) The owner of a dog that has been classified as “vicious” may appeal this classification to the animal classification appeals committee within the ten-day period after the animal control center classifies such dog:

a. A notice of appeal shall be filed with the animal control supervisor within ten (10) days of the receipt of notice of classification. The supervisor shall then notify the animal classification appeals committee;

b. The animal will remain impounded at animal control until such time as the animal appeals committee hears and decides the appeal of the owner. The animal classification appeals committee shall hear the appeal **within ten (10) days** after the owner has submitted notice of appeal.

c. The classification of a dog as “vicious” shall be revoked only by a majority vote of the animal classification appeals committee. If the committee does not revoke the “vicious dog” classification, the dog will be kept an additional ten (10) days and then be humanely euthanized, at the expense of the owner, by the animal control center. If the animal classification appeals committee revokes the “vicious” dog classification, such dog shall then be classified as “dangerous”; and its owner shall be required to comply with Section 4-6 (a)(7) above. The committee shall provide the owner with written notice of its decision by mailing the decision to the dog owner’s last known address.

d. The owner shall be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal at the animal control through the appeals process.

e. Written notice is granted in Section 4-6 (b)(4c) above in order to give the owner of a dog classified as “vicious” time to apply to a court of competent jurisdiction for any remedies, which may be available.

- f. The owner of a dog that has been classified as "vicious" may appeal the decision of the animal classification appeals committee to uphold the "vicious" classification. A Temporary Restraining Order shall be obtained from a court of competent jurisdiction within ten (10) days of said decision in order to delay the euthanasia of such dog. Should a Temporary Restraining Order be obtained, the owner shall also be responsible for payment of all boarding costs and other fees at this time as may be required to humanely and safely keep the animal at animal control through the court appeal process.
 - g. Payment of all boarding costs and fees shall be placed as bond in the registry of the court in which the Temporary Restraining Order was obtained.
 - h. No person shall keep or permit to be kept within St Charles Parish any vicious dog. A dog determined to be vicious by the court shall be humanely euthanized.
- (c) Required Reporting
- (1) Any health care provider who examines or treats any person who has been bitten by a dog or upon whom a dog has inflicted serious bodily injury shall report such bite or injury to animal control or the deputy. Such a report shall be made immediately, if possible, and in any event shall be made within 24 hours of examining the patient.
 - (2) The report shall include the following information subject to the limitations allowed by law:
 - a. The patient's name, date of birth, sex and current home and work address;
 - b. The nature of the bite or injury that is the subject of the report;
 - c. Any information about the location of the biting animal and the name and address of any known owner; and
 - d. The name and address of the health care provider.

SECTION III. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article I. In General, be hereby amended by adding Section 4-6.1. Animal Classification Appeals Committee. with new text underlined and deleted text in ~~strikethrough~~:

Sec. 4-6.1. Animal Classification Appeals Committee.

(a) The Parish President shall appoint a three-member animal classification appeals committee which in its' judgment shall fairly represent animal control, animal owners and citizens of St. Charles Parish. The committee shall make decisions relating to appeals that have been initiated concerning dangerous dogs and vicious dogs.

(b) The animal classification appeals committee shall be appointed from nominations submitted to the St. Charles Parish President. One (1) member shall be a licensed veterinarian, one (1) member shall be a commissioned law enforcement officer and one (1) member shall be a member of the animal welfare society. All members must be residents of St. Charles Parish.

SECTION IV. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article I. In General, be hereby amended by adding Section 4-6.2. Liability insurance, liability bond, property surety bond for dangerous dogs. with new text underlined and deleted text in ~~strikethrough~~:

Sec. 4-6.2. Liability insurance, liability bond, property surety bond for dangerous dogs.

(a) The owner or keeper shall present to the supervisor of animal control that the owner or keeper has procured liability insurance in the amount of at least One Hundred Thousand and No/100ths (\$100,000.00) Dollars, covering any damage or injury which may be caused by such dangerous dog during the twelve (12) month period for which licensing is sought and proof of coverage must be provided annually.

SECTION V. That the St. Charles Parish Code of Ordinances, Chapter 4, Animals and Fowl, Article I. In General, Section 4-7. Penalties. be hereby amended with new text underlined and deleted text in ~~strikethrough~~:

Sec. 4-7. Penalties.

(a) Any person found guilty of violating any of the provisions of this chapter shall, for each violation, be fined not less than ~~fifty (\$50.00)~~ two-hundred (\$200.00) dollars nor more than five hundred (\$500.00) dollars plus court costs, or be imprisoned in the parish jail for not more than ~~sixty (60)~~ one hundred eighty (180) days or both. ~~Each separate day on which any violation of the provisions of this chapter is shown to have continued to exist shall constitute a separate offense.~~

(b) The owner of a dog at large that injures any person shall, upon conviction by a court of competent jurisdiction, be fined not less than five hundred (\$500.00) dollars or imprisoned for not more than thirty (30) days or both.

SECTION VI. 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.

(c) ~~*Bully breed and bully breed mix. American Pit Bull Terriers.*~~ All American Pit Bull Terriers must be registered with mandatory micro chip with the animal control office. Color pictures with full detail description must be filed with registration. Micro chipping of animal is required (See subsection (e)(4)). All premises must be inspected by an animal control officer for confinement of said animal before final registration is approved. All owners and/or custodians of bully breeds and bully breeds mixed with any other breed, which are over three (3) months of age within seven (7) days of being located within St Charles Parish, Louisiana shall:

- a) Be registered with the St Charles Parish Animal Control Department;
- b) Be microchipped at the owner's expense to identify the dog's ownership; and
- c) At all times wear, around its neck, a collar of proper fit with a current rabies tag affixed thereto.

Any Animal Control Officer and/or Law Enforcement Officer, after duly identifying himself and his intent, may scan any dog that appears to meet the aforementioned criteria whether in the possession of an owner/custodian, at large or in a kennel, in order to check for registration and microchipping of the animal.

Any animal seized or found at large due to violation of Section VI shall be held no more than five (5) days, at the owner's expense, for necessary corrective actions to be satisfied. Should the requirements of this Ordinance not be satisfied within six (6) days, then the dog is deemed abandoned in favor of St. Charles Parish Animal Control.

(1) If there is a complaint or it deemed necessary by an Animal Control Officer, the dog may require a proper enclosure as described in Section 4-10(2) below at all times when the animal is not confined and supervised within the owner's and or keeper's dwelling or being moved or exercised.

(2) While on the owner's property, a Bully type dog shall be securely confined indoors or in a securely locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping at times when the animal is not confined and supervised within the owner's and/or keeper's dwelling;

- a) Such an outdoor pen or structure shall have a sealed cement floor and be surrounded by a chain link fence that is anchored to a cement slab. The pen must also have a chain link top that is securely fastened to the top of the pen. The top must also have a solid cover to protect the animal from the elements and a doghouse of proper size within the enclosure. The outdoor enclosure size will be determined by the size of

the dog or dogs being housed and must be reviewed and approved by the animal control supervisor. A 6-foot fence must surround the premises, suitable to prevent the unauthorized entry of human beings and suitable for confinement of the dog.

- b) Such enclosure shall be securely closed and locked at all times. The fence must have chain wall or cement sides to prevent said animal from digging its way under or out of the fenced area. The dog shall be penned in the proper enclosure at all times when the animal is not supervised within the owner's fenced property. Said enclosure shall be complete and ready for inspection by animal control and said animal occupancy within 30 days of request by Animal Control.
- (3) Upon inspection by animal control, if the above requirements are not met, the animal will be impounded at the parish animal shelter for a maximum of five (5) business days until the owner and/or keeper provides and enclosure as set forth in this section for said animal. All cost of impoundment must be paid by owner and/or keeper before release of said animal. After the five (5) day period, if the owner and/or keeper does not provide the proper enclosure as set forth by this section, then the said animal may be adopted or euthanized.
- (4) American Pit Bull Terriers and Wolves shall be required by the animal control office to be microchipped. All costs associated must be paid by owner and /or keeper before release of said animal. Failure to cover all expenses incurred may result in legal charges brought against owner and/or keeper to cover all expenses plus legal fees.
- (d) *Wolf.*
- (2) All wolf hybrids must be registered with the animal control office. Color pictures with full detail description must be filed with registration. Micro chipping Microchipping is required (See ~~subsection (e)(4)~~). All premises must be inspected by an animal control officer for confinement of said animal before final registration is approved.
- ~~(e) *American Pitt Bull Terriers and Wolf.*~~
- ~~(1) Shall be penned in a proper enclosure as described in subsection (e)(2) at all times when the animal is not confined and supervised within the owner's and/or keeper's dwelling, or being moved or exercised.~~
- ~~(2) A fence or structure of at least six (6) feet in height, forming a pen suitable to prevent the unauthorized entry of human beings, and suitable for confinement. Such enclosure shall be securely closed and locked at all times and shall have secure sides. Such structures shall further have a secure bottom sufficient to prevent said animal from digging its way under and/or out of the said enclosure. The enclosure shall be located in a secure fenced area so as to prevent any person, except under conditions supervised by the animal's owner, from gaining any contact with the said animal. The enclosure shall have adequate shelter for the animal consisting of at least a roof and three sides. The dimensions of the enclosure shall meet or exceed the width of eight (8) feet and depth of eight (8) feet. Said structure shall be complete and ready for occupancy prior to the effective date of the permit for which application is being made.~~
- ~~(3) Upon inspection by an animal control office the above requirements must be met within a thirty day period. Thereafter, the animal will be impounded at the parish animal shelter for a maximum period of thirty (30) days until the owner and/or keeper provides an enclosure as set forth in this section for said animal. All cost of impoundment must be paid by owner and/or keeper before release of said animal. After the thirty day period, if the owner and/or keeper does not provide the proper enclosure as set forth by this section, then the said animal may be destroyed.~~

~~(4) Shall be required by the animal control office to be micro-chipped. All costs associated must be paid by owner and/or keeper before release of said animal or within five (5) days of micro-chipping. Failure to cover all expenses incurred may result in legal charges brought against owner and/or keeper to cover all expenses plus legal fees.~~

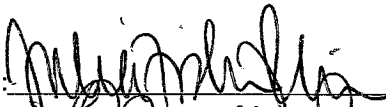
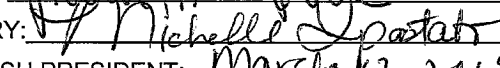
~~(5) The owner and/or keeper of said animal that has been impounded as a result of a complaint, attack or other means may require said owner and/or keeper to remove the animal from the parish. Said owner and/or keeper will have ten (10) days to provide a viable plan for the removal of said animal from the parish. Any owner and/or keeper that has not presented an appropriate plan to the satisfaction of the animal control office for removal of said animal may lose all rights to said animal and said animal may be euthanized.~~

~~(f) (e) Feral cat and feral dog.~~

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 11th day of March, 2019, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: 
SECRETARY: 
DLVD/PARISH PRESIDENT: March 12, 2019
APPROVED: DISAPPROVED:

PARISH PRESIDENT: 
RETD/SECRETARY: March 13, 2019
AT: 3:25 pm RECD BY: 