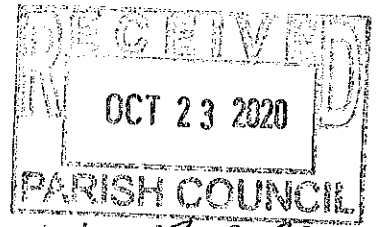


PETITION TO ADDRESS THE COUNCIL

St. Charles Parish Council Chairman
P. O. Box 302
Hahnville, LA 70057
(985) 783-5000



Today's Date: Oct 23, 2020

Dear Chairman:

Please place my name to address the Council on:

COUNCIL MEETING DATE: Nov 2, 2020

SPECIFIC TOPIC: Ordinance Change
Chapter 4

(*See specific guidelines on the reverse side and refer to Parish Charter Article VII Sec. I)

DOCUMENTS, IF ANY: YES NO

DOCUMENTS MUST BE ATTACHED AT THE TIME OF SUBMISSION

NAME: Shawn Bowman

COMPANY / ORGANIZATION: _____

MAILING ADDRESS: 157 Lake Wood Dr. Luttrell, La. 70070

PHONE: 985-240-0300 EMAIL ADDRESS: bodaddy0@gmail.com

SIGNATURE: [Signature]

Dear Constituent:

Thank you for your active participation. Your views and comments will be considered by the Council in making our decisions. The Council has a considerable amount of business to conduct in a limited amount of time, therefore, please note the following items that are expected of you:

- The Home Rule Charter provides for citizens to address the Council. **All requests and pertinent information must be received in writing by the Council Secretary at least one (1) week prior to the scheduled meeting; request may be hand-delivered, mailed, emailed (scpcouncil@stcharlesgov.net), or faxed (985-783-2067) to be received by 4:00 pm. It makes no provision for initiating debate, discussion, or question and answer sessions with Councilmembers or Administration Officials.** Your right is also guaranteed to examine public documents as you prepare your presentation. Should you have any questions for Councilmembers and/or Department Heads as you prepare, please forward such inquiries to the Council Office to insure a timely response. Should you wish to speak to any Official or Department personally, a complete list of contact information will be furnished at your request.
- Please be brief and limit your comments to the specific subject matter on which you have requested to address the Council. Please reference the Council guidelines for time limit specifications.
- Please forward supporting documents to the Council Secretary for distribution to the Parish Council at the time your form is submitted in order for the Council to prepare themselves, if necessary.
- Upon completion of your allotted time to address the Council, please respect the time given to Councilmembers to respond to your comments by not interrupting or interjecting remarks.
- Slanderous remarks and comments will not be tolerated. If slanderous remarks or comments are made, your opportunity to address the Council will end, regardless of the remaining time left to address the Council.
- Repetitious comments and subject matter will be strictly limited.

A confirmation letter will follow when your name is placed on the agenda.

Sincerely,

[Signature]
DICK GIBBS
COUNCIL CHAIRMAN

(OVER)

RIGHT TO DIRECT PARTICIPATION

COUNCIL GUIDELINES

No person shall be denied the right to observe and, within Council guidelines, to address the Council provided that the person has submitted a written request containing the nature of the **subject** to be discussed. All requests and pertinent information must be received by the Council Secretary at least one (1) week prior to the scheduled meeting. (Home Rule Charter, Article VII., Section I.)

Each person may speak once no longer than five (5) minutes except, with two-thirds (2/3) consent of the Council, an additional three (3) minutes may be granted to either individuals or groups. Any representative of a group addressing the Council shall state the complete name of the group in the letter request. A letter signed by a simple majority of the members of the Board of Directors of the group, organization or association stating permission to address the Council; the date and time that meeting was held giving said permission and the subject to be addressed. A bonafide charter of the organization certified (ratified) by the State of Louisiana shall be filed with the Council Secretary. A current list of Executive Officers and/or Board Members shall be submitted to the Council Secretary annually or when changes occur.

Chapter 4 - ANIMALS AND FOWL

Footnotes:

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Editor's note— Ord. No. 04-9-04, § 1, adopted Sept. 7, 2004, restated and amended former Ch. 4, Arts. I—IV, in its entirety to read as herein set out. Former Ch. 4 pertained to the same subject matter and derived from Ord. No. 03-12-5, § 1, adopted Dec. 1, 2003.

ARTICLE I. - IN GENERAL

Sec. 4-1. - Definitions.

For the purpose of this chapter, the following terms, phrases, words and derivations shall have the meaning given herein, unless it shall be apparent from the context that a different meaning is intended:

Adequate feed: The provision at suitable intervals (not to exceed twenty-four (24) hours) of a quantity of wholesome foodstuff suitable for the species and age, sufficient to maintain an adequate level of nutrition in each animal. Such foodstuff shall be served in a sanitized receptacle, dish or container.

Adequate water: A constant access to a supply of clean, fresh, potable water provided in a sanitary manner or provided at suitable intervals for the species and not to exceed twenty-four (24) hours at any interval.

Animal: Any living creature except human beings, including but not limited to mammals, birds, fowls, reptiles and fish, except when referring specifically to the control of rabies when the word "animal" shall mean only mammal.

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.

Animal shelter: The parish animal shelter, operated by the parish.

At large: 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.

Bite: Any abrasion, puncture, tear or piercing of the skin actually or suspected of being caused by an animal.

Breeder: A person who breeds specific animals. An individual who breeds or raises, on his own premises.

Cat: Any member of the *Felis catus* classification of the *Felidae* species, i.e., any domestic member of the feline family.

Dog: Any member of the *Canis familiaris* classification of the *Canidae* species, i.e., any domestic member of the canine family.

Domestic animal: Any member of a species of animal which is tame by nature or which has been domesticated by man so as to live and breed in a tame condition, or any animal which from time immemorial has been accustomed to the association of man, or by his industry has been subjected to man's will and has no disposition to escape his dominion; for the purposes of this article, livestock shall not be included in the classification of domestic animal.

Euthanasia: The humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death or by a method that involves anesthesia, produced by an agent which causes painless loss of consciousness, and subsequent death during such loss of consciousness.

Feral cat: Any cat who is unsocialized to humans, whose temperament is one (1) of fear and survives on own outdoors.

Feral dog: It is the offspring of a domestic dog (strays) that have been abandoned. They live on the edge of human society, scavenging for food, finding shelter where they can, mating and raising completely unsocialized feral puppies. These dogs are completely unpredictable.

Micro chipping: An identifier code is inserted under the skin of an animal via microchip. The microchip shall be accessible by the scanner at the St. Charles Parish Animal Shelter as well as a nationwide tracking system. The microchip process shall be administered by a veterinarian and identifying code registered at the St. Charles Animal Shelter.

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.

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 all large provisions of this title, providing there is not a nuisance complaint.

Owner/keeper: Any person owning, keeping or harboring any animal, or having in his care an animal on or about his premises.

Pet: A domesticated animal kept other than for commercial use, as a companion, for protection or recreation. Specifically excluded are cattle, horses, swine, sheep, chickens, ducks, guinea fowl, turkeys, goats, geese, bees, pigeons, and other animals or fowl generally regarded as farm animals or which may endanger the public health and safety or infringe on the rights of others.

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.

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.

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.

Wild or exotic animal:

- (1) *Exotic animal:* Any member of a species of animal, reptile or bird, warm or cold blooded, which is not indigenous to the environs of the parish and/or is not classified or considered as wildlife, livestock or domestic animal.
- (2) *Wild animal:* Any member of a species of animal which is wild by nature and/or which because of habit, mode of life or natural instinct, is incapable of being completely domesticated and requires the exercise of art, force or skill to keep it in subjection, for the purposes of this article, this term shall include wildlife, exotic animals, and any other animal whether domestic, livestock or otherwise which is not tame or domesticated.
- (3) *Wildlife:* Any member of a species of animal, reptile or bird, warm or cold blooded, which is indigenous to the environs of the parish and/or is under the control and authority of the Louisiana Wildlife and Fisheries Commission, as set forth in title 56 of the Louisiana Revised Statutes.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 04-9-5, § I, 9-7-04; Ord. No. 11-10-1, § 1, 10-3-11; Ord. No. 19-3-3, § I, 3-11-19; Ord. No. 19-12-7, § I, 12-2-19)

Sec. 4-2. - Cruelty.

- (a) No person shall ill-treat an animal, nor may an animal be abandoned. No person shall unnecessarily or cruelly beat, mutilate, kill, torture or abuse, or cause or procure to be cruelly beaten, mutilated, killed, tortured or abused, any animal or commit any act which under any other law constitutes cruel treatment, or fail to provide obviously necessary veterinary care. No animal shall be tethered as the primary means of stationary confinement; such stationary confinement by tethering shall be considered cruel treatment.
- (b) It shall be illegal for anyone to intentionally or criminally neglect or commit acts of neglect against any animal, including large animals and livestock. The animal control officer shall investigate all reports of cruelty and act in the best interest of the animal. Immediate surrender of such animals to the animal control office will be enforced. Each animal will be treated and proper care or disposition of the animal will be at the discretion of a veterinarian and the animal control officer.
- (c) When a person is charged with cruelty to animals, said person's animal may be seized by the arresting officer or official issuing the citation and held pending final disposition of the charge. Any animal so seized shall be impounded in the custody of the animal shelter.
- (d) The animal shelter shall retain custody of the animal for the purpose of evidence upon the trial, subject to the order of the court. All costs incurred in the boarding and treatment for any seized animal pending disposition of any animal cruelty charge, upon conviction of the accused, shall be borne by the person so convicted. If a seized animal is unable to humanely survive the final disposition of the animal cruelty charge, the court may order that such animal be humanely put to death, but only upon the certification of a licensed veterinarian either that the animal is not likely to survive or that in his professional judgment, by reason of the physical condition of the animal, it should be humanely euthanized.
- (e) Upon a person's conviction of cruelty to animals, in addition to all fines, costs and punishment authorized by law, the person shall be required to pay all kennel fees associated with the impoundment of the animal, further, it shall be proper for the court, in its discretion, to order the forfeiture and final determination of the custody of any animal found to be cruelly treated as part of the sentence; in the event of the acquittal or final discharge without conviction of the accused, the court shall, on demand, direct the delivery of any animal held in custody to the owner thereof.

(Ord. No. 04-9-4, § 1, 9-7-04)

Sec. 4-3. - Staking animals on public roads.

It shall be unlawful for any person to tether any animal to a stake, fence, post, tree, vehicle or other hitching device on the public roads or levees of this parish.

(Ord. No. 04-9-4, § 1, 9-7-04)

Sec. 4-4. - Animals running at large.

- (a) No person shall suffer or permit an animal in his possession, or kept by him about his premises, to run at-large on any unenclosed land, or trespass upon any enclosed or unenclosed lands of another.
- (b) Any citizen may, or law enforcement officer shall, seize any animal found unaccompanied by its owner or keeper and running at-large on any road, street, or other public place, or trespassing on any premises other than the owner.
- (c) For purpose of this section, any person, business, corporation, or other legal entity that keeps in his care, harbors, acts as custodian, or permits an animal to remain on or about his premises, or is the registered owner of such animal, shall be deemed the owner and/or keeper of said animal.
- (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 4-51.
- (e) It shall be unlawful for any person to release or entice any animal secured by the owner and/or keeper within his yard outside of the premises of such keeper and/or owner.
- (f) Every female animal in heat shall be confined in a building or secured enclosure in such a manner that such female animal cannot come into contact with other animals except for planned breeding.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 19-12-7, § II, 12-2-19)

Sec. 4-5. - Public nuisance.

- (a) Every owner and/or keeper of animals shall exercise proper care and control of such animals so as to prevent the animals from creating and/or becoming a public nuisance. It shall be unlawful to otherwise harbor or keep any animal which is a public nuisance; disturbing the health or repose of the residents; attacking or molesting passersby's or other animals; being repeatedly at large; chasing vehicles; scratching on or digging into or urinating or defecating upon lawns, shrubs, buildings or any property either public or private other than property of the owner and/or keeper of such an animal shall be deemed to be the creation of public nuisance and the owner and/or keeper of the animal causing such public nuisance shall be guilty of a misdemeanor.
- (b) In the case of a nuisance by defecation, the owner and/or keeper must remove all feces and dispose of them in a sanitary manner.
- (c) Premises on which animals are kept shall be maintained so as to prevent disagreeable odors arising there from, or the presence or breeding of flies, mosquitoes and other pests. Provisions shall be made for the removal and disposal of animal and food wastes, bedding, dead animals and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors and disease hazards.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 13-1-4, § I, 1-7-13)

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

(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 sixteen (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 six (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 six (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 sixteen (16) years of age with a secure leash no longer than six (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" x 11" 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 twenty-four (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.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 19-3-3, § II, 3-11-19)

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.

(Ord. No. 19-3-3, § III, 3-11-19)

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.

(Ord. No. 19-3-3, § IV, 3-11-19)

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 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 one hundred eighty (180) days or both.
- (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.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 19-3-3, § V, 3-11-19)

Sec. 4-8. - Hindering animal control officers prohibited.

- (a) It shall be unlawful for any person to knowingly hinder, resist or oppose any officers or employees of the animal control office in the performance of his/her duties.
- (b) It shall be unlawful for any person to knowingly interfere with or damage any animal trap owned or used by the animal control office or to molest or release any animal caught therein.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-8.1. - Hindering animal control officers penalties.

Any person who violates any provisions of section 4-8 of this chapter or who shall hinder or molest or interfere with any officer or agent of the animal control office in the performance of any duty provided for by this chapter shall, upon conviction by a court of competent jurisdiction, be deemed guilty of a misdemeanor and may be fined any amount up to five hundred dollars (\$500.00) or imprisoned for not more than one hundred-eighty (180) days, or both fined and imprisoned, at the discretion of the court.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-9. - Exception to provisions of chapter.

Except in cases of emergency, none of the provisions of this chapter shall apply to nonresident owners and/or keepers of animals passing through the parish or animals brought to the parish for the purpose of exhibition at any animal show provided said animal is under restraint.

(Ord. No. 04-9-4, § 1, 9-7-04)

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

- (a) No animals other than those defined as pets shall be kept in other than an O-L zoning district without first obtaining a letter of no objection signed by all property owners within three hundred (300) feet of the property, as measured from the property lines, on which the animals are to be kept. In Kerry's Pointe Subdivision, the keeping of up to ten (10) chickens shall only require letters of no objection from the abutting property owners. The form for obtaining a letter of no objection shall be obtained from the planning and zoning department. The completed application form shall be returned to the planning and zoning department and the department shall forward a copy to the animal control office for review and approval. The animal control office will review the number of animals, type of animals and suitability of the site; and is hereby authorized to limit the number of animals and regulate the manner in which the animals are kept. A copy of the approved form, including any stipulations placed on the applicant by the animal control office, shall be returned to the applicant and the animal control office.
- (b) It shall be unlawful for any person to possess, own, breed, or otherwise bring into St. Charles Parish any live wild or exotic animal.

Any animal determined by the animal control office to be of a type specifically banned shall be subject to immediate impoundment. The owner and/or keeper of the animal shall have five (5) days following the date of impoundment to provide a verifiable plan for removal of the animal from the parish. If, after five (5) days, the owner and/or keeper has not provided an appropriate plan to the satisfaction of the animal control office, the animal may be euthanized. An impounded animal of which no owner and/or keeper can be located within five (5) days of impoundment, may be euthanized or otherwise removed from the parish at the discretion of the animal control office.

The animal control office may issue a temporary permit for the keeping, care and protection of an infant banned animal native to the area until such time it may be safely released or disposed of accordingly.

The provisions of this section shall not apply to animal research centers sponsored by accredited universities or hospitals, animal rehabilitation centers, alligator farms or ranches, zoological gardens, theatrical exhibits, or a circus provided that all permits required by law are obtained and all regulations concerning the keeping and maintaining of such animals are adhered to.

- (c) Bully breed and bully breed mix. 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 subsections (c),(d), and (e) 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 sections 4-1, 4-6, 4-6.1, 4-6.2, 4-7 (a), (b), and 4-10 (c), (d), and (e) 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 six (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 thirty (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.

- (1) No person shall possess any of the following species or its subspecies of live wild, domesticated or otherwise Red Wolf or Gray Wolf.

An animal which appears indistinguishable from a wolf, or is in any way represented to be wolf may be considered to be a wolf in the absence of a bonafide documentation to the contrary.

- (2) All wolf hybrids must be registered with the animal control office. Color pictures with full detail description must be filed with registration. Microchipping is required. All premises must be inspected by an animal control officer for confinement of said animal before final registration is approved.

(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 not have a mandatory hold period. 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 an 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 thirty (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.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 10-10-7, § I, 10-18-10; Ord. No. 11-10-1, § 1, 10-3-11; Ord. No. 18-10-4, § 1, 10-1-18; Ord. No. 19-3-3, § VI, 3-11-19; Ord. No. 19-12-7, § III, 12-2-19)

Sec. 4-10.1. - Penalties.

Any person found guilty of violating any of the provisions this chapter shall, for each violation, be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) plus court costs, or be imprisoned in the parish jail for not more than thirty (30) days or both. Each separate day on which any violation of the provisions of this section is shown to have continued to exist shall constitute a separate offense.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 13-1-4, § II, 1-7-13)

Sec. 4-11. - Prohibitions.

The following acts involving animals are hereby prohibited:

- (1) The raffling or giving away as a prize, premium or advertising device of any living animal.
- (2) It shall be unlawful to color, dye, stain or otherwise changing the natural color of any living animal for the purpose of sale; or to possess for the purpose of sale any animal which has been colored.
- (3) The giving of any alcoholic beverage, or narcotic drugs, central nervous system stimulants,

hallucinogenic drugs, or barbiturates unless prescribed by a licensed veterinarian to any animal.

- (4) The intentional exposure of any know poisonous substance to an animal, whether mixed with food or not, so that the same shall be liable to be eaten by any animal.
- (5) The promoting, staging, conducting, participating in or observing any dog fight, cock fight, pigeon shoot, turkey shoot, or other staged animal fighting contest shall be guilty of a misdemeanor.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-12. - Science fairs.

No person shall conduct a science fair or competition wherein any exhibit or project involves the use of live animals of any kind or size wherein pain or suffering is inflicted on the animals or permanent injury or deformity is caused.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-12.1. - School laboratories.

No primary, secondary school, college and/or university, either public or private, in the parish shall permit students in biology or other laboratories to perform experiments on live animals of any kind or size which will inflict pain or suffering or permanent injury or deformity to the animals. Any headmaster, principal, teacher or instructor who permits or condones such prohibited practices in his/her school, classroom or laboratory shall be guilty of a misdemeanor.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-13. - Riding in open vehicle prohibited

It shall be unlawful to permit any animal to ride unsecured in an open bed vehicle or other open areas of a moving vehicle, unless secured in a cage, crate or compartment.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-14. - Dogs on tethers.

If a dog is on a tether, the tether shall be equipped with swivel ends and be positioned to prevent tangling and/or hanging. The tethered dog shall wear a properly fitted harness or buckled type collar. The line must be a least five times the length of the dog. The dog cannot be tethered in an area which would pose a threat to public safety and health and cannot be the primary means of confinement for any animal.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-15. - Autoists striking animals.

Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animals' owner; in the event the owner cannot be ascertained and located, such operator shall at once report the accident to the sheriff's department or the parish animal shelter.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-16. - Penalties.

Any person violating any provisions of sections 4-10 through 4-15 shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). Each day that the violations continue shall be deemed a separate violation.

(Ord. No. 04-9-4, § I, 9-7-04)

Secs. 4-17—4-20. - Reserved.

ARTICLE II. - LARGE ANIMALS

Sec. 4-21. - Purpose of article.

It is necessary for the public's interest, safety, health and general welfare that the ownership and possession of large animals be subject to proper regulations and control, not excluding the entire contents of this ordinance. All large animals must be housed in a proper confined area, suitable for the species of the animal.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-22. - Definitions.

Large animal: Any animal larger than a dog or a cat.

Large animal owner: Any person who is harboring or shall permit any mule, horse, cow, sheep or large animal of any description upon or about his or her premises shall be deemed the owner or keeper of such animal.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-23. - Running at large restricted.

It shall be unlawful for any person to allow any mule, horse, cow, sheep or other large animal to roam on any road, street or other public place or trespass upon any premises other than the premises of the owner within the parish. In the event any animal running at large is injured it is the responsibility of the owner to provide medical attention or receive the service of a veterinarian. If the animal is not attended to the satisfaction of the animal control officer and veterinarian services are recommended the owner will address the issue within twenty-four (24) hours of recommendation. If proper medical attention is not addressed within the twenty-four-hour period the animal control officer has the right to secure medical attention or confiscate the animal and secure medical attention through a licensed veterinarian and all expenses will be the responsibility of the owner.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-24. - Impoundment.

Any mule, horse, cow, sheep or other large animal roaming at large on any road, street or other public place, or trespassing on any premises other than the premises of the owner and/or keeper within the parish, shall be seized and impounded by person(s) authorized and designated to do so or by any law enforcement officer of this parish.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-25. - Enforcement.

The animal control office shall enforce the provisions of this article and is authorized to secure a maximum of two (2) large animal control officers to assist with its responsibilities in this regard.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-26. - Duty of officers regarding large animals running at large.

It shall be the duty of a large animal control officer to impound all large animals found roaming on any road, street, or other public place or trespassing on any premises other than the premises of the owner and/or keeper, within the parish.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-27. - Fees for redemption.

The owner and/or keeper of any large animal mentioned in the provisions of this article which has been impounded shall have the right to have the animal released only upon payment to the large control officer of the following fees:

- (1) Fifty dollars (\$50.00) for first offense for picking up the animal by the large animal control

officer.

- (2) One hundred dollars (\$100.00) for each additional offense
- (3) Ten dollars (\$10.00) per day for care and boarding of the animal.
- (4) Charges will include any additional cost incurred through veterinary expense.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-28. - Sales of impounded animals authorized.

Animals not claimed within five (5) days shall be sold by the large animal control officer at public auction on a Saturday between the hours of 11:00 a.m. and 12:00 noon, after being advertised by the large animal control officer for one (1) week in the official journal of the parish.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-29. - Records required; disposition of fees.

The large animal control officers shall keep proper books in which shall be registered all animals impounded, area of pickup, owner of property or person requesting pickup, the disposition thereof and information relative to their being released or sold, which books will be sent to the department of finance on an annual basis for renewal and shall be open at all times for public inspection. All collected fees will be paid to the large animal control officer in payment for his services rendered and shall be recorded in an appropriate receipt book, a copy of which shall be given to the person paying the fee. All fees shall be paid by certified check, money order or cash, personal or business checks will not be accepted.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-30. - Interference with enforcement.

It shall be unlawful to interfere with the large animal control officer while performing his duties, in any manner whatsoever.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-31. - Penalties.

- (a) The owner and/or keeper of a mule, horse, cow, sheep or large animal of any description or any other person violating the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction of such offense by any court of competent jurisdiction shall be fined not more than one hundred fifty dollars (\$150.00) and/or imprisoned in the parish prison for a term not exceeding thirty (30) days, or both, in the discretion of the court.
- (b) It shall be illegal for anyone, except the animal control officer, to operate a quarantine holding area within the parish, for any large animal and if anyone is caught operating a holding area,

her/she shall be fined two hundred fifty dollars (\$250.00) per day per animal every day he/she is holding these animals after being caught.

(Ord. No. 04-9-4, § 1, 9-7-04)

Sec. 4-32—4-39. - Reserved.

ARTICLE III. - LICENSING

Footnotes:

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State Law reference— *Rabies Control Law, R.S. 40:1276 et seq.*

Sec. 4-40. - Rabies inoculation required.

- (a) It shall be the duty of the owner and/or keeper of any dog or cat to have such dog or cat be inoculated once every twelve (12) months by or under the supervision of a duly licensed veterinarian with an approved anti-rabies vaccine.
- (b) When any dog or cat owned or kept by any person residing within the parish becomes three (3) months old, the owner and/or keeper of such dog or cat shall have it inoculated within thirty (30) days of that date.
- (c) Within thirty (30) days after a person brings a dog or cat into the parish, he shall have it inoculated unless he can show proof that such dog or cat has been inoculated within the previous twelve (12) months with anti-rabies vaccine, in which case the inoculation may be omitted.
- (d) Any person failing or refusing to have his/her dog or cat inoculated shall be fined fifty dollars (\$50.00) and must show proof of inoculation within five (5) business days or fined five dollars (\$5.00) per day thereafter.
- (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. 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.
- (f) Dogs and cats must wear identification tags and collars at all times when off the premises of the owner or keeper.
- (g) The license shall be valid for a period of twelve (12) calendar months. A new license must be obtained prior to the first day of the month next following the expiration of said license.
- (h) In the event any dog or cat found off the premises of the owner and/or keeper not wearing such

a tag or collar, the owner and/or keeper shall be deemed to be in violation of this section. In the event any dog or cat off the premises of the owner and/or keeper is found wearing a tag or collar that is invalid by virtue of expiration, or belonging to another dog or cat, the owner and/or keeper of such dog or cat shall be in violation of this section.

- (i) Any dog or cat found in violation as provided for in this section 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 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 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:
 - (1) Microchip and registration,20.00

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

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 19-12-7, § IV, 12-2-19)

Sec. 4-41. - Bite reports by veterinarians.

It shall be the duty of every veterinarian having an animal quarantined for a bite incident to submit a report to the Louisiana Department of Health and Hospitals, parish sanitarian and the animal control office as to the conditions of the quarantined animal on the initial day of the observations and the tenth day immediately following the date of the bite incident.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-42. - Treatment of animals which have bitten persons.

- (a) Should an animal bite a person, or be reported to have bitten a person within the limits of the parish, it shall be the duty of the owner, or the person having the same in his possession or under his control, immediately to notify the animal shelter and surrender the animal to animal control office. It shall be the duty of animal control office to impound or cause to be impounded any such dog or animal for a period of ten (10) days for observation either in the hospital facilities of a licensed veterinarian or at the animal shelter or require such animal to be confined securely for a period of ten (10) days by the person owning the same or having possession thereof in such manner and on such premises as may be designated by the supervisor of the animal shelter, or any of their authorized representatives or, a health unit or hospital may order the destruction of

such animal and send its head to the bureau of laboratories of the state department of health for a rabies laboratory test. Home confinement shall be allowed only if the following conditions are met:

- (1) Current vaccination with an approved rabies vaccine; or in cases where an animal is unvaccinated, if the person bitten or scratched is the owner or a member of the owner's immediate family and the owner agrees not to have the animal vaccinated for rabies during the ten-day observation period but shall provide proof of a rabies vaccination and a parish license within three (3) days of the completion of the ten-day observation period.
 - (2) Specific approval of the medical doctor of the exposed party.
 - (3) Specific approval of the exposed party and agreement to the confinement conditions by the animal owner.
- (b) If supervisor of the animal shelter determines that such animal may be confined under the control or custody of the owner or person having control over it, the owner or person shall notify the designated doctor or health unit and animal control immediately if the animal shows any symptoms of sickness or abnormal behavior, or escapes, and if such animal dies during confinement, such person having custody thereof shall surrender the carcass to the parish health unit or the animal control office.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-43. - Penalties.

- (a) In the event fines are not paid within the time period prescribed, a criminal warrant shall be initiated before any court of competent jurisdiction.
- (b) Upon conviction of a violation of this article, the owner or keeper shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than fifty (\$50.00) nor more than five hundred dollars (\$500.00). Each day that the violation continues shall be deemed a separate violation.
- (c) Such payment does not relieve the owner and/or keeper of the responsibility to comply with any or all sections of this article

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-44—4-49. - Reserved.

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 4-51 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.

- (b) In the event an injured or diseased animal is impounded, such animal may be immediately destroyed in a humane manner at the discretion of the animal control office. The animal control officer, or any person authorized by the administrative department; and the parish and its employees shall be held harmless and unaccountable for such actions.
- (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.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 19-12-7, § V, 12-2-19)

Sec. 4-51. - Redemption and adoption of impounded animals.

- (a) Any person claiming a dog or cat which was seized and impounded under the provisions of this article and proving ownership thereof shall be entitled to possession of such dog or cat only upon proof that such dog or cat has been inoculated with an approved anti-rabies vaccine within a period of twelve (12) months prior to the seizing and impounding of such dog or cat. Such claim shall be made within five (5) business days from the date of the seizure and impounding of such dog or cat.
- (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 six (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, 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, shall pay: 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; 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 addition, any person presenting a fourth claim shall present to the parish proof that the owner or keeper has procured liability insurance in the amount of one hundred thousand dollars (\$100,000.00) covering any damages or injury which may be caused by such dog which policy shall contain a provision requiring the parish to be named for the sole purpose of the parish's receiving notification of the cancellation, termination or expiration of the liability insurance policy.

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.

- (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 Parish owns and operates the adoption and spay/neuter program at the animal shelter.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 09-9-20, § 1, 9-21-09; Ord. No. 19-12-7, § VI, 12-2-19)

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 by six (6) months of age.
- (b) Any pet shop, humane organization, or veterinary clinic may offer pets for adoption upon complying with the following regulations. Records must be kept for one (1) year concerning the source of the animal and the adoptee, with the descriptions of the animal including tag number and the name and address of the adoptee.
- (c) The 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, dangerous. Any dangerous vicious animal surrendered by its owner to the animal shelter shall immediately be destroyed in a humane manner.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 19-12-7, § VII, 12-2-19)

Sec. 4-53. - Disposal for medical or scientific experimentation.

No animal which might otherwise be destroyed or made available for adoption may be sold or given by the animal control office for medical or scientific experimentation so long as any public funds or tax receipts are used for the operation of the animal control office.

(Ord. No. 04-9-4, § I, 9-7-04)

Sec. 4-54. - Animal breeders.

- (a) *Permit required.* No person shall 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 Animal Control for the spay/neuter 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 (1) 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 December thirty-first (31st) of the year issued.

- (d) *Renewal of permit.* Prior to December thirty-first of each year, all holders of animal handling permits must renew same by applying to the animal control office for the appropriate form, executing such form and remitting the current annual permit fee.
- (e) *Inspection.* The establishment of all breeders shall be subject to inspection any time by the animal control office.
- (f) *Prohibitions.* No breeder shall allow any female dog or cat to produce more than one (1) litters in any one (1) continuous twelve-month period and dogs cannot be bred until at least eighteen (18) months of age.

(Ord. No. 04-9-4, § I, 9-7-04; Ord. No. 19-12-7, § VIII, 12-2-19)

Sec. 4-55. - Pet shops.

- (a) *Permit required.* No person shall operate a pet shop unless a permit to operate such establishment shall have been granted by the animal control office. Application procedures and requirements for such permit shall be in accordance with rules and regulations promulgated by animal control and the provided in this article. The permit period shall be the calendar year and the permit fee shall be twenty-five dollars (\$25.00).
- (b) *Requirements for holding of permit.* All pet shops, including pet shops operated in conjunction with another holding facility, shall 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 a pet shop or revocation of any previously issued permit.
- (c) *Application for permit; temporary permit.* Permit application forms may be obtained from the animal shelter or may be requested in writing or by telephone. Completed, notarized forms accompanied by the appropriate fee may be mailed to the above address. If an applicant certifies that all of the requirements of these rules and regulations are being met in his establishment, animal control may issue a temporary permit until such time as it may 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 shelter that all pertinent requirements are being met, the shelter supervisor shall forthwith issue a regular permit which shall be valid until December thirty-first of the year issued.

- (d) *Renewal of permits.* Prior to December thirty-first of each year, all holders of animal handling permits must renew same by applying to the animal control office for the appropriate form, executing such form and remitting the current annual permit fee.
- (e) *Inspection.* All pet shops shall be subject to inspection at any time by the animal control office.
- (f) *Prohibitions.* No pet shop may keep or offer for sale to the public any wild or exotic species of land animals, reptiles or birds including, but not limited to: felines other than domestic cats; simians of all types including monkeys, apes and chimpanzees; opossums; skunks; raccoons and poisonous snakes.

(Ord. No. 04-9-4, § 1, 9-7-04)

Sec. 4-56. - Grooming establishments.

Permit required. No person shall operate a grooming shop unless a permit to operate such an establishment shall have been granted by the animal control office. Application procedures and requirements for such permit shall be in accordance with rules and regulations promulgated by the animal control office under the provisions of this article. The permit period shall be the calendar year and the permit fee shall be twenty-five (\$25.00) for each permit period or part thereof beginning the first day of the calendar year.

(Ord. No. 04-9-4, § 1, 9-7-04)

Sec. 4-57. - Breeders, grooming and pet shops.

(a) Minimum standards for care of animals:

- (1) Fresh water for drinking shall be available to all species at all times. Containers are to be cleaned and disinfected each day. All water containers shall be removable for cleaning and be mounted so that the animals cannot turn them over.
- (2) Cage temperatures shall be maintained at a level that is healthful for the species of animal kept in the cage.
- (3) All cages and enclosures shall be a metal or nonporous plastic material for each cleaning and disinfecting. Each cage must be of sufficient size so as to provide the minimum cage area per animal as specified. Cage floors shall be of solid material, or if of open mesh construction at least one-half of the floor area shall be covered with cardboard, multiple layers of paper, plastic sheet or other continuous substantial material.
- (4) All animals under three (3) months of age are to be fed at least three (3) times per twenty-four (24) hours. Food for all animals shall be served in a clean dish so mounted that the animal

cannot readily tip it over or defecate or urinate in same.

- (5) Each bird must have sufficient room to sit on a perch. Perches shall be placed parallel to each other in the same cage. Cages must be cleaned every day and cages must be disinfected when birds are sold. Parrots and other large birds shall have separate cages from smaller birds.
- (6) There shall be sufficient clean, dry bedding in each cage to meet the needs of each individual animal. Boxes of sand or prepared litter shall be provided for cats.
- (7) No animals shall be kept in darkness during the daylight hours.
- (8) All animals must be adequately fed and watered, and their cages shall be cleaned every day, including Saturdays, Sundays and Holidays. (see definitions)
- (9) Adult animals of opposite sexes shall not be kept in common cages.
- (b) *Records.* The holder of any permit shall keep available for inspection on the premises a record that shall show the name, current address and telephone number of the owner of each animal kept at the facility, the date such animal entered the facility, the reason for such animal being at the facility such as for boarding, sale, breeding or grooming; the description of the animal, including its age, breed, sex and color. The owner and/or keeper shall place in a visible place the name, address and telephone number of the parish animal shelter, or other party who can be contacted in case of emergency, to assume the care of the animals on the premises. In addition, the holder shall furnish to the parish animal shelter the name address and telephone number of the veterinarian or other responsible party authorized to act on behalf of the holder in case of an emergency.

(Ord. No. 04-9-4, § 1, 9-7-04)

Sec. 4-58. - Penalties.

- (a) In the event fines are not paid within the time period prescribed, a criminal warrant shall be initiated before any court of competent jurisdiction.
- (b) Upon conviction of a violation of this article, the owner and/or keeper shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than fifty (\$50.00) nor more than five hundred dollars (\$500.00). Each day that the violation continues shall be deemed a separate violation.
- (c) Such payment does not relieve the owner of the responsibility to comply with any or all sections of this article.

Sec. 4-59—4-65. - Reserved.

A community approach to dog bite prevention

American Veterinary Medical Association
Task Force on Canine Aggression and Human-Canine Interactions

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Introduction and Problem Statement

Dog bites are a serious public health problem that inflicts considerable physical and emotional damage on victims and incurs immeasurable hidden costs to communities. Bites have been tolerated as a job-related hazard for utility and postal workers, but for many communities the problem may be more encompassing. Following a severe attack, there is usually an outcry to do something, and the something that is done often reflects a knee-jerk response. Only later do officials realize that the response was not effective and, in fact, may have been divisive for the community. To assist communities in avoiding such ineffective responses, the AVMA convened a Task Force on Canine Aggression and Human-Canine Interactions. Although the number of injuries will never be reduced to zero, Task Force members believe a well-planned proactive community approach can make a substantial impact. The information contained in this report is intended to help leaders find effective ways to address their community's dog bite concerns.⁴

Scope of the problem

Dogs have shared their lives with humans for more than 12,000 years,¹ and that coexistence has contributed substantially to humans' quality of life. In the United States, there are slightly more than 53 million dogs sharing the human-canine bond,^{2,3} more dogs per capita than in any other country in the world.¹ Unfortunately, a few dogs do not live up to their image as mankind's best friend, and an estimated 4.5 million people are bitten each year,^{4,5} although the actual number injured is unknown.⁶ Approximately 334,000 people are admitted to US emergency departments annually with dog bite-associated injuries, and another 466,000 are seen in other medical settings.⁶ An unknown number of other people who have been bitten do not sustain injuries deemed serious enough to require medical attention. Still another group of individuals is not represented by these data, those that incur injuries secondary to a bite or attempted bite. For example, a jogger may trip and break an arm while fleeing from a threatening dog.

Of concern too are the demographics of typical dog bite victims. Almost half are children younger than 12 years old.⁶⁻⁸ People more than 70 years old comprise 10% of those bitten and 20% of those killed.^{9,10}

Direct costs of dog bite injuries are high. The insurance industry estimates it pays more than \$1 billion/y in homeowners' liability claims resulting from dog bites.¹¹ Hospital expenses for dog bite-related emergency visits are estimated at \$102.4 million.⁶ There are also medical insurance claims, workmen's compensation claims, lost wages, and sick leave-associated business costs that have not been calculated.

Which dogs bite?

An often-asked question is what breed or breeds of dogs are most "dangerous"? This inquiry can be prompted by a serious attack by a specific dog, or it may be the result of media-driven portrayals of a specific breed as "dangerous."^{12,13} Although this is a common concern, singling out 1 or 2 breeds for control can

result in a false sense of accomplishment.¹⁴ Doing so ignores the true scope of the problem and will not result in a responsible approach to protecting a community's citizens.

Dog bite statistics are not really statistics, and they do not give an accurate picture of dogs that bite.⁷ Invariably the numbers will show that dogs from popular large breeds are a problem. This should be expected, because big dogs can physically do more damage if they do bite, and any popular breed has more individuals that could bite. Dogs from small breeds also bite and are capable of causing severe injury. There are several reasons why it is not possible to calculate a bite rate for a breed or to compare rates between breeds. First, the breed of the biting dog may not be accurately recorded, and mixed-breed dogs are commonly described as if they were purebreds. Second, the actual number of bites that occur in a community is not known, especially if they did not result in serious injury. Third, the number of dogs of a particular breed or combination of breeds in a community is not known, because it is rare for all dogs in a community to be licensed, and existing licensing data is then incomplete.⁷ Breed data likely vary between communities, states, or regions, and can even vary between neighborhoods within a community.

Wolf hybrids are just that: hybrids between wild and domestic canids. Their behavior is unpredictable because of this hybridization, and they are usually treated as wild animals by local or state statutes. Wolf hybrids are not addressed by this program.

Sex differences do emerge from data on various types of aggression. Intact (unneutered) male dogs represented 80% of dogs presented to veterinary behaviorists for dominance aggression, the most commonly diagnosed type of aggression.¹ Intact males are also involved in 70 to 76% of reported dog bite incidents.^{7,15} The sex distribution of dogs inflicting unreported bites is not known. Unspayed females that are not part of a carefully planned breeding program may attract free-roaming males, which increases bite risk to people through increased exposure to unfamiliar dogs. Dams are protective of their puppies and may bite those who try to handle the young. Unspayed females may also contribute to the population of unwanted dogs that are often acquired by people who do not understand the long-term commitment they have undertaken, that are surrendered to animal shelters where many are destroyed, or that are turned loose under the misconception that they can successfully fend for themselves.¹⁶

Dog bite costs to a community

Costs associated with dog bite injuries cannot be readily measured, because so many intangible quality of life issues are involved. This makes it more difficult for community councils to justify the time, effort, and expense necessary to institute a bite reduction program when compared to a new fire truck, street paving, or city park. Intangible costs include time spent by volunteer and paid community officials on animal-related issues, deterioration of relationships between neighbors, building appropriate medical support, citizens' concerns about neighborhood safety for children,

homeowners' insurance costs within the community, and animal shelter support for unwanted pets. These are quality of life issues that ultimately determine the desirability of a community to its citizens and that can motivate proactive community officials to institute a prevention program.

This program

Reducing the incidence of dog bites requires active community involvement; passive attention or a token commitment is not sufficient. By actively focusing on dog bite prevention, the State of Nevada was able to reduce the incidence of bites by approximately 15%.^b Members of the Task Force represented a broad range of disciplines and designed the program presented here. It was recognized that the community approach must be multidisciplinary and that different communities will have different needs based on their level of commitment, preexisting programs, and available resources. Although the best results will be obtained by adopting the entire prevention program, the program is designed so that it may be adopted as a whole or in part. Either way, the goal remains to reduce the incidence of dog bites within communities and improve quality of life for their citizens.

Multidisciplinary and Multiprofessional Groups

It is unlikely that a dog bite prevention program will begin in a complete vacuum. Typically, some formal program is already in place under the auspices of animal control, the health department, or local law enforcement. Efforts may also be under way by other groups such as educators or dog breeders. It makes sense to identify related activities to determine what needs are not being met, find likely sources of support or resistance, and avoid duplication of effort and potential turf battles (**Appendix 1**).^c

Identify dog bite issues in the community

Each community has a unique set of dog bite-related problems and its own approaches to confronting them. A central task is to identify these particular issues. The project begins by assessing the political landscape regarding dog bites and dog bite prevention. Before launching a program, it is useful to pinpoint the degree of current and potential support among corporate and community leaders as well as legislators and senior staff in the dog bite prevention program's sponsoring agency.

Recognize hot buttons—Crafting a program is easier if the objectives mesh with a highly visible community issue. For example, there may be public outcry about dog waste or a publicized dog attack. Such a situation may provide impetus for a campaign to support licensing and leash laws or ordinances pertaining to reporting dog bites. When community groups and the media have already invested in finding a solution to the dog bite problem, program organizers can dovetail their efforts and work collaboratively with these groups.

Community interest—Knowing the degree of support that exists for a prevention program is important.

The prior existence of a program suggests support, but this may not always be the case. The active support of a commissioner or health department head (local or state) is critical, because without his/her backing, a fledgling dog bite prevention program is vulnerable to shifting funding initiatives and political pressure. Public officials are influenced by vocal well-organized constituencies, so it is important to know what dog bite-related agendas are getting politicians' attention. It also helps to know whether any legislators have a strong interest in the dog bite issue.

Dogs in the news—News accounts can provide clues as to how dog-related issues have played out over time. Compare these accounts with available statistical data and scientific assessments for reliability.

Identify potential partners, allies, support, and funding sources

Determine which organizations in the community are likely to support program efforts or resist them. Some individuals and organizations will emerge as natural allies; some old hands will be glad to work with a new partner in the dog bite prevention field, and some will actively welcome a new focal point for dog bite prevention activity. Learning about various entities and their interest and involvement in dog bite control can help answer questions in the following areas.

Community resources—Organizations, agencies, businesses, and individuals offering training, assistance, consulting, library or computer search capabilities, in-kind contributions, volunteer help, or supplemental funding must be identified.

Currently available data—Before launching a major effort to collect dog bite data, it is wise to determine whether an assessment has already been done. Ask about reports related to injuries and costs from dog bites, surveys that include dog bite or dog ownership information, opinion surveys or other studies describing community perceptions about the need for dog bite prevention, and similar information. If possible, find out what happened to existing assessments and related recommendations. Knowing the history of previous evaluation and prevention efforts will help in development of a new program. If an assessment has been done, determine whether methods and conclusions are sound.

Legislation—It is important to know what interventions (eg, leash laws, "dangerous" dog ordinances) have been previously introduced and their history of success. Individuals involved in these efforts may be valuable allies in new programs. In addition, current ordinances should be evaluated to determine whether enforcement or revision could increase their effectiveness.

Barriers—Ownership of particular dog bite issues and potential turf battles should be confronted realistically. In addition, it must be acknowledged that a dog bite prevention program may attract opposition from groups on philosophical grounds (eg, groups that strongly support personal freedom argue that the gov-

ernment should not mandate licensing of dogs). Clubs for specific breeds may not be supportive if they fear their breed will be singled out in a negative way. Barriers can be overcome by a fresh approach to old problems or by agreeing to carve out areas of responsibility among interested groups. Typically, there are many more problems than there are organizations to tackle them, so it makes sense to avoid attacking similar issues.

Develop an advisory council

Obtaining community input can be as sophisticated as conducting public opinion surveys or holding focus groups to learn about what the community sees as pressing dog bite issues. More likely, there will be limited funds at the outset of the program, so more informal but also potentially valuable approaches may be required. These include meetings with potential partners and interested groups to learn about their constituencies' concerns. This type of informal interview can be a great help in uncovering key dog-related issues as perceived by the community. Talking with people in neighborhoods most affected by dog bite problems is important. For example, if there is a problem with dog bites in low-income neighborhoods, obtaining the views of people living there can help identify the nature of the problem and potential solutions.

An advisory council or task force that represents a wide spectrum of community concerns and perspectives creates a source of support for program initiatives. Advisory groups provide guidance for a dog bite prevention program and may focus on specific high-priority dog bite issues. Although organizing and maintaining an advisory council is labor-intensive, it can substantially benefit the program. Members may be able to provide access to useful information that is not otherwise easy for the coordinator to obtain. Members can also identify ways in which the program can work with appropriate voluntary organizations and associations. People with experience in dog bite control can offer perspective about the program and help identify potential pitfalls as well as successful strategies. Participation by members representing community organizations builds a sense of ownership in the dog bite prevention program.

Logistics in starting an advisory council include identifying organizations and individuals that should participate (Appendix 1), determining the size of the council, establishing a structure and operating procedures for the council and its regular meetings, assigning staff support, determining the relationship between the staff and the council, and reaching an agreement about key tasks. When community members and government officials work together to support the creation and development of a local task force, it enhances the group's visibility and impact.

To foster an involved and active advisory council, professionals agree that several criteria must be met. The number of participants should be kept manageable; 10 to 12 is a size that works well. If it is necessary to have more members for political reasons, breaking the group into smaller committees or working groups

will improve the dynamics. For example, groups could coalesce around data issues, legislation and policy, and so on. Involving participants from the start in meaningful tasks will underscore that this is a productive group. In addition, people are more likely to support a program they participated in creating, because they have a sense of ownership.

Because each community's needs and priorities differ, the advisory council's major tasks will vary. The advisory council or one of its working groups may consider the following activities:

- ? coordinating efforts among participating organizations
- ? developing an action plan
- ? establishing dog bite prevention priorities
- ? generating public and legislative support for dog bite control
- ? identifying dog bite reporting sources
- ? interpreting data
- ? identifying and obtaining resources for program activities (educational, financial, staffing)
- ? providing technical expertise for the program
- ? recommending goals and objectives for prevention

It is recommended that the program be overseen by a paid coordinator. The program coordinator and other staff involved can contribute to the advisory council's success by good meeting planning and preparation, regular communication with members, working with the advisory council chairperson to set the agenda, and helping to solve problems that threaten to derail the process. As with any volunteer effort, a dog bite prevention advisory council is likely to thrive if the coordinator nurtures its members with regular expressions of appreciation.

Infrastructure

A coordinated effort is essential for success in any venture, and each individual or organization involved must have a clear sense of their/its responsibilities. Reducing the incidence of dog bites requires the cooperation of many groups, including animal control agencies, the human and veterinary medical communities, educators, departments of health, and the local licensing authority. Open and consistent communication is an integral part of an effective program, and one entity should be designated as the coordinating agency. A logical coordinating agency would be the health department or animal control. In addition, it is imperative that an appropriate agency be granted authority to conduct investigations and make recommendations.

Program coordinator

As previously mentioned, dog bite prevention efforts should be assisted by a paid staff person. Because the diversity of input is so great, it is recommended that the office of the advisory council's program coordinator be located within the municipality's coordinating agency. Individuals, agencies, or organizations that come into contact with or are aware of a "dangerous" dog or risky situation should provide this information to the coordinator. The coordinator should then relay all information to the proper recipients.

Animal control agencies

Animal control officers are the frontline in controlling animal bites. A well-resourced animal control agency is vital for public health and safety within any community. In some communities, animal control is a stand-alone agency. In others it is administered through the local city or county health director or is a subsidiary of the local police department or sheriff's office. Wherever located, the functions of animal control within communities are multiple, including:

- ? training of animal control officers and ancillary personnel
- ? licensing of dogs and cats
- ? enforcement of leash laws, ordinances, regulations, and statutes
- ? control of unrestrained and free-roaming animal populations
- ? investigation of animal bite-related incidents
- ? administration of rabies quarantine programs after an animal bites
- ? bite data management, analysis, and dissemination
- ? regulation of "dangerous" animals
- ? educational outreach within the community regarding responsible ownership, spay/neuter programs, control of "dangerous" animals, rabies vaccinations
- ? coordination of efforts

Larger communities often possess more resources to properly fund animal control agencies and provide adequate staff¹⁷ and training; however, smaller animal control programs can also be effective, even when they operate on a limited budget. Dedicated personnel can accomplish much if they have community support, including support from law enforcement and the judiciary.

Preventive measures

Preventive measures are designed to minimize risk and should be addressed by all communities.

Control of unrestrained and free-roaming animals—Reasonable and enforceable laws or ordinances are required for good control of unrestrained or free-roaming animals (Appendix 2).¹⁸ Laws written to ensure that owned animals are confined to their property or kept on a leash make freeing a community of unrestrained and free-roaming animals easier. Although most dog bites occur on the property where the dog lives, unrestrained or free-roaming dogs do pose a substantial threat to the public. Enforcement of restraint laws is, therefore, essential if the incidence of dog bites is to be reduced. It is important to protect animal owners by providing an adequate amount of time for them to claim animals that have been impounded. Because of economic constraints, the current standard in the industry is 3 working days; however, 5 days may be more reasonable to ensure successful owner-animal reunions. Control of unrestrained and free-roaming animal populations requires an adequately staffed, trained, and funded animal control agency.

Licensing of dogs—The primary benefit of licensing animals is identification, should that animal

become lost. Licensing also ensures rabies vaccinations are current, allows quick identification in case of a bite incident, and provides revenue to help offset the costs of administering the animal control program. An effective program can be a source of reliable demographic data as well.

Vaccinations—Rabies vaccinations are normally a prerequisite for licensing dogs and cats, because they are an important control measure for a major public health concern. In addition to protecting pets, rabies vaccinations provide a barrier between infected wild animals and humans. Vaccination has reduced confirmed cases of rabies in dogs from 6,949 in 1947 to 126 in 1997.¹⁹

Breed or type bans—Concerns about "dangerous" dogs have caused many local governments to consider supplementing existing animal control laws with ordinances directed toward control of specific breeds or types of dogs. Members of the Task Force believe such ordinances are inappropriate and ineffective.

Statistics on fatalities and injuries caused by dogs cannot be responsibly used to document the "dangerousness" of a particular breed, relative to other breeds, for several reasons. First, a dog's tendency to bite depends on at least 5 interacting factors: heredity, early experience, later socialization and training, health (medical and behavioral), and victim behavior.⁷ Second, there is no reliable way to identify the number of dogs of a particular breed in the canine population at any given time (eg, 10 attacks by Doberman Pinschers relative to a total population of 10 dogs implies a different risk than 10 attacks by Labrador Retrievers relative to a population of 1,000 dogs). Third, statistics may be skewed, because often they do not consider multiple incidents caused by a single animal. Fourth, breed is often identified by individuals who are not familiar with breed characteristics and who commonly identify dogs of mixed ancestry as if they were purebreds. Fifth, the popularity of breeds changes over time, making comparison of breed-specific bite rates unreliable.

Breed-specific ordinances imply that there is an objective method of determining the breed of a particular dog, when in fact, there is not at this time. Owners of mixed-breed dogs or dogs that have not been registered with a national kennel club have no way of knowing whether their dog is one of the types identified and whether they are required to comply with a breed-specific ordinance. In addition, law enforcement personnel typically have no scientific means for determining a dog's breed that can withstand the rigors of legal challenge, nor do they have a foolproof method for deciding whether owners are in compliance or in violation of laws. Such laws assume that all dogs of a certain breed are likely to bite, instead of acknowledging that most dogs are not a problem. These laws often fail to take normal dog behavior into account and may not assign appropriate responsibilities to owners.

Some municipalities have attempted to address notice and enforcement problems created by unregistered and mixed-breed dogs by including in the ordinance a description of the breed at which the ordi-

nance is directed. Unfortunately, such descriptions are usually vague, rely on subjective visual observation, and result in many more dogs than those of the intended breed being subject to the restrictions of the ordinance.

Animal control legislation has traditionally been considered a constitutionally legitimate exercise of local government power to protect public safety and welfare. Breed-specific ordinances, however, raise constitutional questions concerning dog owners' fourteenth amendment rights of due process and equal protection.²⁰ When a specific breed of dog is selected for control, 2 constitutional questions are raised: first, because all types of dogs may inflict injury to people and property, ordinances addressing only 1 breed of dog appear to be underinclusive and, therefore, violate owners' equal protection rights; and second, because identification of a dog's breed with the certainty necessary to impose sanctions on the dog's owner is impossible, such ordinances have been considered unconstitutionally vague and, therefore, to violate due process.

After a bite occurs

It is important to have a well-defined postbite program in place to minimize physical and emotional pain for dog bite victims. This allows animal control personnel to work efficiently, protects animals that are victims of false allegations, and provides the judiciary with reasonable alternatives that address a variety of situations. State laws may dictate parts of this process.

Investigation of animal bite-related incidents—

Any animal bite or incident must be thoroughly investigated and substantiated by an agent of the empowered investigating authority such as an animal control officer, police officer, or peace officer. Ideally, the investigating authority should be the same authority that enforces related ordinances or laws to give continuity and credibility to all investigations. Investigating officers must be given authority to perform their duties by statute or ordinance. Clear, concise, standardized information concerning the incident must be obtained to ensure its successful resolution and facilitate long-term data collection (**Appendix 3**).

Postbite rabies quarantine programs—A healthy dog that is currently vaccinated against rabies and that bites a human should be examined by a licensed veterinarian to determine its health status. If no signs of illness compatible with rabies are detected, the dog should be quarantined. The Centers for Disease Control and Prevention has set the quarantine period for dogs, cats, and ferrets at 10 days, including the day of the bite. Vaccinated dogs can be allocated to 2 categories: those that have bitten a member of the immediate family and those that have bitten an individual outside the immediate family. Home quarantine can be considered for vaccinated dogs that have bitten a member of the immediate family, assuming the owner can confine the dog in a manner that prevents further exposure. Vaccinated dogs that have bitten a human outside of the immediate family generally should be quarantined at the local shelter or veterinarian's office. At the end of the quarantine period, the dog should

undergo a physical examination. In addition, interim evaluations are highly recommended.

A dog that is not currently vaccinated against rabies and that bites a human should be considered a rabies suspect and be appropriately quarantined. Contact with the dog during the quarantine period should be strictly limited to individuals who have completed rabies prophylaxis and are up-to-date on serologic testing and booster vaccinations. Physical examinations should be conducted at the beginning and end of the quarantine period to determine the dog's health status. Quarantined dogs may be treated by a veterinarian, but rabies vaccines should not be administered to the dog until the quarantine period is complete. If at any time during the quarantine period the dog has signs of illness compatible with rabies, it should be humanely euthanatized and samples submitted for rabies testing.

Records of all bites must be kept, including information specifically identifying the dog and owner. These should be crosschecked with each incident for evidence of a chronic problem.

Identification and regulation of "dangerous"

dogs—Certain dogs may be identified within a community as being "dangerous," usually as the result of a serious injury or threat. That classification, because it carries with it serious implications, should be well defined by law (**Appendix 4**). Any such definition should include an exclusion for justifiable actions of dogs. Procedures should be outlined that take into account the potential public health threat, are reasonable to enforce, and convey the seriousness of the situation to the owner. Although animal control officers or their statutory counterparts are responsible for collecting information, a judge or justice will hear evidence from animal control officers and the dog's owner to determine whether that dog fits established criteria for "dangerousness." In some municipalities, a hearing panel comprising a cross section of private citizens hears alleged "dangerous" dog evidence and has been given the authority to declare a dog "dangerous" if deemed appropriate. Any declaration by a hearing panel, judge, or justice is subject to judicial review.

A judge, justice, or hearing panel may promulgate orders directing an animal control officer to seize and hold an alleged "dangerous" dog pending judicial review. If a dog is determined to be "dangerous" by a judge, justice, or hearing panel, the owner of that dog is usually required to register the dog with the appropriate health department or animal control facility. The judicial process may also require the owner to follow other rigid requirements, including but not limited to permanent identification of offending dogs, training and assessment of dogs and owners, and having offending dogs spayed or neutered.

Because the judicial branch is such an integral part of any enforcement action, the judiciary must assist during formulation of "dangerous" dog laws. If the judiciary is involved, its members will be aware of the process that must be followed to declare a dog "dangerous." In addition, they will be aware of steps that have already been completed and the options available when a particular case reaches the courts.

Bite Data Reporting

Accurate and complete reporting of dog bites is an essential element of a bite prevention program. These reports are vital not only for case management and judicial review but for planning, implementing, and evaluating the status of the problem. Major goals of comprehensive dog bite data reporting include:

- ? accurately defining victim demographics to identify populations at greatest risk for bites and allow targeting of educational efforts
- ? defining dog and owner characteristics associated with higher risk so that an actuarial approach to the dog bite problem is possible (this facilitates effective program planning and proper targeting of control measures)
- ? defining high risk geographic areas at city, county, or neighborhood levels so that limited resources for animal control and public education can be appropriately deployed
- ? establishing baseline data so that the impact of specific elements of the bite prevention program can be assessed
- ? providing an accurate, detailed, unbiased, objective source of information for decision makers, media, and the public interested in the dog bite problem and its prevention
- ? providing critical information for proper management of dog bite cases

What should be reported?

At a minimum, a dog bite case should be defined as any medically-attended dog bite or any dog bite resulting in a report to an animal control or law enforcement agency. This would presumably cover those instances consuming public resources and would also include cases that may result in litigation.

A number of data elements should be captured on a report form such that it is comprehensive in scope without placing unnecessary burdens on reporting agencies (Appendix 3). Fatal and severe dog attacks on humans have been associated with prior or concurrent attacks on pets or livestock, so it is important that communities also track those incidents. Maintaining records of incidents of menacing behaviors of owned dogs running at large in the community may be found useful in later legal actions.

Who should report?

The goal is to report any medically treated dog bite or any bite resulting in a report to, or response from, an animal control agency, humane society with animal control responsibilities, or law enforcement agency. Therefore, the primary sources of data should be:

- ? animal control or law enforcement agencies responding to a dog bite complaint
- ? health professionals attending to a bite injury (hospital emergency staff, urgent care facility staff, private physicians, school or camp medical staff, medical staff of other entities such as military bases or reservations, and veterinarians)

Recognizing that many dog bites go unreported, a comprehensive program to assess dog bite incidence

should consider possible secondary sources of data. These may include:

- ? anonymous surveys of high-risk populations (eg, school-age children) that may clarify the true extent of risk in a community
- ? anonymous surveys of the public (eg, phone surveys) that can help document the extent of bite injuries and provide a basis for estimating the ratio of unreported to reported bites
- ? reports from professionals including veterinarians, animal behaviorists, dog trainers, groomers, and kennel operators who are informed of a bite incident (mandating that any or all of these professions report bites may be unrealistic given the potential legal consequences of identifying an animal as a biter)

Reporting mandates are often inconsistent between jurisdictions or are poorly enforced. Current local and state reporting regulations should be reviewed, as should directives from health or veterinary officials. If current provisions are adequate, it may be necessary to implement procedures to reeducate professionals concerning their reporting obligations and periodically remind them of these obligations. When a failure to report is uncovered, it may be an opportunity to gain the attention of the professional, because sanctions may be imposed.

Who should receive reports?

Reporting should be coordinated by one agency. Logical agencies to coordinate reports include animal control or the public health department. The coordinating agency, perhaps through the dog bite prevention program coordinator, must assume responsibility for maintaining all information and disseminating that information to other appropriate individuals or agencies (eg, veterinarians, physicians, the dog owner, and those involved in follow-up educational efforts).

To insure consistency and compliance, regulations or procedures should unambiguously state to whom reports should be submitted and within what time frame the reports should be submitted.

Data management, analysis, interpretation, and dissemination

Because multiple sources may report the same case, procedures should be in place to permit combination of data from multiple sources into a single report. Avenues should be developed for electronic submission of reports to assist in rapid response, to streamline reporting to higher levels of government, and to facilitate data analysis. Whereas disposition of individual incidents is the first goal for reporting, there is much to be learned from looking at the overall picture. Keeping information in an electronic database simplifies the latter.

Data should be reviewed at regular intervals (no less than yearly) to determine whether the incidence and severity of dog bites is getting better, worse, or staying the same. Basic analysis consists of studying the characteristics of incidents, including:

- ? time—yearly trends, peak months, day of week, time of day. This can help with scheduling animal

control services as well as dispatch and response planning.

- ? place—locating every incident on a map with a pin. Are there hot spots? This can help target high risk areas for future control.
- ? person—victims and animal owners: age, sex, race, size. Can they be targeted for education?
- ? dog—proportion of offenders by sex and breed, proportion running at large, proportion neutered, proportion with prior reported problems, history of rabies vaccinations, licensing history. Have these proportions changed over time?

Successful evaluation and resolution of a community problem and accurate assimilation, evaluation, and use of quality data requires interactive assessment, feedback, and information exchange. City, county, and state public health practitioners, epidemiologists, and representatives of public health organizations (eg, the National Association of State Public Health Veterinarians, the Council of State and Territorial Epidemiologists, the Association of State and Territorial Health Officers, and the National Association of County and City Health Officials) can provide communities with considerable expertise in the acquisition and interpretation of dog bite data. Their participation should be encouraged.

Education

Education is key to reducing dog bites within a community. The list of those to be educated and those who may educate includes everyone who regularly comes into contact with dog owners and potential victims (eg, veterinarians, veterinary technicians and assistants, animal control officers, animal behaviorists, dog trainers, humane society personnel, physicians, school nurses, public health officials, teachers, and parents).

The purposes of this section are to educate city officials and community leaders about the role of various professionals in an educational program to reduce dog bites, provide starting references to ensure a core of knowledge for those professionals (**Appendix 5**), and assist in identification of the educational needs of various constituencies within a community.

Public officials and community leaders

Public officials and community leaders are the people to whom residents look for assistance with social problems. Their influence is important and well recognized. If a community dog bite prevention program is to gain public acceptance and be effective, community leaders must be well-informed about dog-related issues within their community and in general.

Professionals

Professionals from many backgrounds need to be involved in bite prevention programs. Their expertise is essential to making realistic decisions about what should and can be done to prevent or follow up on dog bite incidents and in recognizing what is normal or abnormal behavior for a dog. Several of these professionals will likely be members of the advisory commit-

tee, but all should be encouraged to be a part of a community's efforts to decrease the impact of a dog bite problem.

Many professions mentioned in this document are science-based. This means their members are used to making decisions on the basis of peer-reviewed data-supported information rather than gut feelings. This approach to decision making results in improved outcomes. Because the dog bite problem impacts so many different groups, networking between community leaders and professionals is important. The following sections describe ways that various professionals and community leaders can work together toward a common goal.

Veterinarians—Veterinarians are scientists trained for a minimum of 7 to 8 years and then licensed to diagnose and treat animal problems both medical and behavioral. Although most people think of veterinarians as performing animal vaccinations and surgical neutering, the practice of veterinary medicine includes all subdisciplines typically associated with human medicine. The study of animal behavior both normal and abnormal has become more important within the profession as animals have become more important to their owners. Dogs are now four-legged members of the family, rather than farm animals that help bring cows into the barn at milking time. With this change in the dog's role have come unrealistic owner expectations about what constitutes normal behavior for a dog. Veterinarians can educate dog owners as to what behavior is normal, can help dog owners teach their dogs to respond appropriately in various environments and provide referrals to reputable dog trainers, and can assist owners with behavioral problems, including those that have a medical basis or are responsive to medication.

Until recently, animal behavior was not often taught in veterinary curricula. Many veterinarians have had to acquire their knowledge of normal and abnormal canine behavior from continuing education programs and professional textbooks. For this reason, different veterinarians have different degrees of knowledge about behavior. All veterinarians, however, have access to board-certified veterinary behaviorists for help with behavioral problems beyond their expertise.

Although the time, physical, and emotional demands of veterinary practice can be overwhelming and leave limited time to devote to a formal community prevention program, veterinarians can substantially impact prevention efforts through their professional contact with prospective and current dog owners. This contact should begin before the pet is acquired. Providing unbiased information on pet selection can help prevent inappropriate owner-dog pairings. Prospective dog owners often make spur-of-the-moment selections that are based on warm-and-fuzzy feelings and unrealistic expectations. Encouraging prospective dog owners to seek information from their veterinarian about the characteristics and needs of various types of pets and encouraging future dog owners to ask for guarantees from puppy providers can minimize future problems. When owners take their newly

acquired dogs to their veterinarian for an initial examination and immunizations, the veterinarian has a second opportunity to provide these owners with good medical, nutritional, and behavioral advice.²¹ Finally, veterinarians can educate owners during their dogs' routine examinations (asking appropriate questions can reveal problems an owner may not have recognized) or when their dogs are evaluated for specific problems.

Board-certified veterinary behaviorists—The American College of Veterinary Behaviorists (ACVB), an American Veterinary Medical Association-recognized veterinary specialty organization, certifies graduate veterinarians in the specialty of veterinary behavior. To become certified, a veterinarian must have extensive postgraduate training, sufficient experience, and pass a credential review and examination set by the ACVB. Diplomates of this organization work with problem animals by referral from the animal's regular veterinarian, consult with practitioners on cases, and give continuing education seminars on animal behavior. Although many communities may not have the benefit of a resident board-certified veterinary behaviorist, veterinarians have access to and may consult with their specialist colleagues when necessary.

Veterinary technicians—Veterinary technicians are integral members of the veterinary health care team who have been educated in the care and handling of animals, basic principles of normal and abnormal life processes, and routine laboratory and clinical procedures. They perform many of the same tasks for veterinarians that nurses and others perform for physicians. Veterinary technicians are often frontline people when it comes to educating pet owners, particularly in general veterinary practices; they greet clients and answer initial inquiries, clarify instructions, provide clients with appropriate print, audio, and video educational material, and answer questions. Certainly, they are an important part of the educational team when it comes to dog bite prevention.

Like veterinarians, veterinary technicians have several opportunities to educate clients. Veterinarians may be consulted prior to owners acquiring a new pet, and veterinary technicians can help provide information on appropriate pet selection. Veterinary technicians regularly counsel owners during new puppy appointments, and this is a particularly good opportunity to provide owners with information on bite prevention, including the importance of socialization and training. Routine physical examinations are times when veterinary technicians can reinforce the importance of these early lessons and training, and they can help veterinarians identify potential aggression problems through observation and dialog with owners. Veterinary technicians can also be tapped to educate nonpet-owning children and adults through school or other programs.

Veterinary technology programs do not always offer curricula in animal behavior and, consequently, many technicians do not have formal training in this area when they enter practice. Continuing education that includes basic principles of animal behavior is

essential for veterinary technicians, just as it is for their employers. Maintaining a clinic reference library of appropriate print, audio, and video material for reinforcement and enrichment and for client education is useful.

Behavioral education for veterinary technicians relative to dog bite prevention should include recognition of classic canine behavioral displays and an understanding of the basic types of canine aggression and their prevention. The aim is to assist technicians in conveying dog bite prevention information to owners. Veterinary technicians must not be placed in the role of diagnosing or treating canine aggression.

Animal behaviorists—There are a number of scientists with PhD degrees in academic fields related to animal behavior who can serve as valuable resources for communities attempting to reduce dog bite injuries. Because of their science-based backgrounds, they can be particularly helpful in setting up protocols to determine the extent of the problem within a community and whether ongoing programs are having a substantial impact.

As a note of caution, the terms animal behaviorist or animal psychologist are often used by individuals who do not have strong scientific backgrounds but who want to work with problem dogs. There is no method to evaluate the competence of these individuals, and they may be more harmful than helpful to a community's efforts.

Dog trainers—This is a diverse group of individuals with no uniformly recognized credentialing body or measures of competence. Although there are many good dog trainers, there are also trainers that use inappropriate methods of behavioral modification that can negatively affect a dog's behavior, making the dog more dangerous to the owner and the community. It is important that communities make a concerted effort to work with responsible trainers who interact closely with veterinarians and PhD-degreed animal behaviorists. A qualified responsible dog trainer can be a valuable asset to a community advisory group.

Obedience training by itself does not prevent the development of behavior problems,²² and animals that are sent to a training facility may not learn how to obey their owners, because the owners do not learn how to give commands. For problem animals, training is only part of the solution.

Physicians and nurses—With a dog residing in 1 of every 3 US homes and approximately 53 million dogs in the United States,^{2,3,6} exposure of the physician or nurse, their family members, or their patients to dogs during the course of daily life is inevitable. Dogs have become important members of many families, and the presence of a pet in the home can affect an individual's own decisions about care. Most physicians are familiar with at least 1 example of a person refusing hospitalization, because there was no one else in the home to care for their pet.

Because 334,000 Americans are seen in emergency departments for dog bite injuries each year, 466,000 are seen in other medical practice settings, and 6,000

are hospitalized,⁶ it behooves human healthcare providers to acquaint themselves with community and personal strategies to prevent dog bites. Furthermore, just as occurrences of infectious diseases such as measles are reported to enable investigation of outbreaks and development of control measures to protect the public, dog bites must be reported so that cause and prevention can be addressed. Communities differ in their requirements for reporting, and practitioners must understand what is required in their area.

Traditionally, when confronted with patients seeking care for dog bites, physicians and nurses have confined their roles to providing medical treatment. With the expanding roles of physicians and nurses, however, disease prevention has become an important issue. In addition to competently treating dog bites and their complications, healthcare providers need to be aware of critical roles they can play in reducing dog bite injuries.

Advising patients about safe behaviors appears effective in preventing injury.²³⁻²⁶ Teaching children, parents, and patients who own dogs about proper behavior around dogs and responsible dog ownership is advisable given the frequency of human-canine contact in our society. Physicians can recommend contacting a veterinarian for pet selection information and advice if an individual or family is considering dog ownership, and for information about canine behavior and obedience training if a dog is already part of the family. Pediatricians provide age-appropriate injury prevention counseling during wellness visits.²⁶ Dog bite prevention should be a part of this counseling. Dog safety tips can also be included in packets of materials routinely sent home with new mothers.

When a patient is being treated for a bite, an opportunity exists to prevent future injury by teaching bite-avoidance strategies. Probing into the circumstances of the current bite may reveal which strategies should be emphasized. Taking advantage of teachable moments should be considered part of curative care. Consulting with a veterinarian may help human health care providers identify subjects they can address during postbite sessions.

As witnesses to the health-related outcomes of dog bites, physicians and nurses are particularly credible sources of information and can be effective spokespersons. Pediatricians and nurses should be full partners in community efforts to reduce dog bite injuries.

Animal control personnel—The staff of a well-resourced animal control program often includes an education coordinator who can train teachers, school nurses, and volunteers to become dog bite prevention educators within the community's school system (similar to volunteers in the McGruff crime prevention program presented to primary-school children). For animal control personnel, job-related continuing education is important. Programs are available through the National Animal Control Association.

Humane society/animal shelter/rescue group personnel—Dog bite injuries have negative repercussions for dogs as well as people, and humane society/animal shelter/rescue group personnel must deal with these

issues. Dogs causing severe injuries may be brought to humane facilities for rabies quarantine or euthanasia. Dogs that have threatened to bite or that have nipped may be surrendered to shelters or rescue groups, sometimes without full acknowledgment by their owners.¹⁶ Shelter personnel are forced to decide which dogs can be placed in new homes and which are not suitable for adoption. Progressive organizations work with veterinarians and animal control officers to educate their staff about safe dog handling and objective evaluation techniques. Record keeping and follow-up studies expand their knowledge base about what works in their community and what does not. Well-trained and dedicated humane society/animal shelter/rescue group personnel can be valuable community resources for public education as well.

Public

Public education is critical to the success of any dog bite prevention program, because half of all bites are inflicted by the family dog.²⁷ Only about 10% of bites are inflicted by dogs unknown to the victim.^{7,15} A public education effort must target a variety of individuals and age groups, and one individual should be assigned to integrate its components. If a special advisory council or task force is convened, its paid coordinator would be a logical choice to coordinate the public education effort. Alternatively, the public education coordinator could be a member of a municipal group such as the local health department, animal control agency, or board of education, or a member of a stakeholder group such as a humane society or veterinary association. Many educational programs targeted at various audiences exist and are included in the dog bite prevention resource list found on the American Veterinary Medical Association Web site (www.avma.org). As new materials become available, they will be added to this resource list.

Children—Children are the most common victims of serious dog bites. Seventy percent of fatal dog attacks and more than half of bite wounds requiring medical attention involve children.^{7,9,15} In addition, almost half of all children are bitten before 18 years of age.^{27,28} The most vulnerable youngsters are 5- to 9-year-old boys,^{6,7,8} but smaller children can also be seriously injured.²⁹ Dog bite injuries rank third only to bicycle and baseball/softball injuries as a leading cause of emergency admission of children to hospitals.⁶ Children's natural behaviors, including running, yelling, grabbing, hitting, quick and darting movements, and maintaining eye contact, put them at risk for dog bite injuries. Proximity of a child's face to the dog also increases the likelihood that facial injuries will occur.^{6,7,29-31}

Target group—The first step in a child education effort is determining what population of children to target and when. The logical primary audience is those at greatest risk: children in grades kindergarten through 4. Late winter or early spring appears to be the best time to institute a campaign, because the school year is concluding and, as children spend more time outside, exposure risk increases.³² It is critical

that school administrators buy into the concept of a dog bite prevention program; therefore, requests to the school district must be made by committed convincing well-organized individuals. Because school curricula are crowded, time blocks for dog bite prevention education should be requested early within the school system's calendar year. If such a block of time is not available, an alternative is to have a veterinarian or physician present a 1-hour lecture or assembly program to the entire student body. Once dog bite prevention education has been included within the curriculum (or has been scheduled to be provided through a special lecture or assembly program), teachers, nurses, and volunteers should consider addressing the school's parent-teacher organization to inform parents of upcoming dog bite prevention training for their children.

Secondary efforts—Secondary targets include children in other settings, such as early education programs (eg, Head Start, day care centers, recreational centers, and camps).

Identifying instructors—Who teaches the material will depend on expertise within the community. For classroom instruction, teachers who have had in-service training, school nursing staff, health educators, or trained volunteers are logical choices. Stakeholder groups (eg, veterinarians, veterinary technicians, animal control officers, physicians, nurses, humane society staff) may provide a ready source of volunteers for classroom instruction and special programs.

Adults—Adult citizens must understand the need for and support a strong dog bite prevention program not only for their own safety but for the safety of others in their community. It is this understanding that gives a prevention program long-term stability. All adults should learn appropriate behaviors around dogs so that they can protect themselves, teach their own children, serve as an example for others, and reinforce appropriate behaviors in other children at every opportunity. Adults also serve as local eyes for animal control so that roaming dogs are controlled.

Educational materials sent home with school children, distributed by pediatricians during well-child visits, inserted in public utility bills, and produced by an enlightened local media are all reasonable approaches. Involving representatives of service organizations and community groups during a prevention program's planning and active stages will strengthen commitment.

Active adults (eg, joggers, bicyclists, golfers) whose outdoor activities provide greater exposure to dogs are most at risk for injury. To reach these individuals, bite prevention information should be provided to local interest groups, recreational facilities, and health clubs.

Target group—Primary adult targets within the community are those who have children and who are active in outdoor activities.

Secondary efforts—Secondary targets include individuals between the ages of 21 and 65 years.

Identifying instructors—Materials can be developed or selected by animal control personnel, veterinarians, veterinary technicians, or other people knowledgeable about dog behavior. Information can be distributed through a number of channels such as those identified above.

The elderly—As people age, they become more susceptible to injury and disease. Thinning skin increases risk of bruising, and a bite producing a simple puncture wound in a younger individual can cause a severe laceration in a senior citizen. Sensory perception decreases so that an elderly person may not see a threatening dog or may not be able to read its behavioral signals accurately. In addition, diminished motor skills mean that the elderly are less able to physically protect themselves or escape.

Another concern for the elderly is that their beloved pet may not be trustworthy around their grandchildren. Dogs not raised around small children or not frequently exposed to them may not be socialized toward them.¹ This increases the likelihood of aggressive behavior being directed toward these children.

An educational program for senior citizens can be implemented in various settings. Materials may be provided through community services for the elderly such as church groups, visiting nurse programs, meals-on-wheels, recreational centers, or travel groups. Secondary targets are shopping malls and the media. Trained volunteers, especially from dog-associated professions, are logical sources of information. Human healthcare professionals can be an important source of information for the elderly because of the frequency of their interactions.

Target group—Primary targets are grandparents and people aged 60 years or older who have dogs in their homes.

Secondary efforts—Secondary targets include other individuals who are at least 60 years old.

Identifying instructors—Physicians can interact with these people during clinic visits. Animal control personnel, veterinarians, veterinary technicians, and people knowledgeable about dog behavior can select or produce resource information.

Animal owners—People who own dogs have a wide variety of views about their responsibilities. For some, dog care means providing food and water when the thought occurs to them. At the other end of this spectrum is the person who actively makes sure the pet is appropriately fed, well-trained, licensed, and healthy. Some individuals view dogs as disposable items that can be abandoned at any sign of trouble or expense. Once a community establishes acceptable standards for responsible ownership, dog owners must be informed of these expectations and related ordinances, and rules must be enforced. Owners and future owners must be educated about their unique set of responsibilities, which include appropriate pet selection, providing quality nutrition, housing, and medical care, compliance with confinement and licensing requirements,

appropriate behavioral training, and supervision of interactions between dogs and children. Citizens must understand that pet ownership is an ongoing responsibility, not a passive activity.

Dog owners can be provided with information through various avenues. Veterinarians and their staff are logical educators and distributors. Local dog clubs and trainers provide services to more conscientious owners. Businesses that sell pet foods and supplies should also be encouraged to provide bite prevention materials to their customers. Information can be distributed with utility bills, and animal shelters can provide classes for people who are considering acquiring a pet. Incentives for attendance at bite prevention classes could include reduced fees for licenses and coupons for vaccinations, food, and obedience classes. The most difficult group of dog owners to reach is those with minimal attachment to their pets. Although strong enforcement of local regulations will change some owners into former owners, most will continue to own dogs. Therefore, education should be an integral part of any enforcement program. A good working relationship with the judiciary is critical so that offenders of animal-related ordinances are required to take courses that emphasize responsible ownership.

Target group—Primary targets are adults who already own dogs.

Secondary efforts—Secondary targets are adults who are considering getting a new dog.

Identifying instructors—Information for this target audience can come from various sources, and its distribution should be approached in a number of ways. Animal control officers and members of the legal profession can describe what is expected regarding local regulations and the serious consequences if these regulations are violated. Veterinarians and their staff can educate owners about vaccinations, neutering, restraint, and other health care issues. Dog club members and trainers can assist by providing socialization and training instruction and can help educate owners about being good dog-owning neighbors.

Victims—When someone becomes a dog bite victim, a teachable moment is created. How useful that moment becomes in preventing future incidents depends tremendously on the seriousness of the bite and the fear response of the victim. Scare-producing or threatening events are good times for dog bite prevention information to be conveyed. However, the time surrounding a serious injury is generally too emotionally charged to be of value for dog bite prevention education.

Who provides information to victims depends, in part, on who is contacted about the incident. In addition to medical personnel, animal control's investigative efforts usually require a home visit. Routine visits to a physician should include gathering historical information about the patient's interactions with dogs to identify patients who would benefit from additional education. Media stories that reinforce correct approaches to prevention can also touch many when they are most receptive.

Target group—Individuals who have recently been bitten by a dog seriously enough to require medical attention but not so seriously as to have sustained severe injuries are the primary target.

Secondary efforts—Secondary targets are individuals who have been bitten by a dog in the past.

Identifying instructors—Medical professionals and animal control personnel are the individuals who encounter this group.

Businesses—Community businesses need to address dog bite prevention as well. Certain businesses (eg, veterinary clinics, grooming and boarding facilities, animal control, pet sitting agencies) revolve around direct contact with dogs, and employee education is critical from a safety and liability standpoint. Employees of other businesses will occasionally encounter dogs in the course of their daily job activities (eg, utility workers, police officers, parcel carriers, and emergency medical technicians). Training conducted by an animal control officer or other knowledgeable professional may provide employees with the tools they need to safely handle contacts with at-large animals, attack/guard dogs, or dogs who simply reside on the premises of those facilities where they do business.

Target group—Primary targets are employees and business owners who will be working with dogs on a daily basis.

Secondary efforts—Employees of companies who are likely to encounter dogs in their daily business activities can be considered secondary targets.

Identifying instructors—Animal control personnel, veterinarians, veterinary technicians, and dog trainers who are experienced at dealing with dogs in a variety of environments. These individuals will need to customize presentations to the type of situations most likely encountered by the target audiences.

Media

The local media play an important role in a community's efforts at bite prevention. For this reason, it is suggested that 1 member of the advisory council or task force be a media representative. In addition, the advisory council can be proactive in helping the media convey important and appropriate messages. Sensational events provide an opportunity to convey important messages. Regular features can reinforce principles and keep educational efforts flowing.

Know the media

Your key to the public eye and ear is a selective up-to-date list of local media contacts who have an interest in animal issues. Such a list can be developed by undertaking a comprehensive media survey. Check the local library for publications that list names, telephone numbers, and short descriptions of your community's media outlets. Call each office or studio to discover which desks or departments should receive your inquiries and press releases. Read local newspapers and listen to local radio and television news and feature

programs to identify reporters and hosts who address animal issues. Finding out whether these individuals gather their own news or use wire services will allow you to target press releases and materials to those who are most likely to use them. Contact local freelance writers to see whether they would be willing to feature a bite prevention message in an upcoming piece. Be aware that your media list will be dynamic, and take time to update the names of specific contacts. Once a helpful story is published, or a reporter conveys your message during a broadcast, be sure to acknowledge that effort by sending a thank-you note or making an appreciative telephone call.

A spokesperson

The community should identify a spokesperson who has the expertise to address complicated dog bite-related issues, and this individual should be provided with media training so that he/she becomes an effective communicator with the print and broadcast media. It is the spokesperson's responsibility to convey information clearly, accurately, and promptly. In various situations, this individual can identify when there are not enough animal control officers to prevent dog packs from forming or when a dog has been "sicked" on a person as a weapon. A knowledgeable and effective communicator can turn a publicized bite into a learning opportunity by providing suggestions on how that bite could have been prevented (eg, the dog was not appropriately controlled or confined, or a child was left unsupervised).

Have information readily available

The advisory council or task force should create a 1-page fact sheet for use by the media and the spokesperson. This fact sheet should include the number of dog bite incidents occurring in the community during the past year, the number of dogs in the community, the number of licensed dogs in the community, what local laws govern dog ownership and control, and to whom problems should be reported. A list of community resources should also be available.

Ways to effectively convey information

Because animal stories are popular with the media, there are numerous opportunities to convey bite prevention information. Local broadcast programs and newspapers find regular segments about animals popular with viewers/listeners/readers, and most of those spots have enough time for short lessons. Another approach is to proactively bring animal stories to the media. Examples include a story about a shelter dog that visits nursing homes after being rescued and appropriately trained, a description of a guide or "hero" dog's training, or warm-weather tips for pets. Effective mechanisms for providing information vary with the medium but include:

News releases—Releases may be provided to print, radio, or television outlets. Releases should be double-space typed on stationery that provides the source of the announcement (ie, the advisory council or task force). Include the subject of the news release and contact information in the upper left corner. The

mailing date of the release should be indicated along the right margin. The release should be written in inverted pyramid style, placing the most important information at the beginning. Releases should be limited to 1 page if possible.

Interviews—Interviews may be conducted by print, radio, or television reporters or hosts and, in the case of television and radio, may be live or taped. The individual being interviewed must be an excellent communicator and intimately familiar with dog bite issues and prevention. The interviewee may request a preinterview to get a grasp of the direction of the interview. It is advisable to tell the interviewer which issues you would definitely like to see addressed. Answers should be structured according to the program's time limits.

Talk shows—Most of the principles that apply to interviews also apply to talk shows, but in this situation there usually will be interaction with guests (who often hold opposing views), potentially with an audience, and with the host. Running through mock discussions prior to participation is helpful. Responses to questions or comments from those with opposing views should always be factual, sincere, and polite.

Public affairs programs—Many stations air 2 or 3 programs a week in which the station's news staff or station management interview a newsmaker, a spokesperson from an activist group, or a public relations representative from an industry. Issues in the news are often addressed by such programming. These provide a good opportunity to make your community aware of bite prevention efforts and to elicit support. Access to these programs may be requested by sending a letter to the station manager.

Bulletin board and community announcements—Many local television stations donate air time to announcements of community events. These are often broadcast in calendar format. This is an easy way to publicize educational events and responsible pet ownership classes.

Editorials—Editorials are used by print, radio, and television reporters to present their views on issues of public interest. Prepared statements describing the advisory council's approach to dog bite prevention can be provided to reporters for use in preparing an editorial or may be provided if a reporter presents an opposing viewpoint.

Public service announcements—Many radio and television stations donate time for **public service announcements (PSA)**; however, public service groups cannot specify when your PSA is to be aired. It is acceptable to suggest when you believe airing your PSA will be most effective. Most PSAs run for 30 to 60 seconds, although 10- and 20-second spots are also used. To mitigate the costs associated with production, you may want to contact local stations to see whether they offer sponsored placements, in which local advertisers donate time for specific public service messages. Public service announcements may consist of script only, sight and sound (simple or complex), or 16-mm film or videotape.

*See www.avma.org for additional and updated information.

^aAnderson RD, Nevada Department of Public Health, Reno, Nev: Personal communication, 1999.

^bNational Center for Injury Prevention and Control. *Resource guideline for state and local injury control programs*; in preparation.

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Appendix 1

Groups potentially involved in dog bite prevention

A model program for preventing dog bites begins with assembling a local coalition. Wide representation of community views on the coalition helps ensure sufficient input and community acceptance of the program. Key players include:

- ? animal control officials
- ? attorneys, judges
- ? business sector (eg, local business leaders, insurance companies, pet stores)
- ? dog breeders and trainers
- ? educational system (eg, schools, parent-teacher organizations)
- ? health departments and public health associations
- ? humane societies
- ? human healthcare providers and associations (eg, nurses, pediatricians, community health centers, emergency medical service and ambulance companies, health maintenance organizations, hospitals, managed care organizations, medical associations, medical examiners' and coroners' offices, schools of medicine and public health, trauma centers)
- ? kennel clubs, dog clubs, assistance dog organizations
- ? law enforcement agencies
- ? local government officials
- ? media
- ? occupational safety organizations, agencies, and groups (eg, firefighters, meter readers)
- ? veterinary care providers and associations, allied staff, clinics, schools of veterinary medicine and veterinary technology
- ? volunteer nonprofit organizations (eg, boy/girl scouts; various "Y"s; 4-H clubs; chapters of the American Red Cross, Safe Kids, National Safety Council, and National Fire Protection Association; foundations; United Way; and civic groups [Kiwanis, Rotary])
- ? other groups (eg, sports recreation clubs [joggers, bicyclists], automobile clubs, extension offices)

Continued on next page.

Appendix 2

Model dog and cat control ordinance

Originally produced and published jointly by the American Veterinary Medical Association, the American Humane Association, the Humane Society of the United States, and the Pet Food Institute in 1976. Modifications have been made from the original version to reflect updated US Public Laws, current titles of other referenced documents, and present favored terminology and definitions concerning "dangerous" animals.

Section 1. Definitions

As used in this ordinance the following terms mean:

Animal—For the purpose of this ordinance, animal shall mean dog or cat.

Animal control authority—The person or persons designated to enforce this ordinance.

Animal establishment—Any pet shop, grooming shop, animal auction, performing-animal exhibition, kennel or animal shelter, except this term shall not include veterinary medical facilities, licensed research facilities, facilities operated by government agencies, or licensed animal dealers regulated by the USDA under the provisions of US Public Laws 89-544, 91-579, 94-279, 99-198, and 101-624.

Animal shelter—Facility designated or recognized by the [jurisdiction]* for the purpose of impounding and caring for animals.

At large—A dog or cat shall be deemed to be at large when off the property of the owner and not under restraint.

Humane manner—Care of an animal to include, but not be limited to, adequate heat, ventilation and sanitary shelter, wholesome food and water, consistent with the normal requirements and feelings habits of the animal's size, species, and breed.

Kennel—An establishment kept for the purpose of breeding, selling, or boarding dogs or cats or engaged in training dogs or cats.

Licensing authority—The agency or department of [jurisdiction] or any designated representative thereof charged with administering the issuance and/or revocation of permits and licenses under the provisions of this ordinance.

Livestock guarding dogs—Dogs kept for the primary purpose of protecting livestock from predatory attacks.

Neutered—Rendered permanently incapable of reproduction.

Nuisance—A dog or cat shall be considered a nuisance if it damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, "dangerous," or offensive conditions; causes a disturbance by excessive barking or other noise making; or chases vehicles, or molests, attacks, or interferes with persons or other domestic animals on public property.

Owner—A person having the right of property or custody of a dog or cat or who keeps or harbors a dog or cat or knowingly permits a dog or cat to remain on or about any premises occupied by that person.

Person—Any individual, corporation, partnership, organization, or institution commonly recognized by law as a unit.

Pet shop—An establishment engaged in the business of buying or selling, at retail, dogs or cats or other animals for profit-making purposes.

Restraint—A dog or cat shall be considered under restraint if it is within the real property limits of its owner or secured by a leash or lead or under the control of a responsible person.

"Dangerous" dog or cat—A dog or cat that without justification attacks a person or domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat or serious injury or death to one (1) or more persons or domestic animals.

Section 2. Licensing and rabies vaccination

a. Except as provided in Section 3, no person shall own, keep, or harbor any dog or cat over four (4) months of age within [jurisdiction] unless such dog or cat is vaccinated and licensed. The provisions of this section do not apply to animals owned by a licensed research facility or held in a veterinary medical facility or government operated or licensed animal shelter.

b. All dogs and cats shall be vaccinated against rabies by a licensed veterinarian, in accordance with the latest "Compendium of Animal Rabies Prevention and Control" authored by the National Association of State Public Health Veterinarians and published annually in the *Journal of the American Veterinary Medical Association*.

c. A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the Compendium. Each owner shall also receive a durable vaccination tag indicating the year in which it was issued.

d. Application for a license must be made within thirty (30) days after obtaining a dog or cat over 4 months of age, except that this requirement will not apply to a nonresident keeping a dog or cat with the [jurisdiction] for no longer than sixty (60) days.

Written application for a dog or cat license shall be made to the [licensing authority] and shall include the name and address of the owner and the name, breed, color, age, and sex of the dog or cat. Applicants also shall pay the prescribed licensing fee and provide proof of current rabies vaccination.

e. The licensing period shall be for 1 year(s). License renewal may be applied for within sixty (60) days prior to the expiration date. New residents must apply for a license within thirty (30) days of establishing residence.

f. A license shall be issued after payment of a fee of \$_____ for each unneutered dog or cat and \$_____ for each neutered dog or cat. Persons who fail to obtain a license as required within the time period specified in this section will be subjected to a delinquent fee of \$_____.

g. License fees shall be waived for dogs serving the blind or deaf or government-owned dogs used for law enforcement. All other licensing provisions shall apply.

h. Upon acceptance of the license application and fee, the [licensing authority] shall issue a durable license tag including an identifying number, year of issuance, city, county, and state. Both rabies and license tags must be attached to the collar of the dog or cat. Tags must be worn at all times and are not transferable. [Licensing authority] shall maintain a record of all licenses issued, and such records shall be available to the [animal control authority].

Section 3. Permits

a. No person shall operate an animal establishment without first obtaining a permit in compliance with this section.

b. The permit period shall begin with the first day of the fiscal year and shall run for one (1) year. Renewal applications for permits may be made within sixty (60) days prior to the expiration date. Application for a permit to establish a new breeding animal establishment under the provisions of this ordinance may be made at any time.

c. Annual permits shall be issued upon payment of the applicable fee:

i. For each kennel authorized to house less than six (6) dogs or cats \$_____

ii. For each kennel authorized to house six (6) but not more than

forty-nine (49) dogs or cats \$_____

iii. For each kennel authorized to house fifty (50) or more dogs and cats \$_____

iv. For each pet shop \$_____

v. For other animal establishments \$_____

d. A person who maintains a kennel of six (6) or more dogs or cats for breeding purposes may pay an annual permit fee or may elect to license individual dogs or cats as provided under

Section 2. Every facility regulated by this ordinance shall be considered a separate enterprise, requiring an individual permit.

e. Under the provisions of this ordinance, no permit fee shall be required of any animal shelter. All other provisions shall apply. Any change in the category under which a permit is issued shall be reported to the [licensing authority] within sixty (60) days, whereupon reclassification and appropriate adjustment of the permit fee shall be made.

f. Failure to comply with the provisions of this section is subject to a fine of \$_____.

Section 4. Issuance and revocation of permits and licenses

a. The [appropriate authority] may revoke any permit or license if the person holding the permit or license refuses or fails to comply with this ordinance, the regulations promulgated by the [appropriate authority] or any other law governing the protection and keeping of animals. If an applicant is shown to have withheld or falsified any material information on the application, the [licensing authority] may refuse to issue or may revoke a permit or license.

c. It shall be a condition of issuance of any permit for an animal establishment that the [appropriate authority] shall be permitted to inspect any and all animals and the premises where such animals are kept at any reasonable time during normal business hours. Where a permit is revoked for any cause, or pending appeal of any such action, the [appropriate authority] shall have power of entry on the premises and into all areas where animals are being kept. A person denied a permit may not reapply for a period of at least thirty (30) days. Each reapplication shall disclose any previous denial or revocation and shall be accompanied by a \$_____ fee.

Section 5. Owner responsibility

a. All dogs and cats shall be kept under restraint.

b. Every "dangerous" dog or cat, as determined by the [appropriate authority], shall be confined by its owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.

c. No dog or cat shall be allowed to cause a nuisance. The owner of every dog or cat shall be held responsible for every behavior of such dog or cat under the provisions of this ordinance.

d. Failure to comply with the provisions of this section shall be subject to a fine of \$_____.

e. Dog and cat owners shall ensure that their dog or cat carries identification at all times in the form of microchip, tag, or other means to allow easy determination of the owners.

f. Livestock guarding dogs shall be exempt from nuisance regulations when performing duties protecting livestock on premises owned or controlled by the owner.

Section 6. Impoundment

a. Any dog or cat found running at large shall be impounded by the [animal control authority] in an animal shelter and confined in a humane manner. Immediately upon impounding a dog or cat, the [animal control authority] shall make every reasonable effort to notify the owner and inform such owner of the conditions whereby custody of the animal may be regained. Dogs and cats not claimed by their owners within a period of [five (5) full days] in which the shelter is open to the public shall become the property of the [jurisdiction].

b. When a dog or cat is found running at large and its ownership is verified by the [animal control authority], the authority may exercise the option of serving the owner with a notice of violation in lieu of impounding the animal.

c. In the event that the [appropriate authority] finds dogs or cats to be suffering, it shall have the right forthwith to remove or cause to have removed any such animals to a safe place for care at the owner's expense or to euthanize them when necessary to prevent further suffering. Return to the owner may be withheld until the owner shall have made full payment for all expenses so incurred.

d. Disposal of an animal by any method specified here in does not relieve the owner of liability for violations and any accrued charges.

Section 7. Redemption

a. Any animal impounded may be redeemed by the owner thereof within five (5) days upon payment of an impoundment fee of \$_____, provided that if any such animal has been previously impounded, the impoundment fee shall be \$_____. Payment of impoundment fees is not considered to be in lieu of any fine, penalty, or license fees.

b. Any animal confined for rabies quarantine, evidence, or other purpose may be redeemed by the owner thereof upon payment of a fee of \$_____.

c. No animal required to be licensed or vaccinated under this ordinance may be redeemed until provisions for such licensing have been fulfilled.

Section 8. Adoption

An adoption fee of \$_____ shall be assessed at the time of adoption. No dog or cat shall be released for adoption as a pet without being neutered or without a written agreement from the adopter guaranteeing that the animal will be neutered. Vaccination fees, licensing fees, and veterinary costs may be assessed above and beyond the adoption fee.

Section 9. Interference

No person shall interfere with, hinder, or molest any agent of the [animal control authority] in the performance of any duty as herein provided.

Any person violating this section shall be deemed guilty of a misdemeanor and shall be subject to a fine of not less than \$_____ or more than \$_____.

Section 10. Repeals (conflicting ordinances)

All other ordinances of the [jurisdiction] that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 11. Severability

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 12. Applicability

This ordinance shall be in full force and effect upon the expiration of days after its passage and publication.

Section 13. Safety clause

The [jurisdiction] hereby finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public health, safety, and welfare of the [jurisdiction] and the inhabitants thereof.

*For all occurrences of [], communities should insert their applicable agency. †The organizations developing this model ordinance recommended that licensing tags show, in addition to the license number, the city or county and state in which the animal is registered. This helps to alleviate the problem of an animal being left unidentified or unclaimed because it has been transported from one state to another and has no reference to the issuing city or county on the license tag. ‡Where blanks are found without insertions, communities should insert applicable fees or conditions. §Differential license fees for neutered animals serve as an incentive for responsible pet ownership. ¶Breakaway collars are recommended when tags are affixed to collars worn by cats. ¶¶It is recognized that holding periods will be determined to some degree by availability of facilities; however, it is important to ensure a reasonable opportunity for owners to reclaim their dog or cat.

Appendix 3

Recommended data elements for reports of dog bites

Data element	Comment	Data element	Comment
Notifications of dog attacks on humans . . .	A card or telephone report to be submitted by those providing care to the human victim	Dog information	
Name of victim		Name	
Address of victim		Breed	Indicate by whose designation (eg, owner report, animal control officer, law enforcement officer). This is important if breed data are to be interpreted.
Telephone (home and work)		Sex	
Parent contact information (if a minor)		Age	
Incident date and time		Weight	
Reported to whom		Reproductive status	
Date and time of report		Name of veterinarian	
Notifications of dog attacks on animals . . .	A card or telephone report to be submitted by those providing care to the animal victim	Rabies vaccination date	
Owner of victim		Rabies tag number	
Type of victim		License number	
Address of owner		Microchip number	
Telephone (home and work)		Degree of confinement	Identifying different forms of confinement (eg, chaining, tethering, electronic fence) is important if risk associated with these practices is to be assessed.
Incident date and time		at time of bite	
Name and address of owner or custodian of attacking dog			
Reported to whom			
Date and time of report			
For animal control investigations		Prior incidents	
Agency information		Obedience training	
Case number		Circumstances of the bite	
Report date and time		Victim account	
Incident date and time		Owner's account	
Who reported the case		Witness account (contact information)	
Report received by		Number of dogs involved	Attacks by multiple dogs may account for 20 to 30% of incidents. Forms for these animals could be given case numbers with a special designation (eg, 123A, 123B).
Location of incident			
Victim information			
Name		Injury information	
Breed (if animal)		Location of injury	
Age and date of birth		Nature of injury	
Sex		Severity of injury	
Address			
Telephone (home and work)		Animal disposition	
Parent contact information (if minor)		Quarantine location	
Rabies immunization status (if animal)		Date of quarantine	
Owner information		Date to be released	
Name		Quarantined by	
Age and date of birth		Euthanatized	
Sex			
Address			
Telephone (home and work)			

Continued on next page.

Appendix 4

Model legislation for the identification and regulation of "dangerous" dogs

A. Actions allowed by authorized persons prior to hearing

1. If any dog shall attack a person or domestic animal who was peaceably conducting himself in any place where he may lawfully be, any person, for the purpose preventing imminent injury or further injury, may use such force as is required to stop the attack.
2. A police officer or peace officer acting pursuant to his statutory duties may, where the threat of serious injury to a person or domestic animal is imminent and unjustified, use such force as is required to prevent such injury.

B. Definitions

1.

a. "Dangerous dog" means any dog which without justification attacks a person or domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death to one or more persons or domestic animals. A dog's breed shall not be considered in determining whether or not it is "dangerous." Further,

b. No dog may be declared "dangerous"

- i. If the dog was protecting or defending a person within the immediate vicinity of the dog from an attack or assault;
- ii. If at the time the person was committing a crime or offense upon the property of the owner, or custodian, of the dog;
- iii. If the person was teasing, tormenting, abusing or assaulting the dog, or in the past had teased, tormented, abused or assaulted the dog;
- iv. If the dog was attacked or menaced by the domestic animal, or the domestic animal was on the property of the owner, or custodian, of the dog;
- v. If the dog was responding to pain or injury, or protecting itself, its kennels or its offspring;
- vi. If the person or domestic animal was disturbing the dog's natural functions such as sleeping or eating.
- vii. Neither growling nor barking, nor both, shall alone constitute grounds upon which to find a dog to be "dangerous."

2. "Attack" means aggressive physical contact initiated by the dog.

3. "Serious injury" means any physical injury consisting of broken bones or a permanently disfiguring laceration requiring either multiple stitches or cosmetic surgery.

4. "Domestic animal" means any animal commonly kept as a pet in family households in the United States, including, but not limited to dogs, cats, guinea pigs, rabbits and hamsters; and any animals commonly kept for companion or commercial purposes.

C. Hearing procedure

1. Any person may make a complaint of an alleged "dangerous" dog as that term is defined herein to a police officer or peace officer of the appropriate municipality. Such officers shall immediately inform the complainant of his right to commence a proceeding provided for in Paragraph 2, immediately below, and, if there is reason to believe the dog is a "dangerous" dog, the officer shall forthwith commence such proceeding himself.

2. Any person may, and any police officer, or peace officer acting within the scope of his statutory duties, shall make a complaint under oath or affirmation of an alleged dangerous dog as that term is defined herein to any municipal judge or justice. Thereupon, the judge or justice, or hearing panel subject to judicial review, shall immediately determine if there is probable cause to believe the dog is a "dangerous" dog and, if so, shall issue an order to any police officer or peace officer pursuant to his statutory duties or animal control officer directing such officer to immediately seize such dog and hold same pending judicial determination as herein provided. Whether or not the judge or justice, or hearing panel subject to judicial review, finds there is probable cause for such seizure, he shall, within five (5) days and upon written notice of not less than three (3) days to the owner of the dog, hold a hearing on the complaint.

D. Where a dog is determined pursuant to clear and convincing evidence at a duly constituted hearing to be "dangerous," the judge or justice, or hearing panel subject to judicial review, shall require the owner of said animal to register such animal (with the appropriate Health Department or animal control

facility), and to provide prompt notification to (the appropriate Health Department or animal control facility) of any changes in the ownership of the animal; names, addresses and telephone numbers of new owners; any change in the health status of the animal; any further instances of attack; any claims made or lawsuits brought as a result of further instances of attack; the death of the animal. In addition, the judge or justice, or hearing panel subject to judicial review, may require any or all of the following, but items 5, 6 and 11, or any one of them, may only be imposed where there has been serious injury to a person.

1. Indoors, when not alone, the dog be under the control of a person eighteen (18) years or older. (Provisions for the dog to be outdoors must also be made.)

2. Outdoors and unattended, the dog be kept within a locked fenced area from which it cannot escape.

3. When outdoors the dog must be attended and kept within a fenced area from which it cannot escape.

4. When outdoors the dog must be attended and kept on a leash no longer than six (6) feet and under the control of a person eighteen (18) years of age or older.

5. When outdoors the dog must be attended and muzzled. Such muzzle shall not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

6. Outdoors and unattended, the dog must be confined to an escape-proof kennel of the following description:

a. Such kennel shall allow the dog to stand normally and without restriction, and shall be at least two and one half (2.5) times the length of the dog, and shall protect the dog from the elements.

b. Fencing materials shall not have openings with a diameter of more than two (2) inches, and in the case of wooden fences, the gaps shall not be more than two (2) inches.

c. Any gates within such kennel or structure shall be lockable and of such design as to prevent the entry of children or the escape of the animal, and when the dog is confined to such kennel and unattended such locks shall be kept locked.

d. The kennel may be required to have double exterior walls to prevent the insertion of fingers, hands or other objects.

7. Placement of a sign or signs of a description and in places directed by the judge or justice, advising the public of the presence and tendencies of said animal.

8. Attendance by the dog and its owner/custodian at training sessions conducted by a certified applied animal behaviorist, board certified veterinary behaviorist or other recognized expert in the field and completion of training or any other treatment as deemed appropriate by such expert. The owners of the dog shall be responsible for all costs associated with the evaluation and training ordered under this section.

9. Neutering or spaying of the dog at the owner's expense, unless medically contraindicated.

10. That the dog be permanently identified by tattooing or by injecting an identification microchip, using standard veterinary procedures and practices, identification number and the identification of the person performing the procedure to be registered with the (appropriate health department or animal control facility) as indicated above.

11. The procurement of liability insurance in an amount to be determined by the judge or justice, but in no case in an amount of less than fifty thousand dollars (\$50,000), covering the medical and or veterinary costs resulting from future actions of the dog (a determination of liability shall be made in accordance with the laws of the jurisdiction). This condition may not be imposed if it is shown that no such insurance is available for a reasonable premium.

12. If any of the above conditions ordered by a judge or justice, or hearing panel subject to judicial review, are not complied with, the owner shall be subject to a fine of not more than ten thousand dollars (\$10,000).

13. If a further incident of attack occurs under such circumstances that the dog, after a hearing as described above, is determined to be a "dangerous" dog, the judge or justice, or hearing panel subject to judicial review, may impose or reimpose any applicable directives listed above; additionally, humane destruction of the dog may be ordered, but only where the further incident involves serious injury to a person.

Appendix 5

Suggested reading for professionals (numbers correspond to cited references)

Group	Reference numbers
Public officials and community leaders	4, 6, 8-9, 10, 12, 14-16, 18, 20, 27-28, 30, 32-47
Veterinarians	1, 4-10, 12, 14-16, 27-28, 30, 32, 35-36, 39, 41-73
Veterinary technicians	7, 12, 16, 28, 43-45, 47, 50-57, 59, 61, 63-64, 66-69, 74
Physicians and nurses	4-6, 8-10, 12, 14-15, 27-28, 30, 32, 35-36, 41, 43, 45-48, 60, 70-71, 73, 75-76
Humane society/animal shelter/ rescue personnel	4-6, 10, 12, 14-15, 27-28, 30, 35-36, 41-43, 51-55, 61, 66, 69, 71

MENU

West's Louisiana Statutes Annotated. Louisiana Revised Statutes. Title 14. Criminal Law. Chapter 1. Criminal Code. Part VI. Offenses Affecting The Public Generally. Subpart B. Offenses Affecting The Public Sensibility. § 102.14. Unlawful ownership of dangerous dog. Also: Title 3. Agriculture and Forestry. Chapter 18. Animals Running at Large. Part V. Dog License Tax.

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- **Primary Citation:** LA R.S. 14:102.12 - 18; L.A. R.S. § 2771 - 2778
- **Country of Origin:** [United States](#)
- **Last Checked:** January, 2020

Historical:

Summary: These Louisiana statutory sections provide the state's animal control and dangerous dog laws. A dog becomes dangerous when (1) unprovoked, on two separate occasions within the prior thirty-six-month period, engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are off the property of the owner of the dog; (2) any dog which, when unprovoked, bites a person causing an injury; or (3) any dog which, when unprovoked, on two separate occasions within the prior thirty-six-month period, has killed, seriously bitten, inflicted injury, or otherwise caused injury to a domestic animal off the property of the owner of the dog. It is unlawful for any person to own a dangerous dog without properly restraining or confining the dog. Any citizen or officer may kill any dangerous or vicious dog, and no citizen or officer shall be liable for damages or to prosecution by reason of killing any dangerous or vicious dog. The section also provides laws on licensing, vaccination, and prohibitions on dogs running at large.

Title 14. Criminal Law. Chapter 1. Criminal Code. Part VI. Offenses Affecting the Public Generally. Subpart B. Offenses Affecting the Public Sensibility

§ 102.12. Definitions§ 102.13. Hearing to determine if dog is dangerous or vicious§ 102.14. Unlawful ownership of dangerous dog§ 102.15. Unlawful ownership of a vicious dog§ 102.16. Seizure and destruction or disposition of dangerous or vicious dogs§ 102.17. Registration of dangerous dogs; fees§ 102.18. Seizure and disposition of dogs which cause death or inflict bodily injury**Title 3. Agriculture and Forestry. Chapter 18. Animals Running at Large. Part V. Dog License Tax**§ 2771. Dogs not to run at large§ 2772. Dog, cat, and kennel licenses fee and certificate; records§ 2773. Dogs as personal property; seizure of dogs running at large or on property fenced as a fox pen; notice to owner; dangerous or vicious dogs§ 2774. Parishes to provide animal facilities§ 2775. Use of dogs for hunting§ 2776. Time for paying dog license tax§ 2777. Penalty for violating this Part or disturbing dog's collar or license tax tag§ 2778. Municipal and parish governing authorities**Title 14. Criminal Law. Chapter 1. Criminal Code. Part VI. Offenses Affecting the Public Generally. Subpart B. Offenses Affecting the Public Sensibility****§ 102.12. Definitions**

As used in this Section and R.S. 14:102.13 through 102.18, the following definitions shall apply:

(1) "Animal control agency" means the parish or local animal control agency. If the municipality or parish does not have an animal control agency, it means whatever entity performs animal control

parish does not have an animal control agency, it means whatever entity performs animal control functions.

(2) "Impounded" means taken into the custody of the animal control agency or provider of animal control services to the municipality or parish where the dangerous or vicious dog is found.

(3) "Secure enclosure" means a fence or structure suitable to prevent the entry of young children, and which is suitable to confine a dangerous dog in conjunction with other measures which may be taken by the owner of the dog. The enclosure shall be designed in order to prevent the animal from escaping.

(4) Repealed by Acts 2019, No. 2, § 3.

Credits

Added by Acts 2001, No. 823, § 1. Amended by Acts 2003, No. 563, § 1.

§ 102.13. Hearing to determine if dog is dangerous or vicious

A. The district attorney, the sheriff, an animal control officer, or other designated representative, in the name of and on behalf of the parish and without the payment of any costs, shall be authorized to file a petition in the district court having jurisdiction requesting a hearing for the purpose of determining whether or not a dog should be declared dangerous as defined in R.S. 14:102.14(A) or vicious as defined in R.S. 14:102.15(A).

B. Upon the filing of the petition, the district judge shall immediately issue a rule on the owner of the dog to show cause why the dog should not be declared a dangerous or vicious dog. This rule shall, at the time of its issuance, be fixed for hearing not later than five days, including Sundays, half-holidays and holidays, from the date of its issuance, and shall be heard by preference over all other matters and cases fixed for the same day and shall be heard continuously day after day until submitted for adjudication.

C. Upon the showing made by the parties on the trial of the rule to show cause, the court shall determine whether the dog is a dangerous dog or a vicious dog and may make other orders authorized by this Section.

D. In every case where the dog is established to be a dangerous dog, the court shall enter an order declaring the dog to be a dangerous dog and shall direct the owner of the dog to comply with conditions established for the restraint and confinement of the dog as provided by law.

E. In every case where the dog is established to be a vicious dog, the court shall enter an order declaring the dog to be a vicious dog and shall direct that the vicious dog be humanely euthanized.

F. Any person who fails to restrain and confine a dangerous dog as ordered by the court shall be guilty of contempt and shall be fined not less than one hundred dollars nor more than five hundred dollars.

G. The pleading and practice in all cases under this Section shall be in accordance with the Code of Civil Procedure and the laws and rules of court governing practice before the district courts of this state.

H. The owner of the dog may appeal to the court of competent jurisdiction an order of the district court determining the dog to be dangerous or vicious. Such appeal shall be perfected within five calendar days from the rendition of the order and shall be made returnable to the appropriate appellate court in not more than fifteen calendar days from the rendition of the order. The applicant for the determination may appeal to the court of competent jurisdiction for an order reversing the order of the district court.

I. No dog shall be declared dangerous or vicious if at the hearing authorized by this Section evidence presented is sufficient to establish any of the following:

(1) Any injury or damage is sustained by a person who, at the time the injury or damage was sustained, was committing a crime upon the property of the owner of the dog.

(2) Any injury or damage is sustained by a person who, at the time the injury or damage was sustained, was teasing, tormenting, abusing, or assaulting the dog.

(3) Any injury or damage is sustained by a domestic animal which, at the time the injury or damage was sustained, was teasing, tormenting, abusing, or assaulting the dog.

(4) If the dog was protecting or defending a person within the immediate vicinity of the dog from an unjustified attack or assault.

(5) If the injury or damage to a domestic animal was sustained while the dog was working as a hunting dog, herding dog, or predator control dog on the property of, or under the control of, its owner, and the damage or injury was to a species or type of domestic animal appropriate to the work of the dog.

J. The owner of a dog determined to be a vicious dog may be prohibited by the court from owning, possessing, controlling, or having custody of any dog for a period of up to three years, when it is found, after proceedings conducted pursuant to this Section, that ownership or possession of a dog by that person would create a significant threat to the health, safety, or welfare of the public.

Credits

Added by Acts 2001, No. 823, § 1.

§ 102.14. Unlawful ownership of dangerous dog.

A. For the purposes of this Section "dangerous dog" means:

(1) Any dog which when unprovoked, on two separate occasions within the prior thirty-six-month period, engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are off the property of the owner of the dog; or

(2) Any dog which, when unprovoked, bites a person causing an injury; or

(3) Any dog which, when unprovoked, on two separate occasions within the prior thirty-six-month period, has killed, seriously bitten, inflicted injury, or otherwise caused injury to a domestic animal off the property of the owner of the dog.

B. It is unlawful for any person to own a dangerous dog without properly restraining or confining the dog.

C. A dangerous dog, while on the owner's property, shall, at all times, be kept indoors, or in a secure enclosure. A dangerous dog may be off the owner's property only if it is restrained by a leash which prevents its escape or access to other persons.

D. The owner of a dog determined by the court to be dangerous shall post signs around the secure enclosure no more than thirty feet apart and at each normal point of ingress and egress. The signs shall bear the words "Beware of Dog", or "Dangerous Dog" in letters at least three and one-half inches high and shall be so placed as to be readily visible to any person approaching the secure enclosure.

E. If the dog in question dies, or is sold, transferred, or permanently removed from the municipality or parish where the owner resides, the owner of a dangerous dog shall notify the animal control agency of the changed condition and new location of the dog in writing within two days.

F. Whoever violates the provisions of this Section shall be fined not more than three hundred dollars.

G. The provisions of this Section shall not apply to:

(1) Any dog which is owned, or the service of which is employed, by any state or local law enforcement agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders.

(2) Any dog trained in accordance with the standards of a national or regional search and rescue association to respond to instructions from its handler in the search and rescue of lost or missing individuals and which dog, together with its handler, is prepared to render search and rescue services at the request of law enforcement.

CREDIT(S)

Added by Acts 2001, No. 823, § 1.

§ 102.15. Unlawful ownership of a vicious dog

A. For the purposes of this Section "vicious dog" means any dog which, when unprovoked, in an aggressive manner, inflicts serious bodily injury on or kills a human being and was previously determined to be a dangerous dog.

B. It is unlawful for any person to own a vicious dog.

C. Whoever violates the provisions of this Section shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

D. The provisions of this Section shall not apply to:

(1) Any dog which is owned, or the service of which is employed, by any state or local law enforcement agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders.

(2) Any dog trained in accordance with the standards of a national or regional search and rescue association to respond to instructions from its handler in the search and rescue of lost or missing individuals and which dog, together with its handler, is prepared to render search and rescue services at the request of law enforcement.

Credits

Added by Acts 2001, No. 823, § 1.

§ 102.16. Seizure and destruction or disposition of dangerous or vicious dogs

A. (1) Any law enforcement officer making an arrest under R.S. 14:102.14 or R.S. 14:102.15 may lawfully take possession of all dogs on the premises where the arrest is made or in the immediate possession or control of the person being arrested.

(2) The legislature finds and declares that dangerous or vicious dogs are a threat to the health and safety of the public. Dogs seized in accordance with this Section are declared to be contraband, and the officer may cause them to be impounded pending the hearing held pursuant to R.S. 14:102.13.

B. A dog determined to be a vicious dog by the court shall be humanely euthanized by the animal

control agency, a licensed veterinarian, or a qualified technician.

C. A dog determined by the court to be a dangerous dog may be humanely euthanized if it is determined that the dog poses an immediate threat to public health and safety.

D. The owner of the dog shall be liable to the municipality or parish where the dog is impounded for the costs and expenses of keeping the dog if the dog is later adjudicated dangerous or vicious.

Credits

Added by Acts 2001, No. 823, § 1.

§ 102.17. Registration of dangerous dogs; fees

A. All dangerous dogs shall be properly licensed and vaccinated. The licensing authority shall include the dangerous designation in the registration records of the dog, either after the owner of the dog has agreed to the designation or the court has determined the designation applies to the dog.

B. The municipality or parish may charge a dangerous dog fee in addition to the regular licensing fee to provide for the increased costs of maintaining the records of the dog.

Credits

Added by Acts 2001, No. 823, § 1.

§ 102.18. Seizure and disposition of dogs which cause death or inflict bodily injury

A. Any law enforcement officer or animal control officer may seize any dog which when unprovoked, in an aggressive manner, causes the death of or inflicts bodily injury on a human being. Any dog seized pursuant to the provisions of this Section may be impounded pending the outcome of the hearing held in accordance with this Section.

B. The district attorney, the sheriff, an animal control officer, or other designated representative, in the name of and on behalf of the parish, and without the payment of any costs, shall be authorized to file a petition in the district court having jurisdiction requesting a hearing for the purpose of determining whether or not a dog which, when unprovoked, in an aggressive manner, causes the death of or inflicts bodily injury on a human being, shall be euthanized.

C. The hearing shall be conducted in accordance with the procedure provided in R.S. 14:102.13.

D. A dog determined by the court to have, when unprovoked, in an aggressive manner, caused the

death of or inflicted bodily injury on a human being may be humanely euthanized by the animal control agency, a licensed veterinarian, or a qualified technician.

E. The owner of the dog shall be liable to the municipality or parish where the dog is impounded for the costs and expenses of keeping the dog if the dog is later adjudicated to have, when unprovoked, in an aggressive manner, caused the death or inflicted bodily injury on a human being.

Credits

Added by Acts 2003, No. 563, § 1.

Title 3. Agriculture and Forestry. Chapter 18. Animals Running at Large. Part V. Dog License Tax

§ 2771. Dogs not to run at large

No person shall suffer or permit any dog in his possession, or kept by him about his premises, to run at large on any unenclosed land, or trespass upon any enclosed or unenclosed lands of another.

Source:

Acts 1918, No. 239, § 1.

§ 2772. Dog, cat, and kennel licenses fee and certificate; records

A. Each parish or municipality that levies a license fee on dogs and cats shall issue a metallic license tag to each dog or cat owner who applies therefor and pays the dog or cat license fee imposed by the issuing parish or municipality. The license tag shall contain a license number, the name of the issuing body and the calendar year for which such tag is issued. The tag shall be fastened upon the collar worn by the dog or cat owned or kept by such person. A license certificate shall also be issued for such license fee showing the name and address of the owner, a description of the dog or cat by sex and color, the breed of the dog or cat if known, and the year and number of the license tag. A record of all such information shall be kept by the issuing authority which shall be open to the public during regular business hours.

B. The governing body of each municipality or parish may, by ordinance, fix the sum to be paid annually for the dog or cat license fee, which sum shall not be more than ten dollars for each spayed or neutered dog or cat and not more than twenty dollars for each unspayed or unneutered dog or cat. However, notwithstanding any provisions to the contrary, the governing body of any municipality or parish with a population in excess of four hundred seventy-five thousand persons may, by ordinance, fix the sum to be paid annually for the dog or cat license fee, which sum shall not be more than ten dollars for each

spayed or neutered dog or cat and not more than twenty dollars for each unspayed or unneutered dog or cat, and any such funds derived from said license fee shall be dedicated solely for the capture, control, and housing of stray animals.

C. For the purposes of this Section, a dog or cat shall be considered spayed or neutered whenever any of the following is applicable:

- (1) Upon presentation of a certificate issued by any licensed veterinarian stating that the dog or cat, if female, was made incapable of producing young by spaying by the veterinarian, or, the dog or cat, if male, was made incapable of producing young by sterilization by the veterinarian.
- (2) Upon examination by a licensed veterinarian any dog or cat, whether male or female, is certified by the veterinarian to be incapable of producing young.
- (3) If the dog or cat has been previously licensed as a spayed or neutered dog or cat.

D. Dogs used as guides for blind persons and commonly known as "seeing-eye" dogs or dogs used to assist deaf persons and commonly known as "hearing-ear" dogs, may be licensed as other dogs herein provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefor.

E. The owner or keeper of five or more dogs may procure a kennel license and pay a kennel license fee in lieu of the individual dog licenses and license fees provided for herein. The governing body of each municipality or parish, may by ordinance, fix the sum to be paid annually for the kennel license fee, which sum shall be a minimum of:

- (1) Fifteen dollars if no more than five dogs over the age of six months are harbored on the owner's premises at the time of the application.
- (2) Twenty-five dollars if more than five dogs but no more than ten dogs over the age of six months are harbored on the owner's premises at the time of the application.
- (3) Thirty dollars if more than ten dogs over the age of six months are harbored on the owner's premises at the time of the application.

A licensed veterinarian or a veterinary clinic shall be exempt from this provision in the conduct of their regular business.

F. Upon the issuance of a kennel license, the owner shall be furnished a number of license tags equal to the number of dogs harbored on the owner's premises. All of the provisions contained in Subsection A of this Section with regard to issuance of license tag, license certificates and the keeping of records shall also apply to kennel licenses.

G. Any individual or business with five or more dogs and who breeds and sells dogs retail, wholesale, or to the public is required to procure a kennel license and pay a kennel license fee in lieu of the individual

dog licenses and license fees provided for herein. The governing body of each municipality or parish may, by ordinance, fix the sum to be paid annually for the kennel license fee, which sum shall be dedicated solely for animal impoundment facilities and be a minimum of:

- (1) Fifteen dollars, if no more than five dogs over the age of six months are harbored on the owner's premises at the time of the application.
- (2) Twenty-five dollars, if more than five dogs but no more than ten dogs over the age of six months are harbored on the owner's premises at the time of the application.
- (3) Thirty dollars, if more than ten dogs over the age of six months are harbored on the owner's premises at the time of the application.

H. No individual or business that breeds, buys, or sells dogs retail, wholesale, or to the public shall maintain more than seventy-five dogs over the age of one year at any time for breeding purposes.

I. At the time of application for an initial or renewal kennel license, an applicant shall provide the governing body of the parish or municipality with a statement that is signed and dated and includes both of the following:

- (1) The applicant's Class A or Class B animal dealer's license number issued by the United States Department of Agriculture pursuant to provisions of the federal Animal Welfare Act, 7 U.S.C. 2131 et seq., or the reason the applicant is not required to hold either license.
- (2) The applicant's sales tax identification number or the reason the applicant is not required to have a sales tax identification number.

J. Any person who violates the provisions of this Section shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

Credits

Amended by Acts 1982, No. 101, § 1, eff. July 11, 1982; Acts 1991, No. 940, § 1; Acts 2008, No. 894, § 1; Acts 2010, No. 92, § 1; Acts 2015, No. 365, § 1.

§ 2773. Dogs as personal property; seizure of dogs running at large or on property fenced as a fox pen; notice to owner; dangerous or vicious dogs

A. Dogs owned by citizens of this state and by citizens of other states and situated and located in this state are declared to be personal property of such citizens.

B. Any citizen may, or the sheriff, constable, or other police officers of any parish, ward, or municipality shall seize any dog found unaccompanied by its owner or keeper and running at large on any road, street, or other public place, or trespassing on any premises other than the premises of the owner. If

the dog is wearing a collar bearing a tag showing the name and address of its owner, it shall be impounded and the citizen or officer so seizing and impounding the dog shall immediately thereafter by written notice notify the owner of the dog, at the address disclosed by the tag on the dog's collar, that the dog has been seized and impounded by him, and unless the owner or keeper of the dog shall, within seven days from the receipt of the notice, claim the dog and pay the citizen or officer a fee of one dollar for seizing and a fee of twenty-five cents for each day it is impounded, it shall be disposed of in a humane manner.

C. Except in the parishes of St. Helena, St. Tammany, Tangipahoa, and Washington, any citizen may, or the sheriff, constable, or other police officers of any parish, ward, or municipality shall, seize any dog found unaccompanied by its owner or keeper and trespassing on any premises that is fenced with at least a two-inch by four-inch wire mesh that is a minimum of four feet high. If the dog is wearing a collar bearing a tag showing the name and address of its owner, it shall be impounded and the citizen or officer so seizing and impounding the dog shall immediately thereafter, by written notice, notify the owner of the dog, at the address disclosed by the tag on the collar of the dog, that the dog has been seized and impounded by him, and unless the owner or keeper of the dog shall, within seven days from receipt of the notice, claim the dog and pay a seizing fee of twenty dollars and an impoundment fee of one dollar for each day it is impounded, it shall be disposed of in a humane manner. Ten dollars of the seizing fee shall be paid to the law enforcement agency called upon to seize the dog. The remainder of the seizing fee shall be donated to a recognized nonprofit conservation group. This Subsection shall apply only to fox pens.

D. Any citizen or officer may kill any dangerous or vicious dog, and no citizen or officer shall be liable for damages or to prosecution by reason of killing any dangerous or vicious dog.

CREDIT(S)

Amended by Acts 1950, No. 231, § 1; Acts 1992, No. 1131, § 1.

§ 2774. Parishes to provide animal facilities

Each parish shall provide suitable shelters or facilities for dogs seized under the provisions of this Part.

CREDIT(S)

Amended by Acts 2003, No. 133, § 1, eff. May 28, 2003.

§ 2775. Use of dogs for hunting

Nothing in this Part shall prevent any citizen of this state from lawfully hunting with a dog, provided the dog is accompanied by the owner or keeper.

Source:

Acts 1918, No. 239, § 5.

§ 2776. Time for paying dog license tax

All license taxes on dogs are due annually on the anniversary date of the administration of the rabies vaccination; provided that as soon as a dog becomes no more than six months of age [FN1] the owner of the dog shall be liable to pay the license tax for the year in which the dog reaches such age.

[FN1] As appears in the enrolled bill (Acts 1992, No. 131).

CREDIT(S)

Amended by Acts 1992, No. 131, § 1.

§ 2777. Penalty for violating this Part or disturbing dog's collar or license tax tag

Whoever violates any provision of this Part, or fails or neglects to perform any duty imposed by it, shall be fined not less than twenty-five dollars nor more than one hundred dollars and the cost of prosecution, or imprisoned for not more than thirty days, or both.

Whoever removes from any dog a collar bearing a license tax tag as provided for in this Part, or alters or removes any such license tax tag from a dog properly registered as herein provided for, shall be fined not more than one hundred dollars and the cost of the prosecution, or imprisoned for not more than thirty days, or both.

Source:

Acts 1918, No. 239, § 7.

§ 2778. Municipal and parish governing authorities

Nothing contained in this Part shall be construed to prevent or otherwise limit the governing authority of a municipality or parish from setting fees and fines in amounts sufficient for the operation of its animal control program or for the effective enforcement of its animal control ordinances; however, in the absence of the adoption of such ordinances, the parish or local governing authority shall rely on

the absence of the adoption of such ordinances, the parish or local governing authority shall rely on the provisions of R.S. 3:2773.

CREDIT(S)

Added by Acts 2003, No. 133, § 1, eff. May 28, 2003. Amended by Acts 2010, No. 108, § 1.

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ARTICLE II. - ANIMAL CONTROL AND WELFARE

DIVISION 1. - GENERALLY

Sec. 7-16. - Definitions.

For purposes of this chapter, the following terms, phrases, words and derivations shall have the meaning given herein, unless it shall be apparent from the context that a different meaning is intended:

- (a) *Abandoned*: to forsake or desert an animal previously under the custody or possession of a person without making provisions for its proper veterinary care, sustenance, and shelter.
- (b) *Animal*: any living creature except human beings, including but not limited to mammals, birds, fowls, reptiles, and fish, except when referring specifically to the control of rabies when the word animal shall mean only mammal.
- (c) *Animal control officer*: An employee of the parish animal shelter in the position of animal control officer or humane officer or any other person designated by the director of the animal shelter to carry out provisions of this chapter.
- (d) *Animal shelter*: The parish animal shelters operated by the animal shelter department.
- (e) *Assault*: An act that causes a person or animal to expect or believe that he/it may be subjected to immediate violence or harm but no harm or injury results.
- (f) *At large*: An animal shall be deemed to be at large if off the premises of its owner or keeper and not under the immediate control of a responsible person.
- (g) *Attack*: The injuring of a person or animal.
- (h) *Bite*: Any abrasion, puncture, tear or piercing of the skin actually or suspected of being caused by an animal.
- (i) *Breeder*: A person who breeds specific animals. An individual who breeds or raises, on his own premises, not more than a single litter of pups or kittens per year shall not be considered to be a commercial breeder for the purposes of this article.
- (j) *Cat*: Any member of the Felis catus classification of the Felidae species, i.e., any domestic member of the feline family.
- (k) *Confinement*: to enclose within a boundary or to limit or restrict free movement by methods such as carriers, leash held by of age person, fenced yards, and/or kennels but does not include tethering or electric fences. Such does include car carrier, kennel, structure, or other legal restraint.
- (l) *Cruel treatment or cruelty*: every act or omission whereby unjustifiable physical pain or suffering is inflicted, caused or permitted.
- (m) *Dangerous nuisance*: includes actions or inactions by an animal or animal keeper such as chasing automobiles, interfering with normal traffic flow on roadways or pedestrians on sidewalks, approaching a person in a menacing fashion or apparent attitude of attack or otherwise creating an unsafe environment.
- (n) *Dealer/dealer breeder*: A dealer is anyone who knowingly engages in the sale of animals to another dealer, pet shop, research facility or corporation. A dealer breeder of animals shall be any person other than a breeder or hobby breeder who breeds and sells animals.
- (o) *Disposition*: the decision of the director or designee, judgment or order relative to the placement or disposal of an animal including but not limited to adoption, rescue, foster care, transfer to another facility or

jurisdiction and euthanasia.

- (p) *Dog*: Any member of the *Canis familiaris* classification of the *Canidae* species, i.e., any domestic member of the canine family.
- (q) *Domestic animal*: Any member of a species of animal which is tame by nature or which has been domesticated by man so as to live and breed in a tame condition, or any animal which from time immemorial has been accustomed to the association of man, or by his industry has been subjected to man's will and has no disposition to escape his dominion; for the purposes of this article, livestock shall not be included in the classification of domestic animal.
- (r) *Enclosure*: a securely locked fenced pen or structure of at least six (6) feet in height, constructed in accordance with standards established by the parish animal shelter, and which is suitable to prevent the entry and designed to prevent the animal from escaping. Such pen or structure shall have secure sides, top and bottom and shall also provide the animal protection from the elements.
- (s) *Euthanasia*: the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death or by a method that involves anesthesia, produced by an agent which causes painless loss of consciousness, and subsequent death during such loss of consciousness.
- (t) *Exigent circumstances*: probable cause of situation where people or animals are believed to be in imminent danger of death, disease or illness and a search warrant or other legal document is not required to avoid or prevent the actual danger.
- (u) *Exotic animal*: any member of a species of animal, reptile or bird, warm or cold blooded, which is not indigenous to the parish and/or is not classified or considered as wildlife, livestock, domestic animal or horse.
- (v) *Exposed to rabies*: an animal has been exposed to rabies if it has been bitten by a known rabid animal or if it has been in contact with any animal known to be or suspected of being infected with rabies.
- (w) *Feral cat*: a cat that is not domesticated. A feral cat is distinguished from a stray cat which is domesticated and friendly but has been lost or abandoned, while feral cats are born into the wild. The offspring of a stray cat may be considered feral if born in the wild.
- (x) *Fowl*: any bird used as food or hunted as game such as a hen, turkey, goose, pheasant or duck; especially the common, widely domesticated chicken (*Gallus gallus*).
- (y) *Grooming shop*: a commercial establishment where animals are bathed, clipped, plucked or otherwise groomed.
- (z) *Harboring*: having the custody or control of an animal including maintaining any premises on which an animal remains or to which it customarily returns. Includes any person acting on behalf of an owner with expressed or implied permission. Any person harboring an animal may be held accountable along with the owner for violations of this chapter. Harboring may be used interchangeable with the term keeper. Care of an animal for a period of ten (10) days or longer is presumed ownership of the animal within the meaning of this chapter.
- (aa) *Horse*: a solid-hoofed plant-eating domesticated mammal (*Equus caballus*) with a flowing mane and tail, used for riding, racing, and to carry and pull loads. The horse family (*Equidae*) also includes the asses and zebras.
- (bb) *Housing*: refers to living accommodations including but not limited to food, water, shelter, standard care and treatment based on the type of animal, veterinary care and any required medical treatment pending a final disposition.
- (cc) *Keeper*: See Harboring.
- (dd) *Leash*: a rope, strap, or chain not more than ten (10) feet in length by which an animal is controlled, which is

of sufficient strength to control an animal without breaking.

- (ee) *Livestock*: animals such as cows, pigs, goats and other animals typically associated with farm or ranch settings, excluding horses and fowl.
- (ff) *Neglect*: may include failure to act whereby unjustifiable physical pain or suffering is inflicted, caused or permitted or conditions exist that put the animal in unnecessary jeopardy or risk of injury or illness. Neglect may be determined by a judgment, order or the director or designee.
- (gg) *Nuisance*: an animal or circumstance related to an animal causing inconvenience or annoyance or an interference with the use and enjoyment of a person's land.
- (hh) *Owner*: Any person having a right of property or custody of an animal or who keeps, harbors, finds or knowingly permits the animal to remain on or about his premises shall be deemed the owner of the animal.
- (ii) *Pet shop*: Any person that sells at retail, animals bred by others or by a commercial breeder whether as owner, agent or on consignment, and that sells or offers to sell such animals to the general public at retail.
- (jj) *Police service dog or any dog affiliated with police service*: any dog which is owned, or the service of which is used, by any law enforcement agency for the purpose of aiding in the detection of criminal activity, enforcement of laws, apprehension of offenders, or the location of missing individuals.
- (kk) *Premises*: real property and its appurtenances.
- (ll) *Proper food*: providing each animal with daily food of sufficient quality and quantity to sustain the animal in good and reasonable health. Such sustenance shall be provided in a sanitary receptacle, dish, or container. Exceptions may be made at the written recommendation of a licensed veterinarian for species that may not require daily feeding including but not limited to snakes and other reptiles. If more than one (1) animal eats from the same receptacle, it is the responsibility of the owner or agent to ensure that all animals receive adequate food.
- (mm) *Proper shelter*: providing animals, with shelter to prevent exposure to the elements and in the case of livestock may include access to natural or man-made shade. Shelter for all animals must provide protection from the wind, heat, cold, rain, or hail. Below are minimum required standards:
 - 1. Livestock animals must have access to adequate shade or shelter at all times whether man-made or natural.
 - 2. Indoor standards include room temperature ranging from sixty-eight (68) to eighty-four (84) degrees, maintained by natural or mechanical ventilation.
 - 3. Horses shall be provided with shelter that consists of a secure top and sides adequate to protect the animal.
 - 4. Dogs and cats shall be provided with shelter that consists of a secure top, sides, and bottom to protect the animal.
 - 5. Proper shelter for other animals shall be in keeping with normally recognized husbandry and care standards.
 - 6. Space standards include housing facilities or enclosures that are (a) structurally sound and maintained in good repair to protect the animals from injury and to contain the animals, and (b) constructed and maintained so as to provide sufficient space to allow each animal the ability to stand up, lay down, turn around, and stretch without interference from the confines of the structure or other animals inadequate space may be indicated by evidence of debility, stress or abnormal behavior patterns.
- (nn) *Proper veterinary care*: providing each animal with veterinary care needed to prevent or stop unnecessary or unjustifiable pain or suffering by the animal including preventative care such as vaccinations, deworming,

routine examinations by a veterinarian and emergency care should the animal be sick or have an accident. This includes annual coggins testing for horses in which test results are maintained for a minimum of two (2) years and available upon the request of an animal control officer or other law enforcement officer.

- (oo) *Proper water*: providing each animal with access to clean, fresh, potable water at all times unless otherwise specified by a licensed veterinarian in writing. Such water must be provided in a sanitary receptacle, dish, or container and be positioned to prevent spills.
- (pp) *Provoke*: any action which arouses, tempts, stimulates or stirs an animal into action.
- (qq) *Public auction*: Any place or location where livestock and horses are sold at auction to the highest bidder regardless of whether such animals are offered as individuals, as a group, or by weight.
- (rr) *Public kennel*: A place or establishment other than the parish animal shelter, where animals not owned by the proprietor are sheltered, fed and watered in return for a fee as a business and is of access to the public.
- (ss) *Public nuisance*: includes actions or inactions by an animal or any person having the ownership, custody, or control of an animal such as the damaging, soiling, defiling or defecating on property other than its owner's, or on public sidewalks, parks or other public areas, excessive noise making, excessive odor, excessive barking, turning over garbage containers, running at large or otherwise interfering with another person's enjoyment of his property.
- (tt) *Reasonable attempt*: an animal control officer or law enforcement officer has physically visited the premises of the owner of the animal or person with custody or control and advised that a nuisance complaint has been received. If an animal control officer or law enforcement agent can not find the owner or person with custody or control on the premises to notify of the complaint, the requirement of a reasonable attempt to do so has been satisfied if the officer posts a warning notice in a conspicuous place on the premises and photographs such posting.
- (uu) *Registered animal rescue group*: any non-profit corporation (the purpose of which shall be to rescue animals by adoption) or other similar Humane Organizations that:
 - 1. Holds animals for adoption or fostering;
 - 2. Is authorized to do business in the State of Louisiana;
 - 3. Is in good standing with the Louisiana Secretary of State (production of a certificate of good standing shall not be required); and
 - 4. Provides to the director of the animal shelter, or his/her designee, proof of the animal rescue group's annual IRS filings. Failure to comply with any or all of the conditions stated above and/or failure to provide required documents shall disqualify a rescue group from participation in any animal shelter program or benefits and said animal rescue group shall not be recognized by the animal shelter.
- (vv) *Sanitary and safe environment*: the area in which the animal lives, is kept, or is confined. Such areas must be kept free of excessive feces, urine, hair, harmful pathogens, rodents and other disease causing vermin, or other unsanitary conditions. This includes but is not limited to dog kennels, horse stalls and stables, and other animal enclosures. There shall be no unnecessary debris or dangerous or hazardous material in areas where animals are kept, housed, or confined.
- (ww) *Severe injury*: any physical injury that results in multiple bites, broken bones or lacerations requiring multiple sutures or cosmetic surgery, or death of a human being.
- (xx) *Stable*: Shall include any building, barn, or other premises whatsoever at which equine species are kept or from where they are let out for hire, working, training or riding, or from which equine species are provided and used to give instruction in riding, or where equine species are boarded. The term shall include existing

stables as well as new construction. A stable shall also include: Commercial stables: Any stable where any charges are made to accommodate equine species; and Private stables: Any stable operated by or for a private owner where no charge is made or other compensation is made for the use of facilities.

- (yy) *Tether*: a leash, cord, chain or other thing that is or can be anchored to a stationary object on one (1) end.
- (zz) *Under control*: the restraint of an animal by means of a leash or other device that physically restrains the animal to the owner or keeper's immediate proximity preventing the animal from trespassing upon the property of others or chasing other persons, animals, or motorized or non-motorized vehicles of any sort. An animal which is otherwise securely and legally confined while in or upon any motor vehicle shall be deemed to be under control. Examples include walking the animal, taking to the veterinarian, etcetera. Tethering is prohibited. However, an animal may be placed on a runner that provides a minimum of twenty (20) feet of linear movement along with all other requirements of this chapter including proper shelter, food and water.
- (aaa) *Unprovoked* means that the victim was conducting himself peacefully and lawfully.
- (bbb) *Vaccination*: inoculation approved by law to prevent disease or illness.
- (ccc) *Veterinarian*: any person who is valid and currently licensed in the state of Louisiana to practice veterinary medicine.
- (ddd) *Wild animal*: any member of a species of animal which is wild by nature and/or which because of habit, mode of life or natural instinct, is incapable of being completely domesticated; for the purposes of this article, this term shall include wildlife, exotic animals.
- (eee) *Wildlife*: any member of a species of animal, reptile or bird, warm or cold blooded, which is indigenous to the environs of the parish and/or is under the control and authority of the Louisiana Wildlife and Fisheries Commission, as set forth in Title 56 of the Louisiana Revised Statutes.

(Code 1961, § 4-11; Ord. No. 16587, § I, 9-11-85; Ord. No. 17369, § II; 11-4-87; Ord. No. 18645, § 1, 12-2-92; Ord. No. 20257, § 1, 1-14-98; Ord. No. 21420, § 1, 10-24-01; Ord. No. 23784, § 1, 3-24-10; Ord. No. 24119, § 2, 9-21-11)

Cross reference— Definitions and rules of construction generally, § 1.2.

Sec. 7-17. - Public offering of animals for adoption.

- (a) Generally. 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. With the pledge, the adopter must make a cash deposit in the amount specified in section 7-30(c), the deposit to be refundable upon evidence of sterilization.
- (b) (1) Any pet shop, humane organization, or veterinary clinic may offer pets for adoption upon complying with the following regulations. Records must be kept for three (3) years concerning the source of the animal and the adoptee, with the descriptions of the animal including tag number and the name and address of the adoptee. No stray animal may be offered for adoption.
- (2) Penalties for violations shall be those enumerated in section 7-170.
- (c) Offerings by S.P.C.A. The Louisiana S.P.C.A., or any other agency, shall be allowed to offer for adoption animals that are obtained from the animal shelter with the approval of the director of the animal shelter and approval of the parish council.
- (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) The provisions of paragraphs (a) through (c) of this section shall not apply to individual owners or breeders licensed the provisions of this article.
- (f) Each person as described in paragraph (b) shall follow the same procedure as the Jefferson Parish Animal Shelter, a copy of which shall be obtained from the animal shelter.
- (g) A record of all animals placed for adoption shall be forward to the Jefferson Parish Animal Shelter within three (3) days and kept on file for three (3) months; the form(s) shall be furnished by the animal shelter.

(Code 1961, § 4.16(m); Ord. No. 17369, § III, 11-4-87; Ord. No. 20868, § 1, 1-12-00)

Sec. 7-18. - Entry onto property.

The animal shelter director or designee may enter any premises upon exigent circumstances.

(Ord. No. 24119, § 3, 9-21-11)

Sec. 7-19. - Reserved.

Sec. 7-20. - Trapping of domesticated animals.

(a) *Standard of care for trapped domesticated animals.*

- (1) All traps shall be checked at least once every eight (8) hours, day and night.
- (2) All traps shall have the full name and contact information of the responsible party securely affixed to the trap in a conspicuous place. Any trap without such identification shall be subject to impoundment until ownership of the trap can be established.
- (3) No traps shall be used in extreme or inclement weather conditions which includes but is not limited to temperatures below thirty-two (32) degrees and above ninety-two (92) degrees Fahrenheit, during rain, flash flooding and tropical storm watch or warning conditions. No trap shall be set in direct sunlight and the trap shall have airflow for the anticipated ambient temperature. All traps must be covered with material to reduce stress on the animal.
- (4) All traps shall be used only on property owned by the person who is utilizing and/or authorized the trap.
- (5) Only non-toxic baits are authorized for use in any trap. The use of toxic substances shall be a violation of this specific section and also a violation of chapter 7, division 6, humane care and treatment.
- (6) A container of clean, potable water of a size appropriate for the animal being trapped shall be placed in the trap along with the bait.
- (7) No trap shall be entrusted to or operated by any person under the age of eighteen (18). Any improper or negligent act of omission regarding a trap on the part of any person under eighteen (18) years of age is the liability of the person who allowed the minor to locate the trap on their property as well as the legal guardians of said minor.
- (8) Any illegal, improper, or negligent use of any trap is strictly prohibited.
- (9) Traps shall not be set between noon on Saturday and Monday at 6:00 a.m. as the parish animal shelter is not open to accept trapped animals during said time period.
- (10) If trapping is accomplished by a commercial business then the additional standards of care must also be met:
 - a. Such commercial business must maintain a written contemporaneous record of when the traps are checked in connection to compliance with section 7-20(a)(1) and such record must be made available upon demand by the parish animal shelter.

- b. A prominent sign (at least twelve (12) by twelve (12)) warning of animal trapping operations which includes the name of the responsible commercial business conducting the trapping operations shall be posted in such a manner as to be conspicuous to the general public from the time the trap(s) is first set and for twelve (12) hours after the trapping operations have been removed.
- (b) All domesticated animals shall be returned to the known or identifiable owner of the trapped animal. In the event, if the owner can not be identified, then the trapped domesticated animal must be brought into the parish animal shelter immediately.
- (c) Such provisions shall not interfere, supersede or conflict with the community cats program of the parish which allows, including but not limited to, persons to trap community cats, have them assessed by a veterinarian, sterilized, provide rabies vaccination, ear tipped and returned to the area in which it was trapped.
- (d) Violations of this section shall be adjudicated before the bureau of administrative adjudication and will be subject to any and all penalties under chapter 1 and chapter 2.5 of the parish Code of Ordinances.

(Ord. No. 25608, § 1, 7-25-18)

Sec. 7-21. - Dogs running at large.

- (a) *Confinement by owner.* It shall be the duty of the owner or keeper of a dog to have such dog confined within his or her yard or enclosure, or secured by a humane method therein.
- (b) *At large generally.* No dog shall be permitted to run or be upon any street, alleyway, highway, common or public square unless under the immediate control of a competent person and restrained by a substantial chain or leash not exceeding six (6) feet in length.
- (c) *Multiple occupancy building or yard.* It shall be unlawful for the owner or keeper of any dog to allow such dog to be at large in any multiple occupancy building or yard thereof occupied by two (2) or more families.
- (d) *Public recreation areas and school grounds.* Owners shall not permit their dogs on any school ground, or in any public recreation area, unless the dog is controlled by a leash or similar device to prevent the dog from biting any person or animal.
- (e) Sections 7-21(a) through (d) shall not apply to any dog which is owned, or the service of which is used, by any law enforcement agency for the purpose of aiding in the detection of criminal activity, enforcement of laws, apprehension of offenders, or the location of missing individuals whether such dog is in service at the time or in any form of training connected with such service.
- (f) Sections 7-21(a) through (d) shall not apply to any dog engaged in the activity of hunting in those areas of Jefferson Parish where hunting is legally allowed.
- (g) Sections 7-21 (a) through (d) shall not apply to any dog engaged in a parish-approved demonstration or competition held under the rules and regulations of the American Kennel Club or a similar dog organization, or to a dog on the grounds of a public recreation area designated as a "dog park."

(Code 1961, § 4-17(b), (c), (f), (g); Ord. No. 21420, § 2, 10-24-01; Ord. No. 24443, §§ 1, 2, 3-27-13)

Sec. 7-22. - Enticing animals off premises of owner or keeper prohibited.

It shall be unlawful for any person to release or entice any animal secured by the owner or keeper within his yard outside of the premises of such keeper or owner.

(Code 1961, § 4-16(a))

Sec. 7-23. - Confinement of dogs and cats in heat.

Every female dog or cat in heat shall be confined so that the animal cannot come into contact with an unneutered male, except for planned breeding.

(Code 1961, § 4-17(i))

Sec. 7-24. - Reserved.

Editor's note— Section 7-24, establishing regulations for the confinement and treatment of vicious animals, derived from Code 1961, § 4-16(f), was repealed by § VI of Ord. No. 17369, adopted Nov. 4, 1987.

Sec. 7-25. - Keeping of exotic animals.

- (a) No person shall keep any wild or exotic species of land animals, reptiles, or birds, warm or cold blooded that falls under Class I designated by the Jefferson Parish Animal Shelter's "Rules for Wild or Exotic Animals." A permit costing one hundred dollars (\$100.00) must be obtained from the department of animal and pest control for all Class II species. Application procedures and requirement for such permit shall be in accordance with rules and regulations promulgated by the animal shelter advisory board until after it is determined, by inspection or otherwise, whether the keeping of such animals or birds is in violation of any of the provisions of this article or will constitute a nuisance. Under no circumstances will the keeping of poisonous snakes be allowed other than in licensed zoos. All pet shops must obtain a fifty dollar (\$50.00) permit for the possession of Class III animals in accordance with rules and regulations promulgated by the animal shelter advisory board.
- (b) The animal shelter department may issue a temporary permit for the keeping, care and protection of an infant wild animal native to this area which has been deemed to be homeless until such time as it may be safely released or permit issued for its keeping by the department as provided by subsection (a).
- (c) Subsection (a) shall not be construed to apply to zoological parks, performing animal exhibitions or circuses.

(Code 1961, § 4-16(g); Ord. No. 18642, § 1, 12-2-92; Ord. No. 20257, § 1, 1-14-98)

Sec. 7-26. - Feeding of cats in Lafreniere Park prohibited except in designated areas; registration and permit required.

- (a) No person shall feed cats on the premises of Lafreniere Park except in those places specifically designated, signed and posted for the feeding of cats, and only after registering and obtaining a permit from the Jefferson Parish Recreation Department. Registration procedures and enforcement requirements shall be established by the Jefferson Parish Animal Shelter and the Jefferson Parish Recreation Department.
- (b) There shall be no cost for said registration, which shall be renewed biannually.
- (c) Anyone observed by designated parish staff to be feeding cats in violation of this section will be provided a warning on first observation. Following this warning, upon a second or subsequent observation by parish staff of feeding of cats, a notice to appear at a hearing will be issued where the parish may request that a fine of up to five hundred dollars (\$500.00) be imposed.

(Ord. No. 25184, § 1, 7-27-16)

Sec. 7-27. - Animals in restaurants and other businesses.

Animals shall not be permitted in restaurants or other places serving food, establishments selling food or edible products, or in any place of business when prohibited by the owner of same. This provision shall not apply to professionally-trained guide dogs for the disabled.

(Code 1961, § 4-17(h); Ord. No. 20257, § 4, 1-14-98)

Sec. 7-28. - Clean-up and disposal of excreta.

If any part of a public street or square or the private property of a person other than the owner or keeper of an animal shall be soiled by the excreta of such animal, whether such nuisance shall take place in the presence of the owner or keeper or not, the owner or keeper shall promptly remove such excreta and dispose of it in a sanitary manner.

(Code 1961, § 4-17(j))

Sec. 7-29. - Operating funds.

The parish council shall provide annually for the operation of the animal shelter department an amount from the ad valorem taxes for the health unit for that year.

(Code 1961, § 4-12(d); Ord. No. 20257, § 6, 1-14-98)

Sec. 7-30. - Fees and charges.

In consideration of the Jefferson Parish Animal Shelter's discretion to place impounded animals as the animal shelter deems reasonable as stated in chapter 7, the director of the animal shelter or the designee may authorize a reduction and/or waiver of the following fees if facts of the particular incident warrant such. The request and the basis for a reduction and the authorization from the director shall be made in writing.

(a) *Shelter redemption* fees and charges for dogs, cats and other types of animals. Redemption fees for dogs, cats and other types of animals are as follows:

(1) *Licensed dog or cat, wearing a current tag:*

- a. Boarding fee per day\$7.00
- b. Redemption fee50.00
- c. Microchip20.00
- d. DA2PL and Bordatella vaccinations (dog)20.00
- e. FVRCP and Bordatella vaccinations (cat)20.00

(2) *Licensed dog or cat not wearing a tag:*

- a. Boarding fee per day7.00
- b. Redemption fee55.00
- c. Microchip20.00
- d. DA2PL and Bordatella vaccinations (dog)20.00
- e. FVRCP and Bordatella vaccinations (cat)20.00

(3) *Unlicensed dog or cat:*

- a. Boarding fee per day7.00
- b. Redemption fee60.00

- c. Microchip20.00
- d. DA2PL and Bordatella vaccinations (dog)20.00
- e. FVRCP and Bordatella vaccinations (cat)20.00
- f. Rabies vaccination and license15.00

All redemption fees are in addition to the shelter charges in section 7-30(c) if applicable for vaccination and licensing. The per day fee includes any portion of a day,

(b) *Additional redemption fees for subsequent impoundments:*

- (1) The additional redemption fees for additional impoundments occurring within twenty-four (24) months of a previous impoundment, both licensed and unlicensed dogs and cats, are as follows:
 - a. Second impoundment\$100.00
 - b. Third impoundment200.00
 - c. Fourth and subsequent impoundment500.00
- (2) If redemption is allowed, the additional redemption fees for subsequent impoundments of dangerous animals are as follows:
 - a. Second impoundment\$250.00
 - b. Third impoundment500.00
- (3) On the second impoundment of any animal, occurring within a twenty-four-month period of a previous impoundment, the animal shall be spayed or neutered. All veterinary costs for the spaying or neutering shall be borne by the owner.

All redemption fees are in addition to the shelter charges in section 7-30(c) if applicable for vaccination and licensing. The per day fee includes any portion of a day.

(c) *Other shelter charges:* Animal shelter charges are as follows:

- (1) a. Rabies vaccination fee and license for altered animals15.00
 Rabies vaccination fee and license for unaltered animals20.00
- b. Rabies vaccination fee and license for registered animal rescue group5.00
- (2) Booster vaccinations for puppies and kittens adopted from the shelter20.00
- (3) Adoption fees:
 - a. Dogs, puppies 67.00/cats and kittens 50.00
 - 1. The director or the designee of the Jefferson Parish Animal Shelter has the authority to set further reduced adoption fees for special events/sales
 - 2. Fee does not include a one hundred dollar (\$100.00) sterilization deposit if the shelter veterinarian determines that the animal is unfit at the time to undergo surgery. The deposit is in addition to the adoption fee and will be refunded after the shelter veterinarian performs the surgery, or the private veterinarian certifies that he has performed the surgery.
 - b. Reserved.
 - c. Goats and pigs25.00
 - d. Equine species, plus direct costs10.00
 - e. Other small animals25.00
- (4) Rabies observation75.00

- a. Boarding fee per day or any part of a day10.00
 - b. DA2PL and Bordatella vaccinations (dog)20.00
 - c. FVRCP and Bordatella vaccinations (cat)20.00
 - d. Rabies vaccination and license7.00
 - e. Microchip10.00
- (5) Veterinarians shall issue a Jefferson Parish license for each dog or cat vaccinated that resides in Jefferson Parish and collect an annual fee as provided in this section. The veterinarian shall collect fifteen dollars (\$15.00) for each altered animal and twenty dollars (\$20.00) for each unaltered animal vaccinated for rabies. In the event that a multiple year vaccination is given, the fee shall be fifteen dollars (\$15.00) for altered animals or twenty dollars (\$20.00) for unaltered animals per year of the length of the vaccination. These fees shall be remitted to the animal shelter at the end of every month. Veterinarians that perform rabies vaccinations in Jefferson Parish shall issue a valid Jefferson Parish license tag.
- (6) *Annual rabies vaccination campaign.* Rabies vaccination fee and license for altered and unaltered animals in conjunction with the annual rabies vaccination campaign15.00
- (7) Microchip for a reclaimed, owner or adopted animal20.00
- (8) Microchip for an animal returned to an owner after an attack or bite case investigation or rabies observation quarantine25.00
- (9) Veterinary medical physicals on animals for forensic purposes, bite case animals and animals impounded as evidence in a cruelty investigation pending a court hearing50.00
- (d) *Permit fees:* No permit as provided for in division 5 of this article shall be issued until the applicable fee, as follows, has been paid to the animal shelter department. All permit fees are on an annual basis and must be renewed prior to January first of each year. A fee for an initial application for a period of less than a full year shall be half of the amount shown, except for transient zoos. Annual permit fees are as follows:
- (1) For each pet shop\$100.00
 - (2) For each dealer1,000.00
 - (3) For each dealer breeder1,000.00
 - (4) For each auction100.00
 - (5) For each kennel:
 - 0—49 pounds25.00
 - 50 pounds and over50.00
 - (6) For each guard dog:
 - 0—49 pounds25.00
 - 50 pounds and over50.00
 - (7) For each commercial stable or livery100.00
 - (8) Registration as stable manager (nontransferable)100.00
 - (9) Renewal of registration as stable manager10.00
 - (10) For each grooming shop100.00

(Code 1961, § 4-23; Ord. No. 15741, 1, 10-5-83; Ord. No. 16251, § I, 11-14-84; Ord. No. 17369, § IV, 11-4-87; Ord. No. 18645, § 2, 12-2-92; Ord. No. 19113, § 1, 6-8-94; Ord. No. 20257, § 7, 1-14-98; Ord. No. 21998, § 2, 9-17-03; Ord. No. 22945, §§ 1—3, 12-13-06; Ord. No. 23438, § 5, 11-19-08; Ord. No. 23710, § 1, 12-9-09; Ord. No. 23784, § 2, 3-24-10; Ord. No. 23808, § 1, 5-12-10; Ord. No. 23913, § 1, 11-3-10; Ord. No. 24037, § 1, 6-15-11; Ord. No. 24247, § 1, 3-28-12; Ord. No. 25634, § 1, 8-8-18)

Sec. 7-31. - Disposition of fees.

(a) All fees received from the rabies vaccination and license fees shall be allocated as follows:

(1) *Shelter operations.* The animal shelter shall retain the following fees for shelter operations:

- a. Five dollars (\$5.00) from each annual vaccination and license fee; and
- b. The five dollar (\$5.00) vaccination and license fee paid by registered animal rescue groups.

(2) *Spay/neuter programs.* Ten dollars (\$10.00) from each altered and fifteen dollars (\$15.00) from each unaltered animal's vaccination and license fee, twenty-five dollars (\$25.00) from each responsible breeder permit and nine hundred dollars (\$900.00) from each dealer/dealer breeder permit shall be used by the director of the animal shelter to promulgate and administer a program, the objectives of which shall be, inter alia, to provide a low cost/no cost spay/neuter program for Jefferson Parish and an educational program on responsible pet ownership.

(3) The Jefferson Parish Animal Shelter will refund one dollar (\$1.00) per processed rabies tag back to the veterinarian/veterinary clinic in a joint collaboration of support towards the spay/neuter program.

(b) All fees received from the adoption of animals, the reclaiming of pets, and permits shall be used by the animal shelter department for its operations. The fee schedule shall be approved annually by the council.

(Code 1961, § 4-12(e); Ord. No. 20257, § 1, 1-14-98; Ord. No. 23784, § 3, 3-24-10; Ord. No. 24029, § 1, 6-15-11)

Sec. 7-32. - Laws of other jurisdictions.

The provisions of the following federal laws shall govern in the parish, except that there shall be no exemption of laboratory animals from the state and parish anti-cruelty statutes and ordinances:

- (1) Laboratory Animal Welfare Act, F.L. 89-544, 8/24/66;
- (2) Animal Welfare Act, P.L. 91-579, 11/24/70;
- (3) Horse Protection Act, P.L. 91-540, 11/2/70.

(Code 1961, § 4-26)

Sec. 7-33. - Reserved.

Editor's note— Section 7-33, prescribing penalties for violation of this article, derived from Code 1961, §§ 4-17(e), 4-25, was repealed by § VI of Ord. No. 17369, adopted Nov. 4, 1987.

Secs. 7-34—7-45. - Reserved.

DIVISION 2. - ANIMAL SHELTER IMPOUNDMENT

Footnotes:

— (2) —

Annotation—Parish had no liability for damages arising from alleged assault of homeowners and illegal search of their premises by deputy sheriff occurring when he and parish dogcatcher attempted to locate and seize homeowner's dog. The sheriff's office exists and functions independently of the governing body of the parish. Brister v. Parish of Jefferson, 373 So.2d 53 (Ls. App. 4th Cir. 1981)

Sec. 7-46. - Reasons for impoundment generally.

- (a) Whenever animals are kept within any building or on any premises without food, water or proper care and attention, or are kept in violation of the provisions of this article, or are infected with disease, or kept under conditions which could endanger public health or create a nuisance, it shall be the duty of any authorized employee of the animal shelter department, or any person issued and authorized to wear the animal shelter badge, to enter the building or premises to take possession of and remove the animals so abandoned or neglected. Animals and birds so impounded shall not be released before the reason for causing the impoundment has been corrected.
- (b) If any impounded animal, other than a dog or cat impounded for being at large, is not reclaimed by the owner upon payment of impoundment and daily board fees and compliance with other legal requirements for keeping an animal, or if the reason for causing the impoundment is not corrected within a reasonable time, the animal shall be held for such time as the director deems reasonable, considering the animal's probable value, condition of health and suitability for use. Upon expiration of such reasonable time, the director of the animal shelter may offer the animal for adoption, or it may be humanely destroyed.

(Code 1961, § 4-21(a); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-47. - Impoundment of dogs.

- (a) *Seizure or notice to owner.* Dogs found by the animal shelter department to be at large may be seized and impounded, or as an alternative, the humane officer finding the dog at large may issue a notice to the owner that his dog is in violation of this section. Such notice will impose upon the dog owner a fine of ten dollars (\$10.00) and shall be paid to the parish in person or by mail within five (5) days of the time the notice was served. Failure to make such payment shall render such owner subject to the penalties provided for in section 7-33.
- (b) *Redemption.* The owner shall be entitled to resume possession of any impounded dog upon payment of the impoundment and daily board fees and compliance with vaccination/registration requirements; provided application for such possession, with payment of all required fees, is made within four (4) days, exclusive of Sundays and all legal holidays, after impoundment.
- (c) *Escaped dogs.* Should any dog be captured while at large by the animal shelter department or its agent, and shall escape the agents by entering premises of the owner or keeper, or any other person, and such owner, keeper or person refuses to deliver such dog to such agents of the department, such owner, keeper or person shall be subject to the penalties provided for in section 7-33.

(Code 1961, § 4-17(c), (d), (e); Ord. No. 20257, § 1, 1-14-98; Ord. No. 23739, § 1, 1-27-10)

Sec. 7-48. - Notification of dog and cat owners.

After impoundment of a dog or cat which can be identified by a license tag or other ready means, the animal shelter shall make every reasonable effort to notify the owner and the owner may claim his animal within five (5) days, exclusive of Sundays and legal holidays, after impoundment. If the owner does not claim his animal, or if no claim is made on an animal of unknown ownership after five (5) days, exclusive of Sundays and legal holidays, the animal shelter may dispose of the animal by adoption or euthanasia.

(Code 1961, § 4-21(b))

Sec. 7-49. - Taking in and disposition of unwanted animals.

Owners of unwanted animals may bring and release such animals to the animal shelter at no cost to the owner to be made available for adoption or other disposition in the discretion of the animal shelter.

(Code 1961, § 4-22(a))

Sec. 7-50. - Impoundment of cats, rabbits, raccoons, etc.

The animal shelter department may impound any cat, rabbit, raccoon, opossum, hamster, guinea pig, gerbil, and any other animal of like nature, found to be at large. Any such animal impounded may be reclaimed by the owner upon payment of impoundment and daily board fees and compliance with other legal requirements for keeping of such animal. If no claim is made on any such animal after four (4) days of impoundment, exclusive of Sundays and legal holidays, the animal shelter may humanely dispose of same in its discretion.

(Code 1961, § 4-22(b); Ord. No. 20257, § 1, 1-14-98; Ord. No. 23739, § 1, 1-27-10)

Sec. 7-51. - Exception to holding time.

- (a) Notwithstanding any other provision of this chapter, the animal shelter may, in its discretion, dispose of any animal impounded under the provisions of section 7-47 or 7-50 at any time after the animal's owner is notified of the impoundment if the owner states that he does not wish to redeem the animal.
- (b) The animal shelter may, within its discretion, dispose of any animal released to the shelter by its owner under section 7-49 at any time after two (2) days, excluding Sundays and legal holidays, have elapsed from the time of the owner's release of the animal, except that the shelter may at any time within its discretion dispose of litters of kittens or puppies released to the shelter by their owner.

(Code 1961, § 4-21(c); Ord. No. 18121, § 1, 10-24-90; Ord. No. 18321, 7-10-91)

Sec. 7-51.5. - Reserved.

Editor's note— Section 7.51.5, authorizing the impoundment of animals pending hearing, derived from Ord. No. 15831, § 1, adopted Jan. 4, 1984, was repealed by § VI of Ord. No. 17369, adopted Nov. 4, 1987.

Sec. 7-52. - Release of impounded animal.

- (a) Animals shall be released from the animal shelter to their owners upon payment of appropriate impoundment and boarding or other fees, and only if the owner produces evidence that the animal, if a dog or cat, has a current valid license, or the dog or cat is inoculated with an anti-rabies vaccine as set forth in Division 3 of this article and a current license issued before the dog or cat may be released, or the owner signs a pledge assuring that he will have the dog or cat inoculated with an anti-rabies vaccine as set forth in Division 3 of this article within one (1) week of its release to its owner.
- (b) Any person adopting an unspayed or unneutered dog or cat from the animal shelter department must sign a pledge assuring that he will have the animal spayed or neutered within twenty (20) days or as soon as it reaches an appropriate age as certified by a veterinarian. With the pledge must be deposited a fee as set forth in section 7-30(c) of this article.

(Code 1961, § 4-21(d); Ord. No. 20257, §§ 1, 5, 1-14-98)

Sec. 7-53. - Disposal for medical or scientific experimentation prohibited.

No animals which might otherwise be destroyed or made available for adoption may be sold or given by the animal shelter department for medical or scientific experimentation so long as any public funds or tax receipts are used for the operation of the animal shelter or the department whether directly or by contract.

(Code 1961, § 4-21(e); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-54. - Disposal by euthanasia.

It shall be the duty of the director of the animal shelter, and he is hereby so authorized and empowered, to issue and sign a death warrant and order euthanasia for any animal lawfully taken into the custody of the animal shelter department which in the opinion of the director is by reason of old age unfit for further use, or which is adjudged by a written request of a licensed veterinarian to be infected with any dangerous or communicable disease other than rabies, or which is in an incurably crippled condition, or is afflicted with intractable pain or incurable disease.

(Code 1961, § 4-21(n); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-55. - Liability of owner for dogs at-large.

- (a) In addition to the fees and charges to be paid to the animal shelter for the release of any impounded dog any owner who has permitted his licensed or unlicensed dog to roam at-large may be found guilty of a violation of this article and shall be subject to a penalty as set forth in section 7-30.
- (b) For the first offense, an owner shall have the option to pay either the fees and charges set forth in section 7-30 or the cost to have the animal spayed or neutered by the animal shelter or a low cost spay/neuter clinic prior to releasing an intact, unaltered dog found to be at-large.
- (c) For the second offense (found to be at-large twice in their lifetime) any intact, unaltered dog shall be spayed or neutered at the owner's cost prior to its release from impoundment, unless:
 - (1) The health of the dog as determined by a licensed veterinarian, prohibits its spaying or neutering (hereinafter "alteration"); or
 - (2) The owner provides proof from a veterinarian that the dog has been altered; or
 - (3) The dog is less than four (4) months of age; or
 - (4) The owner provides valid ownership papers verifying the purebred status of the dog and the owner pays a subsequent impoundment fee as established in section 7-30(b) in order to avoid alteration of the purebred dog. In the event the owner elects to have the animal spayed/neutered prior to its release the cost of these services shall be deducted from the impoundment fee.

(Code 1961, § 4-21(g); Ord. No. 23784, § 4, 3-24-10; Ord. No. 25567, § 1, 4-25-18)

Editor's note— Ord. No. 25567, § 1, adopted April 25, 2018, amended § 7-55 and in so doing changed the title of said section from "Liability of owner for dogs and/or cats at-large" to "Liability of owner for dogs at-large," as set out herein.

Sec. 7-56. - Records.

The animal shelter department shall maintain a proper animal shelter and pound for any animals seized by it, and shall keep proper books in which shall be registered all animals brought to its shelter, by whom brought, the date of their being released or destroyed, and the amount of fees paid, which books will be opened for public inspection.

(Code 1961, § 4-24; Ord. No. 20257, § 1, 1-14-98)

Secs. 7-57—7-65. - Reserved.

DIVISION 3. - REGISTRATION AND VACCINATION OF DOGS AND CATS

Sec. 7-66. - Required.

It shall be the duty of the owner or keeper of every dog or cat over four (4) months old to register same with the animal shelter department by purchasing a dog or cat license. Such license shall be dated and indicate the number of the license tag issued for the dog or cat at the time it is vaccinated by a licensed veterinarian or licensed veterinary technologist with appropriate anti-rabies vaccine at the owner's expense. The license tag shall indicate the current calendar year and the telephone number of the animal shelter. The license tag shall be fastened to the dog's collar or harness and worn at all times when the dog is off the premises of the owner. The license must be renewed no later than one (1) year from the latest vaccination date and no dog or cat shall be vaccinated without the issuance of a license or licensed without a current rabies vaccination. If a license tag is lost, a duplicate tag may be issued for a specified charge upon presentation of the original license receipt.

(Code 1961, § 4-13(a); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-67. - Exemption for nonresidents.

Provisions of this article for licensing and registration shall not apply to animals owned by nonresidents of the parish.

(Code 1961, § 4-16(l))

Sec. 7-68. - Fees; exemptions.

- (a) Each registration fee under this division shall be accompanied by the license fee. All such registration fees, by whomever collected, are payable to the animal shelter department upon demand.
- (b) Fee exempt registrations may be issued for the following:
 - (1) Police or sheriff's department dogs;
 - (2) Dogs trained to lead the blind (professionally-trained guide dogs for the disabled).

(Code 1961, § 4-13(b), (d); Ord. No. 20257, §§ 1, 4, 1-14-98)

Sec. 7-69. - Dealer license option.

All dealers who have permits, may at their option pay the animal shelter department or its designee an annual registration fee as specified in section 7-30(d) by January thirty-first of each year, in lieu of registering his dogs or cats individually in accordance with this section; provided further, that no dog may be sold unless it has been inoculated against distemper, hepatitis and leptospirosis and also for rabies if four (4) months or older, and that no cat may be sold unless it has been inoculated against distemper, rhinotracheitis and calici, and also for rabies if four (4) months or older.

(Code 1961, § 4-13(h); Ord. No. 18645, § 3, 12-2-92; Ord. No. 20257, § 1, 1-14-98)

Sec. 7-70. - Disposition of tags.

The animal shelter department is directed to cause to be made, prior to January first of each year, license tags of aluminum, brass or other suitable material, consecutively numbered, bearing the calendar year and the telephone number of the animal shelter, which license tag shall be distributed and placed for sale, commencing January first of each year, by the department or any suitable agents it may designate to handle the sale of such license tags in the parish. The department shall furnish such tags to all its agents or representatives it authorizes to administer the vaccination and issue the license, and applying for same, at the specified charge, such tags to be available for use only for the year in which issued. Before the tag is delivered to the owner or keeper of the dog or cat, it shall be the duty of the department, or its representative, to record on the dog or cat license the name, address and telephone number of the person who owns or has charge of the dog or cat to which the tag is to be attached, a brief description of the dog or cat and the registered tag number assigned to same. A duplicate copy of the dog or cat license, containing all the aforesaid information will be retained and forwarded to the animal shelter for filing as soon as practicable. The department shall, before the license is issued, require inoculation of the dog or cat with an approved and recognized antirabies vaccine, administered by a licensed veterinarian, or any other person the department may designate.

(Code 1961, § 4-13(e.2); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-71. - Tag exemption for hunting and show dogs.

- (a) Dogs used for hunting, on exhibition at American Kennel Club or other approved shows, engaged in a specific "dog club" sponsored race or trial, and such dogs while being transported to and from such events need not wear their collars nor their tags.
- (b) Police service dogs need not wear collars or tags while in service.

(Code 1961, § 4-13(c); Ord. No. 21420, § 3, 10-24-01)

Sec. 7-72. - Counterfeiting of tags prohibited.

It shall be unlawful for any person to counterfeit or imitate the license tag provided by the animal shelter department or for any person to put on a dog or cat any such counterfeit or imitation tag, or to use a license tag on a dog or cat for which it was not issued.

(Code 1961, § 4-13(f); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-73. - Removal of tags.

It shall be unlawful for any person to maliciously or wantonly remove, or cause to be removed, directly or indirectly, any tag from the dog of another person.

(Code 1961, § 4-13(g))

Sec. 7-74. - Annual rabies vaccination campaign.

The parish animal shelter is directed to conduct, as a public health service, an annual rabies vaccination campaign.

(Code 1961, § 4-13(e.1); Ord. No. 21110, § 1, 10-18-00)

Secs. 7-75—7-79. - Reserved.

DIVISION 4. - RABIES CONTROL AND BITE CASES

Footnotes:

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Editor's note— Ord. No. 24102, §§ 1—7, adopted August 31, 2011, amended Div. 4, in its entirety, to read as herein set out in §§ 7-80—7-86. Prior to inclusion of said ordinance, Div. 4 pertained to similar subject matter. See also the Code Comparative Table.

Sec. 7-80. - General.

In addition to other penalties, controls or requirements of this chapter, the provisions of this division shall be applicable whenever an animal bites or inflicts severe injury on a human being.

(Ord. No. 24102, § 1, 8-31-11)

Sec. 7-81. - Treatment of animals which have bitten persons.

- (a) Should an animal bite a person, or be reported to have bitten a person within the limits of the parish, it shall be the duty of the owner, alleged victim or the person having the alleged animal in his possession or under his control to: (1) immediately notify the animal shelter department, and surrender the animal to any animal control officer, animal shelter director or designee of the parish animal shelter department, who is herewith authorized and empowered to enter the premises in order to make any inspection or examination of the animal as may be deemed necessary by the animal shelter department and (2) provide evidence of the bite including but not limited to a written statement of the incident, photographs, and/or a doctor's report. It shall be the duty of the parish animal shelter department to impound or cause to be impounded any such animal that has bitten a human for a period of ten (10) days for observation either in the hospital facilities of a licensed veterinarian in Jefferson Parish or at the parish animal shelter and in rare cases, quarantined at the owner's home pursuant to subsection (b). The animal shelter veterinarian, parish health unit, or other designated and qualified person may order the destruction of such animal upon displaying symptoms of illness and send the specimen to the bureau of laboratories of the state department of health for a rabies laboratory test. Destruction of such animal is considered an emergency and such destruction shall be done without notice to the owner, keeper and/or harbinger or a hearing. Such destruction without a right to notice or a hearing is due to the imminent nature of the disease as such presents an imminent danger to the life, safety and welfare of the victim(s) and others exposed to the animal.
- (b) A home quarantine of the dog or cat, with the approval of the animal shelter director or designee may be allowed if the following conditions are met:
 - (1) The animal must be current on its rabies vaccination;
 - (2) The bite does not result in severe injury;
 - (3) There was only one (1) victim;
 - (4) There is no previous bite, attack or running at large history for the animal;
 - (5) The owner, caregiver, or person that has custody or possession of said animal is willing to sign the appropriate home quarantine agreement understanding that any violation of the agreement will result in impoundment of the animal at the animal shelter or a veterinary clinic in Jefferson Parish;

- (6) The owner, caregiver, or person having custody or possession of the animal must agree to not have said animal for rabies until completion of the ten-day quarantine, and release by the parish animal shelter;
- (7) An animal control officer must verify that the owner, caretaker, or person having custody or possession of the animal has the ability to securely, safely, and humanely confine such animal for the ten-day quarantine period;
- (8) The animal must appear to be healthy at the time the home quarantine begins.
- (c) If the director of the animal shelter or designee determines that such animal may be confined under the control or custody of the owner or person having control over it, the owner or person shall notify the animal shelter department immediately if the animal shows any symptoms of sickness or abnormal behavior, or escapes, and if such animal dies during confinement, such person having custody thereof shall notify the animal shelter and surrender the body to the animal shelter department for rabies testing for preparation and submission to the parish health department. Failure to notify as provided herein shall result in penalties in section 7-84 and/or other provisions of this Code.
- (d) If a home quarantine is allowed, an animal control officer shall conduct a visual examination of the animal and photograph it at the outset of and upon conclusion of the ten-day period take additional photographs of the animal prior to releasing it from such home quarantine if the animal appears to be healthy.
- (e) If the animal control officer finds any signs of illness or change in behavior of the home quarantined animal, the officer must immediately notify the shelter veterinarian or director or other designee, to determine a proper course of action.

(Ord. No. 24102, § 2, 8-31-11)

Sec. 7-82. - Exemption for certain animals.

- (a) This section shall not apply except in the discretion of the parish health unit to small caged pets such as mice, rats, gerbils, hamsters or guinea pigs and any other animal that may be specifically excluded by the animal shelter veterinarian or parish health unit.
- (b) Non-mammalian animals are not capable of contracting rabies or infecting other animals with the rabies virus. Therefore animals that are avian, reptilian, or amphibian will not require ten-day rabies quarantine or testing.
- (c) Certain mammals, particularly "wild" animals, including but not limited to raccoons, skunks, and bats that bite a human will require immediate euthanasia and rabies testing. These animals are considered to be more likely to carry and transmit the rabies virus than other mammals. Ferrets can be quarantined and observed for ten-day observation only with the approval of the state public health veterinarian and only if current rabies vaccination can be verified for the biting animal. Exceptions to required testing of wildlife may be made only by the state public health veterinarian for properly licensed wildlife rehabilitators and only at the specific, written request of the victim.
- (d) Livestock animals that bite a human are handled at the discretion of the animal shelter veterinarian. Such handling may include testing which results in euthanasia.

(Ord. No. 24102, § 3, 8-31-11)

Sec. 7-83. - Surrender of animals exposed to rabies.

If any mammal is suspected of having been exposed to rabies, all persons having knowledge of such condition or event shall forthwith notify the animal shelter department or their agents, and shall fully advise same of all the facts and circumstances involved. Such animal may be quarantined, confined, or humanely destroyed under the direction and

supervision of the parish animal shelter or state public veterinarian as deemed advisable in rabies control upon successful quarantine the animal may be released.

(Ord. No. 24102, § 4, 8-31-11)

Sec. 7-84. - Refusal to surrender or report an animal; penalty

- (a) No person shall fail or refuse to surrender an animal for supervised quarantine, confinement or humane destruction as required herein for rabies control when deemed advisable by the animal shelter department or notify the animal shelter as required in section 7-81.
- (b) It shall be the duty of every veterinarian having an animal quarantined for a bite incident to submit a report to the animal shelter department as to the condition of the quarantined animal on the initial day of observation and the tenth day immediately following the date of the bite incident to the animal shelter veterinarian or director.
- (c) Failure to surrender or report such animal is considered endangerment to the public and a violation of this code and subject to a hearing. Penalties for refusal to surrender shall be punished pursuant to the provisions of this Code and subject to a hearing before a court of competent jurisdiction and penalties provided in this Code.

(Ord. No. 24102, § 5, 8-31-11)

Sec. 7-85. - Release of animal from quarantine at the parish animal shelter.

Any animal impounded or confined for rabies quarantine at the animal shelter shall be released upon completion of the ten (10) days observation period only upon authorization of the parish animal shelter veterinarian, director or director's designee. Any such animal, if a dog or cat, must have a valid license and vaccination before it may be released.

(Ord. No. 24102, § 6, 8-31-11)

Sec. 7-86. - Testing and destruction of animals indicating rabies.

Should any animal undergoing the ten (10) days observation for having bitten a person show indication of illness or change in behavior, it shall be the duty of the animal shelter department to destroy such animal after confirming such need by a licensed veterinarian. The parish health unit or the animal shelter shall send the specimen of any such animal, and also the specimen of any animal which died during the rabies quarantine, to the bureau of laboratories of the state department of health for a rabies laboratory test. Upon notification to the animal shelter veterinarian or director that a rabies test is positive, the animal shelter director or veterinarian shall then handle the results pursuant to the Center for Disease Control Guidelines.

(Ord. No. 24102, § 7, 8-31-11)

Secs. 7-87—7-95. - Reserved.

DIVISION 5. - COMMERCIAL ESTABLISHMENTS AND STABLES

Sec. 7-96. - Pet shops.

- (a) *Permit required.* No person shall operate a pet shop unless a permit to operate such establishment shall have been granted by the animal shelter department. Application procedures and requirements for such permit shall

be in accordance with rules and regulations promulgated by the animal shelter advisory board under the provisions of this article. The permit period shall be the calendar year and the permit fee shall be as stated in section 7-30 for each permit period or part thereof beginning with the first day of the calendar year.

- (b) *Requirements for holding of permit.* All pet shops, including pet shops operated in conjunction with another holding facility, shall 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 a pet shop or revocation of any previously issued permit.
- (c) *Application for permit; temporary permit.* Permit application forms may be obtained from the animal shelter department at #1 Humane Way, P.O. Box 10640, Jefferson LA 70181-0640, or may be requested in writing or by telephone. Completed, notarized forms accompanied by the appropriate fee may be mailed to the above address. If an applicant certifies that all of the requirements of these rules and regulations are being met in his establishment, the animal shelter department may issue a temporary permit until such time as it may 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 shelter department that all pertinent requirements are being met, the director shall forthwith issue a regular permit which shall be valid until December thirty-first of the year issued.
- (d) *Renewal of permits.* Prior to December thirty-first of each year, all holders of animal handling permits must renew same by applying to the animal shelter department for the appropriate form, executing such form and remitting the current annual permit fee.
- (e) *Inspection.* All pet shops shall be subject to inspection at any time by the animal shelter department.
- (f) *Prohibitions.* No pet shop may keep or offer for sale to the public any wild or exotic species of land animals, reptiles or birds that falls under Class I designated by the Jefferson Parish Animal Shelter's "Rules for Wild or Exotic Animals" including, but not limited to: felines other than domestic cats; simians of all types including monkeys, apes and chimpanzees; opossums; skunks; raccoons and poisonous snakes.
- (g) *Minimum standards for care of animals:*
 - (1) Fresh water for drinking shall be available to all species at all times. Containers are to be cleaned and disinfected each day. All water containers shall be removable for cleaning and be mounted so that the animals cannot turn them over;
 - (2) Cage temperatures shall be maintained at a level that is healthful for the species of animal kept in the cage;
 - (3) All cages and enclosures shall be of metal or nonporous plastic material for easy cleaning and disinfecting. Each cage must be of sufficient size so as to provide the minimum cage area per animal as specified in the tables of sections 7-107—7-109, depending upon the period of confinement. Cage floors shall be of solid material, or if of open mesh construction at least one-half (½) of the floor area shall be covered with cardboard, multiple layers of paper, plastic sheet or other continuous substantial material;
 - (4) All animals under three (3) months of age are to be fed at least three (3) times per twenty-four (24) hours. Food for all animals shall be served in a clean dish so mounted that the animal cannot readily tip it over or defecate or urinate in same;
 - (5) Each bird must have sufficient room to sit on a perch. Perches shall be placed parallel to each other in the same cage. Cages must be cleaned every day and cages must be disinfected when birds are sold. Parrots and other large birds shall have separate cages from smaller birds;
 - (6) The water temperature for fish shall be maintained at a constant temperature that is healthful;

- (7) There shall be sufficient clean, dry bedding in each cage to meet the needs of each individual animal. Boxes of s prepared litter shall be provided for cats;
- (8) No animals shall be kept in darkness during daylight hours;
- (9) All animals must be fed, and watered, and their cages shall be cleaned every day, including Saturdays, Sundays and holidays;
- (10) Adult animals of opposite sexes shall not be kept in common cages;
- (11) Feeding of reptiles is to be conducted before opening hours or after closing hours.

- (h) *Records; number and person to contact in emergency.* The holder of any pet shop permit shall keep available for inspection on the premises a record that shall show the name, current address and telephone number of the owner of each animal kept at the facility, the date such animal entered the facility, the reason for such animal being at the facility such as for boarding, sale, breeding or grooming; the description of the animal, including its age, breed, sex and color. The owner shall place in a visible place the name, address and telephone number of the parish animal shelter, or other party who can be contacted in case of emergency, to assume the care of the animals on the premises. In addition, the holder shall furnish to the parish animal shelter the name, address and telephone number of the veterinarian or other responsible party authorized to act on behalf of the holder in case of emergency.
- (i) Any advertisements promulgated by a pet shop for the sale of any animals shall include the Jefferson Parish Animal Shelter Permit number. The pet shop shall display the number on the bottom right hand side of the ad using the verbiage "JP Permit no. (fill in number)

(Code 1961, §§ 4-15(a), (a.1), (e.1); Ord. No. 18643, § 1, 12-2-92; Ord. No. 18644, § 1, 12-2-92; Ord. No. 20257, §§ 1, 3, 1-14-98; Ord. No. 23784, § 6, 3-24-10)

Sec. 7-97. - Public kennels and public auctions.

- (a) *Permit required.* No person shall operate a public auction or a public kennel unless a permit to operate such establishment shall have been granted by the animal shelter department. Application procedures and requirements for such permit shall be in accordance with the rules and regulations promulgated by the animal shelter advisory board under the provisions of this article. The permit period shall be the calendar year and the permit fee shall be as stated in section 7-30 for each permit period or part thereof beginning with the first day of the calendar year.
- (b) *Requirements for holding permit.* All public kennels shall, 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 a public kennel or revocation of any previously issued permit.
- (c) *Application for permit; temporary permit.* Permit application forms may be obtained from the animal shelter department at #1 Humane Way, P.O. Box 10640, Jefferson LA 70181-0640, or may be requested in writing or by telephone. Completed, notarized forms accompanied by the appropriate fee may be mailed to the above address. If an applicant certifies that all of the requirements of these rules and regulations are being met in his establishment, the animal shelter department may issue a temporary permit until such time as it may 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 shelter department that all pertinent requirements are being met, the director shall forthwith issue a regular permit which shall be, valid until December thirty-first of the year issued.

- (d) *Renewal of permits.* Prior to December thirty-first of each year all holders of animal handling permits must renew s. applying to the animal shelter department for the appropriate form, executing such form and remitting the current permit fee.
- (e) *Inspection.* All public kennels shall be subject to inspection at any time by the animal shelter department.
- (f) *Minimum standards for care of animals:*
 - (1) Fresh water for drinking shall be available to all species at all times. Containers are to be cleaned and disinfected each day. All water containers shall be removable for cleaning and be mounted so that the animals cannot turn them over;
 - (2) Cage temperatures shall be maintained at a level that is healthful for the species of animal kept in the cage;
 - (3) All cages and enclosures shall be of metal or nonporous plastic material for easy cleaning and disinfecting. Each cage must be of sufficient size to provide the minimum area per animal as given in the tables of sections 7-107—7-109, depending upon the period of confinement. Cage floors shall be of solid material, or if of open mesh construction at least one-half (½) of the floor area shall be covered with cardboard, multiple layers of paper, plastic sheet or other continuous substantial material;
 - (4) All animals under three (3) months of age are to be fed at least three (3) times per twenty-four (24) hours. Food for all animals shall be served in a clean dish so mounted that the animal cannot readily tip it over or defecate or urinate in same;
 - (5) There shall be sufficient clean, dry bedding in each cage to meet the needs of each individual animal. Boxes of sand or prepared litter shall be provided for cats;
 - (6) No animals shall be kept in darkness during daylight hours;
 - (7) All animals must be fed, and watered, and their cages shall be cleaned every day, including Saturdays, Sundays and holidays;
 - (8) Adult animals of opposite sexes shall not be kept in the same cage or run.
- (g) *Records; number and person to contact in emergencies.* The holder of any public kennel or public auction permit, shall keep available for inspection on the premises a record that shall show the name, current address and telephone number of the owner of each animal kept at the facility, the date such animal entered the facility, the reason for such animal being at the facility, such as for boarding, sale, breeding or grooming; the description of the animal, including its age, breed, sex and color. The owner shall place in a visible place the name, address and telephone number of the parish animal shelter, or other party who can be contacted in case of emergency, to assume the care of the animals on the premises. In addition, the holder shall furnish to the parish animal shelter the name, address and telephone number of the veterinarian or other responsible party authorized to act on behalf of the holder in case of emergency.

(Code 1961, § 4-15(b), (b.1), (e.1); Ord. No. 18645, § 4, 12-2-92; Ord. No. 20257, §§ 1, 3, 1-14-98)

Sec. 7-98. - K-9 or guard or attack dog services.

- (a) *Permit required.* No person shall operate a K-9 or guard or attack dog service unless a permit to operate such establishment shall have been granted by the animal shelter department. Application procedures and requirements for such permit shall be in accordance with rules and regulations promulgated by the animal shelter advisory board under the provisions of this article. The permit period shall be the calendar year and the permit fee shall be as stated in section 7-30 for each permit period or part thereof beginning with the first day of the calendar year.
- (b) *Requirements for holding of permit.* All K-9 or guard or attack dog services shall, 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 or revocation of any previously issued permit.

- (c) *Application for permit; temporary permit.* Permit application forms may be obtained from the animal shelter department at #1 Humane Way, P.O. Box 10640, Jefferson LA 70181-0640, or may be requested in writing or by telephone. Completed, notarized forms accompanied by the appropriate fee may be mailed to the above address. If any applicant certifies that all of the requirements of these rules and regulations are being met in his establishment, the animal shelter department may issue a temporary permit until such time as it may 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 shelter department that all pertinent requirements are being met, the director shall forthwith issue a regular permit which shall be valid until December thirty-first of the year issued.
- (d) *Renewal of permit.* Prior to December thirty-first of each year, all holders of animal handling permits must renew same by applying to the animal shelter department for the appropriate form, executing such form and remitting the current annual permit fee.
- (e) *Inspection.* All premises of the K-9 or guard dog services shall be subject to inspection at any time by the animal shelter department.
- (f) *Minimum standards:*
 - (1) Fresh water for drinking shall be available to all species at all times. Containers are to be cleaned and disinfected each day. All water containers shall be removable for cleaning and be mounted so that the animals cannot turn them over;
 - (2) Permanent housing for dogs not on duty or in transport shall consist of runs whose dimensions and areas shall be at least as great as those specified for runs in the table of section 7-107. Cages may be used for temporary housing not to exceed thirty (30) days, provided that the requirements of the table of section 7-108 are met;
 - (3) Runs must have at least six-foot high fences completely surrounding them to which are to be added antiladders, or the top must be completely covered;
 - (4) All gates and entrances to the runs, kennel, and training area must be kept locked when not in use;
 - (5) A perimeter fence at least six (6) feet high with antilimbing devices must be installed to encircle the training and kennel area. Fences must be maintained escape proof;
 - (6) A dog in training as a guard or sentry or attack dog must be confined at all times to its kennel or run or training area, unless he is under leash control of his handler;
 - (7) Cages used for the transportation of guard dogs need not conform to all the minimum dimensions of the table of section 7-109, however, each cage used must be of sufficient size that a dog placed in it can stand erect with at least six (6) inches of clear space above its withers. The length of the cage must be at least six (6) inches longer than the length of the dog from the tip of the nose to the base of the tail, and the width of the cage should be such as to permit the dog to turn around freely. Cages shall have bottoms of solid material and be covered so as to provide protection from the elements;
 - (8) When transport cages are mounted on a vehicle, sufficient space or ventilation must be provided to prevent cage temperatures from rising more than three (3) degrees centigrade or five (5) degrees Fahrenheit above ambient air temperature;
 - (9) No dogs shall be left in transport cages, except while actually in transport, for any period longer than a

reasonable time for loading or unloading. In no case shall such reasonable time exceed thirty (30) minutes for any one (1) dog;

(10) All trainers of dogs for guard service must have had at least two (2) years experience in facilities training dogs;

(11) Procedures must be established to notify police and fire departments of the location of guard or sentry dogs placed on guard duty without handlers.

(g) *Records; number and person to contact in emergencies.* The holder of any K-9 or guard dog service permit, shall keep available for inspection on the premises a record that shall show the name, current address and telephone number of the owner of each animal kept at the facility, the date such animal entered the facility, the reason for such animal being at the facility such as for boarding, sale, breeding or grooming; the description of the animal, including its age, breed, sex and color. The owner shall place in a visible place the name, address and telephone number of the parish animal shelter, or other party who can be contacted in case of emergency, to assume the care of the animals on the premises. In addition, the holder shall furnish to the parish animal shelter the name, address and telephone number of the veterinarian or other responsible party authorized to act on behalf of the holder in case of emergency.

(Code 1961, § 4-15(c), (c.1), (e.1); Ord. No. 20257, §§ 1, 3, 1-14-98)

Sec. 7-99. - Dealer breeders and/or dealers.

- (a) *Permit required.* No person shall be a dealer breeder or dealer unless a permit to operate as a dealer breeder and/or dealer shall have been granted by the animal shelter department. Applications procedures and requirements for such permit shall be in accordance with the rules and regulations promulgated by the animal shelter advisory board under the provisions of this article. The permit period shall be the calendar year and the permit fee shall be as stated in section 7-30 for each permit period or part thereof beginning with the first day of the calendar year. Any advertisement promulgated by a dealer breeder/dealer for the sale of any animal in Jefferson Parish shall include the Jefferson Parish Animal Shelter Permit Number. The dealer breeder/dealer shall display the permit number on the bottom right hand side of the ad using the verbiage "JP Permit No. (fill in number)."
- (b) *Requirements for holding of permit.* All dealer breeders and dealers 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.
- (c) *Application for permit; temporary permit.* Permit application forms may be obtained from the animal shelter department at #1 Humane Way, P.O. Box 10640, Jefferson LA 70181-0640, or may be requested in writing or by telephone. Completed, notarized forms accompanied by the appropriate fee may be mailed to the above address. If an applicant certifies that all of the requirements of these rules and regulations are being met in his establishment, the animal shelter department may issue a temporary permit until such time as it may 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 shelter department that all pertinent requirements are being met, the director shall forthwith issue a regular permit which shall be valid until December thirty-first of the year issued.
- (d) *Renewal of permit.* Prior to December thirty-first of each year, all holders of animal handling permits must renew same by applying to the animal shelter department for the appropriate form, executing such form and remitting the current annual permit fee.

- (e) *Inspection.* The establishment of all dealer breeders and/or dealers shall be subject to inspection at any time by the animal shelter department.
- (f) *Prohibitions.* No dealer breeder shall allow any female dog or cat to produce more than two (2) litters in any one (1) continuous twelve-month period.
- (g) *Minimum standards for care of animals:*
 - (1) Fresh water for drinking shall be available to all species at all times. Containers are to be cleaned and disinfected each day. All water containers shall be removable for cleaning and be mounted so that the animals cannot turn them over;
 - (2) Cage temperatures shall be maintained at a level that is healthful for the species of animal kept in the cage;
 - (3) All cages and enclosures shall be of metal or nonporous plastic material for each cleaning and disinfecting. Each cage must be of sufficient size so as to provide the minimum cage area per animal as specified in the tables of sections 7-107—7-109, depending upon the period of confinement. Cage floors shall be of solid material, or if of open mesh construction at least one-half (½) of the floor area shall be covered with cardboard, multiple layers of paper, plastic sheet or other continuous substantial material;
 - (4) All animals under three (3) months of age are to be fed at least three (3) times per twenty-four (24) hours. Food for all animals shall be served in a clean dish so mounted that the animal cannot readily tip it over or defecate or urinate in same;
 - (5) Each bird must have sufficient room to sit on a perch. Perches shall be placed parallel to each other in the same cage. Cages must be cleaned every day and cages must be disinfected when birds are sold. Parrots and other large birds shall have separate cages from smaller birds;
 - (6) There shall be sufficient clean, dry bedding in each cage to meet the needs of each individual animal. Boxes of sand or prepared litter shall be provided for cats;
 - (7) No animals shall be kept in darkness during daylight hours;
 - (8) All animals must be fed, and watered, and their cages shall be cleaned every day, including Saturdays, Sundays and holidays;
 - (9) Adult animals of opposite sexes shall not be kept in common cages.
- (h) *Records; number and person to contact in emergencies.* The holder of any dealer breeder or dealer permit shall keep available for inspection on the premises a record that shall show the name, current address and telephone number of the owner of each animal kept at the facility, the date such animal entered the facility, the reason for such animal being at the facility such as for boarding, sale, breeding or grooming; the description of the animal, including its age, breed, sex and color. The owner shall place in a visible place the name, address and telephone number of the parish animal shelter, or other party who can be contacted in case of emergency, to assume the care of the animals on the premises. In addition, the holder shall furnish to the parish animal shelter the name, address and telephone number of the veterinarian or other responsible party authorized to act on behalf of the holder in case of emergency.

(Code 1961, § 4-15(d), (d.1), (e.1); Ord. No. 18645, § 5, 12-2-92; Ord. No. 20257, §§ 1, 3, 1-14-98; Ord. No. 23784, § 5, 3-24-10)

Sec. 7-100. - Grooming shops.

- (a) *Permit required.* No person shall operate a grooming shop unless a permit to operate such an establishment shall have been granted by the animal shelter department. Application procedures and requirements for such permit shall be in accordance with rules and regulations promulgated by the animal shelter advisory board

under the provisions of this article. The permit period shall be the calendar year and the permit fee shall be as stated in section 7-30 for each permit period or part thereof beginning the first day of the calendar year.

- (b) *Requirements for holding of permit.* All grooming shops, including grooming shops operated in conjunction with another facility, shall, 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 a grooming shop or revocation of any previously issued permit.
- (c) *Application for permit; temporary permit.* Permit application forms may be obtained from the animal shelter department at #1 Humane Way, P.O. Box 10640, Jefferson LA 70181-0640, or may be requested in writing or by telephone. Completed, notarized forms accompanied by the appropriate fee may be mailed to the above address. If an applicant certifies that all of the requirements of these rules and regulations are being met in his establishment, the animal shelter department may issue a temporary permit until such time as it may 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 shelter department that all pertinent requirements are being met, the director shall forthwith issue a regular permit which shall be valid until December thirty-first of the year issued.
- (d) *Renewal of permit.* Prior to December thirty-first of each year, all holders of animal handling permits must renew same by applying to the animal shelter department for the appropriate form, executing such form and remitting the current annual permit fee.
- (e) *Inspection.* All grooming shops shall be subject to inspection at any time by the animal shelter department.
- (f) *Prohibitions.* Dog groomers may not:
 - (1) Tranquillize animals;
 - (2) Expel obviously infected (abscessed) anal sacs;
 - (3) Give medical advice.
- (g) *Minimum standards for care of animals which are kept in cages or runs:*
 - (1) Fresh water for drinking shall be available to all species at all times. Containers are to be cleaned and disinfected each day. All water containers shall be removable for cleaning and be mounted so that the animals cannot turn them over. This provision shall be applicable only to animals kept over eight (8) hours;
 - (2) Cage temperatures shall be maintained at a level that is healthful for the species of animal kept in the cage;
 - (3) The floors of all cages and enclosures shall be of metal or nonporous plastic material for easy cleaning and disinfecting. Each cage must be of sufficient size so as to provide the minimum cage area per animal as specified in the tables of sections 7-107—7-109, depending upon the period of confinement. Cage floors shall be of solid material, or if of open mesh construction at least one-half (½) of the floor area shall be covered with cardboard, multiple layers of paper, plastic sheet or other continuous substantial material;
 - (4) Appropriate food shall be provided for any animals retained longer than twelve (12) hours. Food for all animals shall be served in a clean dish so mounted that the animal cannot readily tip it over, or defecate or urinate in same;
 - (5) There shall be sufficient clean, dry bedding in each cage to meet the needs of each individual animal. Boxes of sand or prepared litter shall be provided for cats;
 - (6) No animals shall be kept in darkness during daylight hours;
 - (7) Adult animals of opposite sexes shall not be kept in the same cage.

(h) *Standards for personnel:*

- (1) There must be at least one (1) qualified dog groomer in charge at all times.
- (2) Groomers must be at least eighteen (18) years of age and have one (1) of the following qualifications:
 - a. Certificate of graduation from state licensed school of grooming; or,
 - b. Verifiable employment in the profession of dog grooming for a period of two (2) years in a licensed dog grooming establishment; or,
 - c. Apprenticed for nine (9) months (minimum of nine hundred (900) hours) in a licensed dog grooming establishment.

- (i) *Records; number and person to contact in emergencies.* The holder of any grooming shop permit, shall keep available for inspection on the premises a record that shall show the name, current address and telephone number of the owner of each animal kept at the facility, the date such animal entered the facility, the reason for such animal being at the facility such as for boarding, sale, breeding or grooming; the description of the animal, including its age, breed, sex and color. The owner shall place in a visible place the name, address and telephone number of the parish animal shelter, or other party who can be contacted in case of emergency, to assume the care of the animals on the premises. In addition, the holder shall furnish to the parish animal shelter the name, address and telephone number of the veterinarian or other responsible party authorized to act on behalf of the holder in case of emergency.

(Code 1961, § 4-15(e), (e.1), (e.2); Ord. No. 20257, §§ 1, 3, 1-14-98; Ord. No. 24937, § 1, 4-15-15)

Sec. 7-101. - Stables generally.

- (a) *Building permit.* No person shall build, erect, install or alter or replace any stable until a building permit is obtained from the department of inspection and code enforcement. Such a permit shall be issued in accordance with rules and regulations of the department and those promulgated by the animal shelter advisory board under the provisions of this article and shall remain in effect until such structure is erected or until such time as a permit to operate such a stable is granted or denied as herein provided.
- (b) *Requirements for operating permit.* No stable shall be granted a permit to operate unless it shall maintain facilities which shall provide:
 - (1) That there will be available at all times, for equine species, accommodations suitable as respects construction, size, number of occupants, lighting, ventilation, drainage and cleanliness;
 - (2) That in the case of equine species maintained at grass, there will be provided for them at all times during which they are so maintained adequate pasture, shelter, water and supplemental feed where the pasture is insufficient for adequate nutrition;
 - (3) That stabled equine species will be adequately supplied with suitable food, drink and bedding material, and a provision is made to ensure that they will be adequately exercised and rested and (so far as necessary) visited at suitable intervals;
 - (4) That all reasonable precautions will be taken to prevent and control the spread among equine species of infectious and contagious diseases;
 - (5) That appropriate steps will be taken for the protection of equine species in case of fire;
 - (6) That equine species will be maintained in a good state of health and that, in the case of a equine species kept for the purpose of its being let out on hire, for riding, or a equine species kept for the purpose of its being used in providing instruction in riding, the equine species will be suitable for the purpose for which it is kept

and capable of so performing;

- (7) That adequate accommodation will be provided for forage, bedding, stable equipment and saddlery;
- (8) That provision is made for adequate sanitation as well as storage and removal of manure;
- (9) That stables conform with all zoning and building regulations governing such construction.

(c) *Building and zoning regulations.* The department of inspection and code enforcement, upon recommendation of the animal shelter advisory board, may from time to time prescribe reasonable building and zoning regulations which are consistent with the provisions of this article for the construction of stables.

(Code 1961, §§ 4-15(i), 4-19)

Sec. 7-102. - Permit to operate a commercial stable.

- (a) It shall be unlawful for any person to own, operate, maintain or manage a stable or permit the maintenance of a stable upon his premises unless he shall first obtain from the animal shelter department a permit issued in accordance with rules and regulations of the animal shelter advisory board promulgated under the provisions of this article. The permit period shall be the calendar year and the permit fee shall be as stated in section 7-30 for each permit period or part thereof beginning with the first day of the calendar year.
- (b) Such permit shall be issued upon inspection and approval by the department of inspection and code enforcement, and provided further that such inspection shows the stable to be in conformity with this article and the regulations adopted hereunder.
- (c) No commercial livery stable shall be granted a permit unless it shall attach to its staff as a full-time operator/manager a person certified by the animal shelter advisory board as qualified, and shall possess equipment, materials and facilities sufficient for the proper care, feeding, bedding and custody of equine species.
- (d) A stable permit may be transferred to a new owner of the premises upon payment of a transfer fee as stated in section 7-30 and the submission of a written application of the proposed new holder of the license to the animal shelter department together with the written consent of the present holder endorsed thereon. Such permits when issued by the department shall be posted together with the original permit.
- (e) Permits so obtained shall be posted in an open and accessible area at the location where equine species are kept, or near the entrance and same shall be reasonably visible and accessible to any reasonably aware adult.

(Code 1961, § 4-15(g)—(g.4); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-103. - Rules and regulations for permit to own or operate a stable.

All stables shall, 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 for a permit to operate, or revocation for any previously issued permit.

- (1) *Application for permit.* Permit application forms may be obtained from the animal shelter department at #1 Humane Way, P.O. Box 10640, Jefferson LA 70181-0640, or may be requested in writing or by telephone. Completed, notarized forms accompanied by the appropriate fee may be mailed to the above address. If an applicant certifies that all of the requirements of these rules and regulations are being met in his establishment, the animal shelter department may issue a temporary permit until such time as it may 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 shelter department that all pertinent requirements are being met, the director shall forthwith issue a regular permit which shall be valid until December thirty-first of the year issued.

- (2) *Renewal of permit.* Prior to December thirty-first of each year all holders of animal handling permits must renew same by applying to the animal shelter department for the appropriate form, executing such form and remitting the current annual permit fee.
- (3) *Inspection.* All stables shall be subject to inspection at any time by the animal shelter department.
- (4) *Minimum standards for care of animals:*
 - a. *Feeding.* All animals shall be provided twice daily with food and continuously with water, free from contamination. Feed shall be wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements of the animal.
 - b. *Riding equipment.* All equipment used for riding must be properly fitted for each animal and be suited to the use of the animal.
 - c. *Sanitation.* All structures used for the stabling of animals shall be kept clean and in good repair and shall be kept adequately lighted and ventilated and provide protection from the weather.

Manure shall be removed from all structures used for stabling of animals at intervals sufficient to assure dry, sanitary, odor free conditions inside the structure. Manure removed from the area must be disposed of or treated in a manner which assures prevention of insect growth, deterrence of disease, and odor control. Manure disposal shall be suited to the size and location of the stable area.

Any enclosure where animals are kept, other than an enclosed structure, shall be kept graded and drained so as to keep the area reasonably dry. Removal of treatment of fecal matter must provide prevention of insect growth, disease deterrence, and odor control.

- d. *Fly control.* Flies must be controlled through general sanitation practices. The type of product used for fly and insect control should be suited to the size and location of the stable or enclosure.
- e. *Health of the animals.* Animals should show signs of regular attention and care. The name of the attendant veterinarian for each animal should be available to the animal shelter inspector upon request.
- f. *Disputed findings.* If the owner/operator of the stable should be unable to come to an agreement with the animal shelter inspectors as to the sanitation of the premises, the health department shall be asked to issue an opinion as to the general conditions of sanitation. In a dispute over the health or condition of the animal, the owner/operator shall have the right to present the opinion of his own veterinarian to the inspector before a decision is reached. If further veterinary advice is warranted, the shelter veterinarian may be consulted after the attending veterinarian has been notified. In all cases, the owner/operator has the right to petition the board for a hearing before his permit is refused or revoked.

(Code 1961, § 4-15(h.4); Ord. No. 20257, §§ 1, 3, 1-14-98)

Sec. 7-104. - Requirements to manage a commercial livery stable.

- (a) Before any person may manage a commercial livery stable, such person must file with the animal shelter department a written application for registration under oath, upon a form which shall be prescribed and supplied by the department, and shall deposit with the department a registration fee, and pass an examination to be administered by the board as to fitness and qualifications to manage a stable and care for equine species or to teach others to ride and care for equine species, as provided in this article.

- (b) No person shall be permitted by the animal shelter department to take an examination to receive a certificate to operate unless such person shall be at least eighteen (18) years of age and has never been convicted of cruelty to animals and had experience as a stable attendant for at least two (2) years; provided, however, that the animal shelter advisory board may permit a person to take an examination without prior apprenticeship as herein required, provided such person establish to the satisfaction of the board that he or she has been an operator of an active stable for at least one (1) year prior to the date of filing an application for admission to an examination.
- (c) The animal shelter advisory board shall adopt appropriate rules and regulations for the qualifications, certification and examination of applicants to operate and manage stables; and for the conduct of persons affected by this article. Rules established by the board shall be published by the board and supplied to applicants for licenses and certificates.
- (d) If the animal shelter advisory board finds that an applicant has submitted the credentials required by this article for admission to examination, and has paid the registration fee required by this article, the board shall admit such applicant to examination and shall issue a certificate of registration to practice as an operator/manager to those successfully passing the required examination; provided, that if the applicant fails to pass the examination, he or she may be eligible to take another examination no sooner than ninety (90) days without any additional fee. Every certificate of registration issued by the board shall have attached securely thereto a photograph of the person to whom the same is issued, and where a certificate is issued in the name of a corporation, it shall have attached thereto the photograph of the manager thereof. Such photographs shall be furnished by the applicant for registration and shall be of such size as the board may require. The board shall hold public examinations once every ninety (90) days on such dates and at such hours as it shall prescribe. Special examinations may be scheduled by the board upon petition by an applicant and good cause shown.

(Code 1961, § 4-15(h)—(h.3); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-105. - Zoos, carnivals and exhibitions.

No person shall operate a commercial zoo or exhibition of animals or carnival, circus or other enterprise where animals are used or displayed on public or private property wherein an admission fee is charged, or in the absence of such fee, when the exhibition or zoo is used as an incentive to enter a commercial establishment unless a permit for such operation shall have been granted by the animal shelter department. Application procedures and requirements for such permit shall be in accordance with rules and regulations promulgated by the animal shelter advisory board under the provisions of this article. The permit period shall be the calendar year for permanently established zoos or exhibitions and the permit fee shall be as stated in section 7-30(d) for each permit period or part thereof. In the case of temporary or transient zoos or exhibitions ("petting zoos") the permit period shall be as requested by the applicant and the permit fee shall be by the day as stated in section 7-30(d).

(Code 1961, § 4-15(i); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-106. - Reserved.

Editor's note— Section 7-106 was renumbered as § 7-4.

Sec. 7-107. - Minimum requirements for housing animals for continuous periods of thirty days or longer.

The following are minimum requirements for housing animals for continuous periods of thirty (30) days or longer:

	Weight		Minimum Cage Dimensions (inches)		Minimum Cage or Run Floor Area per Animal (square feet)		Maximum Number of Animals Per
Species	Or Age	Width	Depth	Height	Singles	Group	Cage or Run ⁽²⁾
Adult dogs	0—35 lb.	30	30	30	8	6	4
in cages	35—65 lb.	36 ⁽¹⁾	36 ⁽¹⁾	36 ⁽¹⁾	12	10	3
	Over 65-lb.	36 ⁽¹⁾	36 ⁽¹⁾	36 ⁽¹⁾	12	10	2
Puppies in cages	0—15 lb.	30	30	24	6	2	8
Adult cats in cages	Any	24	24	24	4	3	4
Kittens in cages	Up to 4 months	24	24	24	4	2	6
Rabbits in cages	Any	24	24	24	4	3	6
Guinea pigs and hamsters in cages	Any	12	12	12	1	1	6
Adult dogs in runs ⁽²⁾	Any	48	72	—	24	12	4

⁽¹⁾ These dimensions may require modification to conform to the body sizes of certain breeds. In no case should the cage height be less than six (6) inches plus the height of the dog at the withers, nor should the width or depth be less than six (6) inches plus the length of the dog from the tip of the nose to the base of the tail.

(2) Where outdoor runs are provided for the housing of dogs or other animals, each run shall have a covered portion for protection against sunlight and rain. This covered portion shall have a raised floor area per animal at least equal to the minimum cage floor area as provided for in this table for the particular size of animal.

(Code 1961, § 4-15(Table A))

Sec. 7-108. - Minimum requirements for housing animals for periods from twenty-four hours up to thirty days.

The following are minimum requirements for housing animals for periods from twenty-four (24) hours up to thirty (30) days:

Species	Weight	Width	Minimum Cage Dimensions (inches)		Minimum Cage or Run Floor Area per Animal (square feet)		Maximum Number of Animals Per
	Or Age		Depth	Height	Singles	Group	Cage or Run
Adult dogs in cages	0—35 lb.	20	30	24	5	4	4
	35—50 lb.	30 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾	7	6	3
	Over 65 lb.	30 ⁽¹⁾	36 ⁽¹⁾	36 ⁽¹⁾	10	8	2
Puppies in cages	0—15 lb.	20	20	24	3	2	8
Adult cats in cages	Any	20	20	24	3	2½	4
Kittens in cages	Up to 4 months	20	20	24	2	1½	6
Rabbits in cages	Any	20	20	24	3	2½	6
Guinea pigs and hamsters in cages	Any	12	12	12	1	1	6
Adult dogs in runs ⁽²⁾	Any	36	72	—	15	8	4

(1) These dimensions may require modification to conform to the body sizes of certain breeds. In no case should the cage height be less than six (6) inches plus the height of the dog at the withers, nor should the width or depth be less than six (6) inches plus the length of the dog from the tip of the nose to the base of the tail.

(2) Where outdoor runs are provided for the housing of dogs or other animals, each run shall have a covered portion for protection against sunlight and rain. This covered portion shall have a raised floor area per animal at least equal to the minimum cage floor area as provided for in this table for the particular size of animal.

(Code 1961, § 4.15(Table B))

Sec. 7-109. - Minimum requirements for housing animals for periods up to twenty-four hours.

The following are minimum requirements for housing animals for periods up to twenty-four (24) hours:

	Weight		Minimum Cage Dimensions (inches)		Minimum Cage or Run Floor Area per Animal (square feet)		Maximum Number of Animals Per
Species	Or Age	Width	Depth	Height	Singles	Group	Cage or Run
Adult dogs	0—35	18	24	20	3	3	4
in cages	35—65 lb.						
	Over 65 lb.	24 ⁽¹⁾	30 ⁽¹⁾	30 ⁽¹⁾	6	5	2
Puppies in cages	0—15 lb.	20	20	20	2½	1½	8
Adult cats in cages	Any	20	20	20	2½	1½	4
Kittens in cages	Up to 4 months	20	20	20	2	1	6
Rabbits in cages	Any	20	20	20	2½	1½	6
Guinea pigs and hamsters in cages	Any	12	12	12	1	1	6
Adult dogs in runs ⁽²⁾	Any	36	72	—	12	6	4

⁽¹⁾ These dimensions may require modification to conform to the body sizes of certain breeds. In no case should the cage height be less than six (6) inches plus the height of the dog at the withers, nor should the width or depth be less than six (6) inches plus the length of the dog from the tip of the nose to the base of the tail.

⁽²⁾ Where outdoor runs are provided for the housing of dogs or other animals, each run shall have a covered portion for protection against sunlight and rain. This covered portion shall have a raised floor area per animal at least equal to the minimum cage floor area as provided for in this table for the particular size of animal.

(Code 1961 § 4.15(Table C))

Secs. 7-110—7-125. - Reserved.

DIVISION 6. - HUMANE CARE AND TREATMENT

Sec. 7-126. - Cruelty in general.

- (a) No person shall ill-treat, neglect, abandon, or cruelly treat an animal. No person shall unnecessarily or cruelly beat, mutilate, kill, torture, inflict injury, or abuse, or cause or procure to be cruelly beaten, mutilated, killed, tortured, injured, or abused, any animal or commit any act which under any other law constitutes cruel treatment, or fail to provide obviously necessary veterinary care.
- (b) No animal shall be tethered as a means of stationary confinement; such stationary confinement by tethering shall be considered as cruel treatment.
- (c) No animal shall be denied access to proper food, water, shelter, sanitary and safe environment, or proper

veterinary care as is provided in section 7-16 and in Division 6 of Chapter 7.

- (d) No domesticated animal shall be transported or carried in or upon any vehicle in a cruel, inhumane, or dangerous manner. Any animal transported in the open bed of a vehicle must be safely and securely located in a secure crate or carrier that is fastened to the bed of the vehicle to prevent the animal from jumping out of such vehicle or otherwise injuring itself. Any other such transport shall be considered animal neglect. No animal shall be left inside a vehicle or in a crate/carrier while unattended unless there is reasonable containment during acceptable weather conditions or the animal is provided proper temperature control with regular monitoring conditions, including but not limited to during American Kennel Club sanctioned events.
- (e) When a person is charged with cruelty to animals, said person's animal may be seized. Any animal so seized shall be impounded in the custody of the Jefferson Parish Animal Shelter or other location approved by the Director of the Jefferson Parish Animal Shelter.
- (f) All charges subject to Division 6 are subject to the jurisdiction of the bureau of administrative adjudication and also the Jefferson Parish District Attorney's Office for criminal prosecution under relative procedures and law.

(Code 1961, § 4-16(b); Ord. No. 15740, § 1, 10-5-83; Ord. No. 21090, § 1, 9-20-00; Ord. No. 24925, § 1, 3-25-15)

Sec. 7-127. - Supply of food and water; leaving animal facilities unattended.

All animals shall be supplied with sufficient good and wholesome food and water as often as the feeding habits of the respective animals require, but not less than, in the case of puppies and kittens, once every twelve (12) hours and once every twenty-four (24) hours for adults. No animal shall be without attention more than twenty-four (24) consecutive hours. Whenever an animal is left unattended at a commercial or private animal facility, the name, address and telephone number of the parish animal shelter shall be posted in a conspicuous place at the front of the property, visible from outside the facility. In addition, the facility shall furnish to the parish animal shelter the name, address and telephone number of a veterinarian or other responsible party authorized to act on behalf of the management of the facility in case of emergency.

(Code 1961, § 4-16(h.1))

Sec. 7-128. - Cruelty to animals, simple and aggravated.

- (a) Any person or entity, including the owner, harbinger, keeper of the animal, and/or property owner where animal is housed permanently or temporarily commits any of the following shall be guilty of simple cruelty to animals:
 - (1) Overdrives, overloads, drives when overloaded, or overworks any living animal.
 - (2) Having charge, custody, or possession of any animal, fails to provide proper food, water, shelter, sanitary and safe environment, or veterinary care. (See definitions of proper food, water, shelter, sanitary and safe environment, and veterinary care in section 7-16 of this chapter.)
 - (3) Having charge, custody, or possession of any dog, cat, or other small pet fails to bring the animal inside the confines of the home or provide proper shelter which also includes insulation such as blanket, hay, newspaper when temperatures reach or fall below thirty-two (32) degrees Fahrenheit.
 - (4) Carries or causes to be carried, a living animal in or upon a vehicle or otherwise, in a cruel or inhumane, or dangerous manner which includes but is not limited to carrying an animal in an open pick up truck without it being secured from both sides of the bed in an animal carrier appropriate for the size of the animal, carrying an animal on a flat bed vehicle, or allowing an animal to sit, stand, or walk on any equipment or toolbox inside the bed of the vehicle. Tethering is not an acceptable method of transferring an animal in an open truck, trailer or other similar vehicle or mode of transportation.

- (5) Carries in the trunk of any vehicle any animal for any length of time.
- (6) Transport of small animals by commercial establishments: No small animal shall be transported by a commercial kennel, guard dog service, pet shop or dealer, whether by private or public means, unless individually housed in a container designed for that purpose, including provisions for adequate ventilation and food and water. The container must open at one end, have a solid top and bottom and a minimum of fifteen (15) percent of the total accumulated side and end area shall incorporate an open grill for air circulation. Open space shall be maintained around the outside of each animal's container to ensure adequate ventilation.
- (7) Sales or gifts of animals prohibited.
 - a. No person shall place any animal on public display for the purpose of sale, offer for sale, barter or giveaway upon any street, sidewalk, parking lot, shopping center walkway or other public place except wherein registered rescue groups are offering for adoption at re-homing events including but not limited to pet fest.
 - b. The seller or giver of an animal shall provide to the recipient at the time of transfer a valid health certificate signed by a licensed veterinarian.
 - c. Animals shall not be offered as prizes or awards; however, gift certificate(s) to a legitimate animal shelter or pet store for adoption are acceptable.
- (8) No person shall offer for sale, adoption, barter or give away dog(s) or cat(s) under the age of six (6) weeks; the dog(s) or cat(s) must also have obtained the proper vaccinations that are provided at such an age prior to the offering for sale, barter or giving away of such animal.
- (9) It shall be unlawful to color, dye, stain or otherwise change the natural color of baby chickens, ducklings or other fowl under three (3) weeks old, or rabbits under two (2) months old; or to possess for the purpose of sale any chickens, ducklings, other fowl or rabbits which have been so colored.
- (10) No animal shall be given any alcoholic beverage, or narcotic drugs, central nervous system stimulants, hallucinogenic drugs, or barbiturates, unless prescribed by a licensed veterinarian.
- (11) No person shall expose any known poisonous substance, whether mixed with food or not, so that the same shall be liable to be eaten by any animal, provided that it shall not be unlawful for a person to expose on his own property common rat poison mixed only with vegetable substances.
- (12) Working animals shall be given proper rest periods. Confined or restrained animals shall be given exercise proper for the individual animal under the particular conditions, and no animal which is overheated, weakened, exhausted, sick, injured, diseased, lame or otherwise unfit shall be worked, used or rented. No animal which the animal shelter department has suspended from use shall be worked or used until released by the department.
- (13) No animals bearing evidence of malnutrition, ill health, unhealed injury or having been kept in an unsanitary condition shall be displayed for the amusement of the public.
- (14) No primary, secondary school, college and/or university, either public or private, in the parish shall permit students in biology or other laboratories to perform experiments on live animals of any kind or size which will inflict pain or suffering or permanent injury or deformity to the animals. Any headmaster, principal, teacher or instructor who permits or condones such prohibited practices in his school, classroom or laboratory shall be guilty of a misdemeanor.
- (15) No person shall conduct a science fair or competition in the parish wherein any exhibit or project involves the use of live animals of any kind or size wherein pain or suffering is inflicted on the animals or permanent

injury or deformity is caused.

- (16) Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner; in the event the owner cannot be ascertained and located, such operator shall at once report the accident to the sheriff's office, the Jefferson Parish Animal Shelter, a recognized humane organization or a registered rescue group.
- (b) Any person or entity, including the owner or keeper of the animal, or property owner where the animal is housed permanently or temporarily, who commits any of the following shall be guilty of aggravated cruelty to animals:
- (1) Torments, cruelly beats, tortures, maims, or mutilates or unjustifiably injures any living animal, whether belonging to himself or another;
 - (2) *Abandons any animal.* A person shall not be considered to have abandoned an animal if he delivers to the Jefferson Parish Animal Shelter, a recognized humane organization or a registered rescue group an animal which he found running at large or if the animal is being voluntarily relinquished to the shelter by the owner; and/or
 - (3) Having charge, custody, or possession of any animal, fails to provide proper food, water, shelter, sanitary and safe environment, or veterinary care to an extent that the animal suffers severe injury, has been put in imminent death or the animal dies.
 - (4) *Performing animals.* No performing animal exhibition or circus shall induce or encourage animals to perform through the use of chemical, mechanical, electrical, or manual devices in a manner which will cause, or is likely to cause, physical injury or suffering to the animal. All equipment used on a performing animal shall fit properly and be in good working condition.
- (c) Each incidence of simple or aggravated cruelty constitutes a separate charge. Upon adjudication or conviction of one (1) count of simple cruelty, all other simple cruelty counts are to be considered counts of aggravated cruelty to animals.

(Code 1961, § 4-18(a); Ord. No. 23784, § 7, 3-24-10; Ord. No. 24925, § 1, 3-25-15)

Editor's note— Ord. No. 24925, § 1, adopted March 25, 2015, amended § 7-128, and in so doing changed the title of said section from "Sale of dogs and cats" to "Cruelty to animals, simple and aggravated," as set out herein.

Sec. 7-129. - Seizure and disposition of animals cruelly treated.

- (a) When a person is charged with cruelty to animal(s), said person's animal or animals may be seized by the arresting officer, animal control officer or official issuing the citation or summons and held pursuant to this section.
- (b) Disposition of such animals:
 - (1) Prior to seizing the animal(s), a search and/or seizure warrant must be obtained unless exigent circumstances exist which is defined in JPCO Section 7-16. The seizing officer shall notify the owner(s) of the seized animal of the provisions of this section by posting an original or a copy of the search warrant at the location or other documentation of seizure where the animal was seized if under exigent circumstances or by leaving it with a person of suitable age and discretion residing at that location at the time of the seizure. The search warrant or other documentation will serve as the notice of violation. The bond notice shall be posted within twenty-four (24) hours of the seizure.
 - a. The bond notice shall contain the case number, the parties name(s) and mailing address(es), and

estimated housing costs pending the hearing date for either civil or criminal prosecution at ten dollars (\$10.00) per day not including medical expenses. An expedited hearing before the bureau of administrative adjudication can be had upon the defendant(s) and victim(s) waiving the hearing notice requirement found in JPCO Section 2.5.

- b. The named party has fifteen (15) days from the date the bond notice is posted to pay the estimated housing costs for thirty (30) days of housing the animal(s). Failure to pay the estimated housing costs in full within fifteen (15) days, including weekends and holidays, will result in the Jefferson Parish Animal Shelter, in its discretion, holding the seized animal out for adoption, fostering, euthanization etc. as it deems reasonable. If the initial bond amount is paid within the fifteen (15) day period, the animal(s) will be held in custody in the shelter or other approved location.
 - c. Each additional bond period shall be for thirty (30) days until a final disposition has been rendered by the bureau of administrative adjudication or a court of competent jurisdiction.
 - d. All bonds must be posted at the animal shelter, by a person claiming an interest in the seized animal, within fifteen (15) days, including weekends and holidays, upon posting to prevent the animal shelter director or designee in placing the seized animal as it deems reasonable.
 - e. The bureau of administrative adjudication or a court of competent jurisdiction shall order that the bond be given to the animal shelter department to be used to cover the cost of housing the seized animal(s).
 - f. Posting of a bond shall not prevent the Jefferson Parish Animal Shelter from placing the seized animal (holding it out for foster or euthanization) for humane purposes in accordance with this chapter or exigent circumstances.
- (2) The seizing officer shall photograph the animal within twenty-four (24) hours of issuing the search warrant and shall cause an affidavit to be prepared in order to document its condition in accordance with R.S. 15:436.2.
- (3) The seizing officer shall secure a licensed veterinarian or other suitable custodian to care for any such animal. The custodian shall retain custody of the animal in accordance with this section.
- (4) The seized animal shall be held by the animal shelter or the place of transfer for a minimum period of fifteen (15) consecutive days, including weekends and holidays, after such bond notice is given. Thereafter, if a person who claims an interest in such animal has not posted bond in accordance with this section, the Jefferson Parish Animal Shelter may, in its discretion, hold the seized animal out for adoption, fostering, euthanization etc.
- (c) Upon a person's adjudication or conviction of cruelty to animals, in addition to all fines, costs and punishment authorized by law:
- (1) It shall be proper for the bureau of administrative adjudication or a court of competent jurisdiction, in its discretion, to order the forfeiture and final disposition of the custody of any animal found to be cruelly treated in accordance with this section and the forfeiture of the bond posted pursuant to subsection (b) as part of the sentence. The bureau of administrative adjudication or a court of competent jurisdiction may, in its discretion, order the payment of any reasonable costs, including but not limited to housing costs, incurred in the boarding or veterinary treatment of any seized animal prior to its disposition of the animal, whether or not a bond was posted by the defendant. In the event of the acquittal or final discharge without conviction of the accused, the bureau of administrative adjudication or a court of competent jurisdiction shall, on demand, direct the delivery of any animal held in custody to the owner thereof and order the return of any bond posted pursuant to subsection (b), less reasonable administrative costs.

- (2) Nothing in this section shall prevent the euthanasia of any seized animal, at any time, whether or not any bond posted, if a licensed veterinarian determines that the animal is not likely to survive and is suffering, as a result of physical condition. In such instances, the bureau of administrative adjudication or a court of competent jurisdiction, at its discretion, may order the return of any bond posted, less reasonable costs, at the time of trial.
- (3) The animal shelter director may impose a fee for cruelty investigation that results in conviction as a result of violations related to such investigation and the cost of investigation. The fee shall be a maximum of three hundred dollars (\$300.00) per investigation. The investigation fee is in addition to any other fees or penalties associated with the provisions of this chapter or imposed by this chapter payable directly to the animal shelter department.
- (d) The animal shelter may, in its discretion, hold the seized animal out for adoption, fostering, euthanasia etc. due to the failure of the owner or interested parties to act including but not limited to posting of bond(s) or redemption of a seized animal within seventy-two (72) hours of a final disposition of the bureau of administrative adjudication or if a court of competent jurisdiction releases the animal to the custody of the owner or keeper, the person charged to be in violation under Division 6 of Chapter 7 shall have no legal right or recourse against the animal shelter or adoptive person and shall hold harmless all persons and entities associated with said adoption or other disposition.

(Code 1961, §§ 4-16(d), 12-42; Ord. No. 24925, § 1, 3-25-15)

Editor's note— Ord. No. 24925, § 1, adopted March 25, 2015, amended § 7-129, and in so doing changed the title of § 7-129 from "Sale of chicks, ducklings or rabbits" to "Seizure and disposition of animals cruelly treated," as set out herein.

Sec. 7-130. - Penalties.

- (a) If prosecuted before the bureau of administrative adjudication, any person found to have violated the provisions in division 6 shall be punished as provided in Chapter 2.5 of the Code of Ordinances in addition to the hearing officer having the authority to limit the amount of animals the guilty person may own, keep or harbor, may order that the animal that is the subject of the adjudication is prohibited from returning to the person found to be guilty under this division. The hearing officer may also assess against the defendant the housing costs and medical expenses the animal shelter incurred as a result of impoundment of the animal. Finally, the hearing officer may order for the animal to be spayed or neutered, micro-chipped and have updated vaccinations at the cost to the defendant and any other reasonable provision(s) that the hearing officer deems warranted in his discretion.
- (b) If prosecuted through the Jefferson Parish District Attorney's Office and the defendant(s) is found to have committed the crime of simple and/or aggravated cruelty to animals then said defendant(s) shall be guilty of a misdemeanor.
- (1) The custodian shall retain custody of the animal for the purpose of evidence upon the trial, subject to the order of the court. All costs incurred in the housing of any seized animal pending disposition of any animal cruelty charge, upon conviction of the accused, shall be borne by the person so convicted. If a seized animal is unable to humanely survive the final disposition of the animal cruelty charge, the animal be humanely put to death, but only upon the certification of a licensed veterinarian either that the animal is not likely to survive or that in his professional judgment, by reason of the physical condition of the animal, it should be humanely euthanized.
- (c) For purposes of this section, if more than one (1) animal is subject to an act of cruel treatment, each act shall constitute a separate offense.

- (d) The director of the animal shelter or designee may enforce any provisions of this article by instituting a suit for injunctive relief and use summary process, including all temporary restraining orders permitted by law.

(Code 1961, § 4-16(e); Ord. No. 24925, § 1, 3-25-15)

Editor's note— Ord. No. 24925, § 1, adopted March 25, 2015, amended § 7-130, and in so doing changed the title of said section from "Artificial coloring of animals" to "Penalties," as set out herein.

Sec. 7-131. - Emergencies and disclaimer of liability.

In cases where it reasonably appears that an animal is creating an imminent danger to the health, life or safety of any person or other animal or for the prevention of unnecessary or unjustifiable suffering of the animal and the suffering or danger can not be reasonably remedied unless said animal is euthanized, the animal shelter veterinarian or designee may euthanize the animal without notice to the owner due to exigent circumstances. If an emergency occurs and a final disposition made, the parish shall not be liable for the euthanasia of an animal which results in saving a person's life, ensuring the health of a person, prevents prolonged suffering or pain of an animal and/or the spread of disease or illness to other animals in the shelter. The reasons for such euthanasia must be documented by the shelter veterinarian or designee. Within twenty-four (24) hours of the emergency action, the owner shall be notified of the incident, the reason for the action taken and the notice that a hearing can be requested before the bureau of administrative adjudication within ten (10) days including holidays and weekends.

(Code 1961, § 4-18(b); Ord. No. 24925, § 1, 3-25-15)

Editor's note— Ord. No. 24925, § 1, adopted March 25, 2015, amended § 7-131, and in so doing changed the title of said section from "Transport of small animals by commercial establishments" to "Emergencies and disclaimer liability," as set out herein.

Sec. 7-132. - Housing facilities.

- (a) Housing facilities for animals shall be structurally sound and shall be maintained in good repair, to protect the animals from injury, to contain the animals, and to restrict the entrance of other animals.
- (b) Every building or enclosure wherein animals are maintained shall be constructed of material easily cleaned and shall be kept in a sanitary condition. The building shall be properly ventilated to prevent drafts and to remove odors. Heating and cooling shall be provided as required, according to the physical need of the animals, with sufficient light to allow observation of animals and sanitation.
- (c) All animal rooms, cages, kennels, shipping containers, and runs shall be of sufficient size to provide adequate and proper accommodations and protection from the weather for the animals kept therein. As a minimum, sufficient space must be provided for each and every animal in a single enclosure to, separately and together, stand up, lie down, and turn around in a natural position.
- (d) All confined or restrained animals shall be given exercise proper for the individual animal under the particular conditions. Dog kennel runs, if made of concrete, shall provide adequate draining for proper sanitation. Droppings must be picked up and disposed of and the runs treated periodically with an effective disinfectant. For private kennels, requirements for individual runs and shelters as specified for commercial establishments shall not be required, provided the animals have an adequate supply of drinking water, sanitary sleeping quarters, and adequate shelter and exercise areas appropriate to their size and breed characteristics.

(Code 1961, § 4-18(c))

Sec. 7-133. - Avoidance of mistreatment.

- (a) Every reasonable precaution shall be used to ensure that animals are not teased, abused, mistreated, annoyed, tormented or in any manner made to suffer by any person or means.
- (b) Animals which are natural enemies, temperamentally unsuited, or otherwise incompatible shall not be quartered together or so near each other as to cause injury, fear or torment. If two (2) or more animals are so trained or inclined by nature that they can be placed together and do not attack each other or perform or attempt any hostile act to the others, such animals shall be deemed not to be natural enemies and shall not be required to be kept in separate runs or accommodations or otherwise be arbitrarily segregated.
- (c) The use of any equipment, device, substance or material that is, or could be, injurious or cause unnecessary cruelty to any animal shall not be allowed.

(Code 1961, § 4-18(d))

Sec. 7-134. - Maintenance of health.

- (a) Every animal establishment shall isolate sick or injured animals sufficiently so as not to endanger the health of other animals.
- (b) Any animal shall be taken to a veterinarian for examination or treatment if the director finds this is necessary in order to maintain the health of the animal and orders the owner or custodian to do so.

(Code 1961, § 4-18(e), (f))

Sec. 7-135. - Fighting contests.

Each and every person convicted of promoting, staging, conducting, participating directly or indirectly as an observer in a dog fight, cock fight, pigeon shoot, turkey shoot, bear wrestling event or other staged animal fighting contest or found to be in position of paraphernalia conducive to such activities (i.e. drugs, leg spurs, rings, treadmills, logbooks, photographs, recordings, altered animals, etc.) shall be guilty of a misdemeanor.

(Code 1961, § 4-18(g); Ord. No. 24925, § 1, 3-25-15)

Editor's note— Ord. No. 24925, § 1, adopted March 25, 2015, amended § 7-135, and in so doing changed the title of said section from "Use of drugs" to "Fighting contests," as set out herein.

Secs. 7-136—7-142. - Reserved.

Editor's note— Ord. No. 24925, § 1, adopted March 25, 2015, repealed §§ 7-136—7-142, which pertained to exposure of poisons; fighting contests; working animals; display of unhealthy animals for amusement prohibited; school laboratories; science fairs; and autoists striking animals. See Code Comparative Table for historical derivations.

Sec. 7-143. - Failure to care for.

Failure of any person to adequately house, feed and water animals in his possession or custody shall constitute a misdemeanor, and, upon conviction, such person shall be fined and/or imprisoned according to the provisions of section 7-33, or may be both fined and imprisoned in the discretion of the court. Such animals shall be subject to seizure and impoundment and, upon conviction of such person, may be sold or euthanized in the discretion of the animal shelter department, and such failure shall constitute grounds for revocation of license, permit, certification or registration by the department.

(Code 1961, § 4-16(h); Ord. No. 20257, § 1, 1-14-98)

Sec. 7-144. - Entry upon private premises.

The director or other duly designated representatives of the parish may enter any establishment holding a permit, where animals are maintained, for investigation or inspection as to whether or not any portion of such premises, buildings, structures, enclosures, pens or cages are being used, kept or maintained in violation of this or any other pertinent state law. This section does not permit any person to enter a private kennel, or cattery, except where necessary to rescue an animal in distress or with a search warrant.

(Code 1961, § 4-18(k); Ord. No. 18645, § 6, 12-2-92)

Secs. 7-145—7-154. - Reserved.

DIVISION 7. - DANGEROUS AND VICIOUS ANIMALS

Footnotes:

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Editor's note— Section I of Ord. No. 17369, adopted Nov. 4, 1987, added "and Vicious Animals" to the division title. The section also added § 7-155, amended §§ 7-159—7-162, and added §§ 7-163—7-170. The revision of this division has resulted in the retention of certain provisions but with new section numbers. In such cases, a complete history note has been included, with a note giving the former section number included. Subsequently, Ord. No. 24117, § 1, amended the title of Div. 7 to read as herein set out and § 2 of said ordinance amended §§ 7-155—7-160. Prior to inclusion of said ordinance, Div. 7 was titled, "Public Nuisances and Vicious Animals." See also the Code Comparative Table.

Cross reference— Nuisances generally, Ch. 19.

Sec. 7-155. - Prohibited generally.

- (a) *Purpose.* To provide for and promote the health, safety and welfare of the general public and to provide for responsible and humane ownership of animals by establishing and enforcing regulations for the keeping and control of animals.
- (b) Every owner or keeper of animals shall exercise proper care and control of animals. For the purposes of this chapter, the following words, terms and phrases shall have the following meaning:
 - (1) *Dangerous animal* means any animal which according to the records of the parish animal shelter or other appropriate law enforcement authority has:
 - (i) when unprovoked, bites, injures or assaults any lawful invitee on the property of the owner, or a human being or a domestic animal on public or private property; or
 - (ii) which has a known propensity or predisposition to cause injury when unprovoked; or
 - (iii) which has undergone quarantine for rabies observation two (2) or more times within a two-year period.
 - (2) *Vicious animal* means any animal which according to the records of the parish animal shelter or other appropriate law enforcement authority:
 - (i) without provocation inflicted severe injury on a human being on public or private property; or
 - (ii) severely injured or killed a domestic animal without provocation; or
 - (iii) previously been found to be a "dangerous animal," and the animal again bites, or attacks a human being or bites, attacks, or kills a domestic animal without provocation.

- a. Owner can also be found guilty of a misdemeanor. In addition, the dangerous animal shall be immediately taken to the Jefferson Parish animal shelter, placed in quarantine, if necessary, for the proper length of time, or it shall be held pending the outcome of a hearing before any trier of fact. The owner shall be responsible for payment of all housing costs and other fees as may be required to humanely and safely keep the animal during any hearing process pending final disposition of the animal.
- (iv) without provocation caused the death of a human being. In such case, the animal shall be seized by the Jefferson Parish animal shelter and euthanized pursuant to emergency provisions in section 7-132; or
- (v) is owned or harbored primarily or in part for the purpose of animal fighting or any animal trained for animal fighting; or
- (vi) bites or injures another domestic animal while off the property of the owner more than two (2) times in twenty-four (24) consecutive months.
- (vii) If an animal that has previously been declared vicious attacks and causes severe injury to or death of any human without provocation, the owner is guilty of a felony. In such case, the animal shall be immediately confiscated by the Jefferson Parish animal shelter, placed in quarantine, if appropriate, for the appropriate length of time or held pending a hearing before any trier of fact. The owner shall be responsible for payment of all housing costs and other fees as may be required to humanely and safely keep the animal during any hearing process regardless of final disposition of the animal.

- a. Any animal that kills a human shall be humanely destroyed without opportunity for hearing.
- (c) For purposes of this section, civil and/or criminal proceedings may be instituted before a trier of fact and penalties assessed pursuant to this code of ordinances or state provisions or any other legal remedy.
- (d) Victims must submit to the animal shelter evidence of a bite to include either a photograph of the bite and an affidavit of the incident, a doctor's report or law enforcement officer's report.

(Ord. No. 24117, § 2, 9-21-11)

Sec. 7-156. - Enforcement authority.

- (a) Any animal control officer, humane officer, or other law enforcement officer is hereby empowered to make whatever inquiry is deemed necessary to ensure compliance with the provisions of this chapter, and any such animal control officer or law enforcement officer is hereby empowered to seize and impound any animal whose owner fails to comply with the provisions hereof.
- (b) In the event that an animal control officer or law enforcement officer has probable cause to believe that an animal is dangerous or vicious, the director of the animal shelter department shall initiate proceedings before the administrative hearing officer to determine whether or not the animal should be declared and classified as dangerous or vicious. The hearing shall be conducted in accordance with the procedures set forth in this chapter.
- (c) Any law enforcement officer may destroy any dangerous or vicious animal found in violation of this article which cannot be safely taken up or impounded; but it shall be unlawful for any other person to kill any animal unless such measure is for the protection of a person, domesticated animal or livestock.
- (d) In the event that the owner or keeper of the animal refuses to surrender the animal to the animal control or humane officer, the officer may request a search and seizure warrant from a court of competent jurisdiction and to seize the animal upon execution of the warrant.

(Ord. No. 24117, § 2, 9-21-11)

Sec. 7-157. - Hearing procedures.

- (a) Prior to holding an administrative hearing under this division, the department may cause the animal to be impounded.
- (b) A hearing notice must be provided to the owner of the animal that has allegedly given rise to the incident in question, the victim, and property owner where the aforementioned animal is kept not less than ten (10) days from the date of impoundment or incident. The owner of the alleged offending animal, the victim, and/or property owner where such animal is kept must receive proper service under section 2.5-7, specifically a certified mailing must be sent to the address located in the parish water bill or assessor's records or any other known or available information. The hearing notice shall state the time, date and location of the hearing, the alleged violations, the need to appear with or without an attorney, that hearings may proceed with or without interested parties upon reasonable notice and that hearing costs, fines and/or other penalties may be assessed including destruction of the animal.
- (c) The date of the postmark shall be deemed to be the date of delivery. Proof of notification via mail and/or attempts at service shall be entered in the record of each case prior to the hearing.
- (d) A copy of the hearing notice shall be affixed in a prominent location on the property where the alleged offending animal is believed to be kept, or if safe access to the property is not reasonably practicable, posting must occur on some prominent fixture on the adjacent public right-of-way as near as possible to the property, at least five (5) days in advance of the date of the hearing. It shall be unlawful for any person other than an agent of the parish animal shelter to remove such notice posted on the public right-of-way prior to the commencement of the hearing.
- (e) Any animal impounded due to a violation will not be released until a hearing is held and an order rendered or at the discretion of the director or designee.
- (f) The hearing officer shall impose hearing costs not to exceed filing fees of parish court and fines and/or fees.
- (g) Any person or entity may appeal the decision of the hearing officer to the Twenty-Fourth Judicial District Court for the Parish of Jefferson with an appeal delay of five (5) days from postmark of the certified mailing of the signed judgment or order. Security shall be required to stay an order for euthanasia and/or non-compliance with a judgment or order pending an appeal. The security shall be for the cost of housing, and all fines and costs assessed pursuant to the judgment or order. However, the director or designee may waive security pending appeal should the owner provide the shelter with an affidavit of compliance pending the appeal. If at any time the shelter learns of non-compliance, the animal can be immediately seized without notice or hearing pending the appeal and a minimum of ninety (90) days housing fees must be provided by the owner of the animal prior to conclusion of the appeal.
- (h) Hearings shall be conducted as set forth herein. Should this section be silent to any hearing or appeal provisions, section 2.5-7 and section 2.5-10 may be referenced. In no case shall any other provisions of this code supersede the provisions set forth herein.

(Ord. No. 24117, § 2, 9-21-11)

Sec. 7-158. - Impoundment pending hearing or appeal.

- (a) The director of the animal shelter department, at his discretion, may seize, impound and continue to impound at the animal shelter any animal pending a hearing or appeal as provided in this article; the director shall have such right notwithstanding any provision of this chapter to the contrary or any provision which imposes a maximum

holding period; in exercising this discretion the director may consider the likelihood of an animal being declared dangerous, vicious, or that the animal is under observation pursuant to this article or any other factor which is in the best interest of the public or welfare or the animal.

- (b) In the event the humane destruction of an animal is ordered pursuant to the provisions of this chapter, the administrative hearing officer may order that the animal be confined at the animal shelter or other location approved by the director of the animal shelter department during the required delay period and/or pending any appeal by the owner.
- (c) In any case in which an animal is ordered seized and impounded by the director pending a hearing or appeal, and subject to the provisions of paragraph (a), the director may, upon the request of the owner, allow the animal to be confined at a licensed veterinary clinic in Jefferson Parish selected by the owner and at the owner's expense.
- (d) In any case in which an animal is ordered seized and impounded pending appeal, the appellant may be required to post security in an amount to cover all or a portion of housing for ninety (90) days from the time of rendition of judgment and all other fees and fines accumulated prior to or pursuant to the order. In the event the appeal is not heard within that period the owner shall be required to post an additional bond for ninety (90) days, unless the parish has requested the delay.

(Ord. No. 24117, § 2, 9-21-11)

Sec. 7-159. - Exceptions and exemptions.

- (a) This section shall not apply to animals owned, or the service of which is used, by any law enforcement agency for the purpose of aiding in the enforcement of laws or the apprehension of offenders.
- (b) No animal may be declared dangerous or vicious if an injury or damage is sustained by a person who, at the time of such injury or damage was sustained, was committing a willful trespass or other tort upon the premises occupied by the owner of the animal, or was teasing, tormenting, abusing or assaulting the animal, or was committing or attempting to commit a crime; no animal may be declared dangerous or vicious if an injury or damage was sustained by a domestic animal which at the time of such injury or damage was sustained was teasing, tormenting, abusing or assaulting the animal; no animal may be declared fierce, dangerous or vicious if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

(Ord. No. 24117, § 2, 9-21-11)

Sec. 7-160. - Requirements; penalties; fines; costs.

- (a) It shall be unlawful for any person to own, possess, keep or harbor a dangerous or vicious animal except in accordance with the provisions of this chapter. Any owner or keeper of an animal deemed to be dangerous or vicious not in compliance with this Section or with the provisions of a judgment or order may result in the animal being destroyed.
- (b) No dangerous or vicious animal shall be allowed in the Parish of Jefferson unless the owner of such animal shall meet the following requirements for the duration of ownership and harborage in the parish:
 - (1) *Dangerous or vicious animals.* The owner of an animal classified as dangerous or vicious must:
 - (i) spay or neuter such animal at the expense of the owner within fifteen (15) days of such classification unless a written document is provided to the animal shelter by a licensed veterinarian indicating that such surgery would present an unusual medical risk to the animal; and

- (ii) permanently identify such animal by a microchip, at the expense of the owner with registration kept current ownership and all related information including the microchip number must be provided to the parish animal shelter within fifteen (15) days of dangerous or vicious animal classification; and
- (iii) display a sign on his or her premises warning that there is a dangerous or vicious animal on the premises. Said sign shall be visible and capable of being read from the public street, sidewalk or right-of-way abutting the premises and comply with any other code enforcement regulations; and
- (iv) procure liability insurance in the amount of at least one hundred thousand dollars (\$100,000.00), covering any property damage or bodily injury which may be caused by such vicious or dangerous animal. The policy of insurance shall contain a provision requiring a thirty-day notice of cancellation or non-renewal be issued to the animal shelter in order for the parish to be notified by the insurance company of any cancellation, non-renewal, termination or expiration of the liability insurance policy. Proof of insurance shall be a certificate of insurance issued by the insurer on a form acceptable to the animal shelter. The owner shall also provide proof that the insurance carrier is on notice that exposure to liability from a vicious or dangerous animal exists.
- (v) sign a statement attesting that:
 - a. The owner shall maintain and not voluntarily cancel the liability insurance, unless the owner shall cease to own or keep the animal.
 - b. The owner of a dangerous or vicious animal shall have an enclosure and/or fence for the animal on the property where the animal will be kept or maintained in accordance with this section.
 - c. The owner shall notify the parish animal shelter immediately if a dangerous or vicious animal is on the loose, is unconfined, has attacked or assaulted another animal or a human being, or has died or has been sold or given away. If the animal has been sold or given away, the owner shall also provide the animal shelter with the name, address and telephone number of the new owner of the animal.

(2) *Dangerous animals.*

- (i) Unless a more restrictive confinement is mandated or ordered, dangerous animals shall be within a fenced yard of not less than six (6) feet in height or confined within a building. Confinement shall be in such a manner that the animal cannot come in contact with any person except under supervised conditions and the animal is under physical restraint of a competent adult, the owner or other responsible adult that has permission from the owner to physically restrain the animal.
- (ii) It shall be unlawful for any owner to allow any dangerous animal to be outside of the dwelling of the owner or outside of the enclosure unless it is securely muzzled and restrained with a chain having a tensile strength of three hundred (300) pounds and not exceeding three (3) feet in length, and shall be under the direct control, supervision and physical restraint of the owner or competent adult with the permission of the owner. The muzzle shall be made in a manner that will not cause injury to the animal or interfere with its vision or respiration but shall prevent it from biting any person or animal.

(3) *Vicious animals.*

- (i) All vicious animals not otherwise prohibited by this chapter shall be securely confined within a building or locked enclosure located within a securely fenced yard of not less than six (6) feet in height and required parish set backs for placement of accessory structures but in no case located less than five (5) feet from the fence on all sides. Confinement shall be in such a manner that the animal cannot come in contact with any person other than the owner.
- (ii) Unless a more restrictive confinement is mandated or ordered, vicious animals shall be confined within a

proper enclosure. Confinement shall be in such a manner that the animal cannot come into contact with any person or other animal except under supervised conditions. For purposes of this chapter all fences must be opaque wood, masonry or brick and a minimum of six (6) feet in height

- (iii) If any severe injury from an unprovoked attack by an animal previously deemed vicious, the animal may be seized by the animal shelter and destroyed in a humane manner following the appropriate delay period as provided in this chapter.
- (iv) It shall be unlawful for any owner to allow any vicious animal to be outside of the dwelling of the owner or outside of the enclosure unless it is necessary for the owner to obtain veterinary care, or in order to dispose of the animal in accordance with the orders of the animal shelter director or the administrative hearing officer, in such event, the animal shall be securely muzzled and restrained with a chain having a tensile strength of three hundred (300) pounds and not exceeding three (3) feet in length, and shall be under the direct control, supervision and physical restraint of the owner or other competent adult that has permission from the owner to physically restrain the animal. The muzzle shall be made in a manner that will not cause injury to the animal or interfere with its vision or respiration but shall prevent it from biting any person or animal. This section may also be applicable to animals declared dangerous, after a hearing in accordance with the provisions of this chapter, when so ordered by the administrative hearing officer or the animal shelter director.

(c) *Non-compliance.*

- (1) Any owner or person in control of a dangerous or vicious animal who fails to comply in accordance with the provisions of this chapter, judgment or order; shall result in the animal(s) being confiscated by the animal shelter and impounded pending a hearing to determine the proper disposition of said animal by the director or designee or trier of fact.
- (2) After a hearing, the owner may be allowed to redeem an animal confiscated under paragraph (a) upon payment of the appropriate redemption fees along with compliance with the provisions of this chapter, judgment or order rendered. Failure of the owner to comply, including any delay period therein, may result in destruction of the animal in a humane manner. All orders rendered shall provide for a fifteen (15) day suspensive appeal delay, meaning that the owner or interested person may post a bond during the appeal delay to stay the disposition. Such bond shall include all costs associated with the housing of the animal, redemption fees, fines, court costs and/or hearing costs.

(d) *Penalties, fees and fines.*

- (1) Fines for a first offense for violating these provisions shall not exceed five hundred dollars (\$500.00) per violation per day any violation shall continue. Each day any violation of any provision of this Code shall continue constitutes a separate offense.
- (2) The animal shelter director may impose a violation fee for any animal classified as dangerous or vicious as a result of related violations and the cost of investigation. The violation fee shall be three hundred dollars (\$300.00). The violation fee is in addition to any other fees or penalties associated with the provisions of this ordinance or imposed by this chapter.
- (3) In addition to any other fee or penalty imposed, the owner of any animal, and any other person violating any provision of this article, shall be guilty of a misdemeanor, and upon conviction of each such offense for each animal or incident before a court of competent jurisdiction shall be fined and/or imprisoned in accordance with the provisions of section 1-10, 1-11 and/or 19-4.
- (4) The minimum fine and imprisonment schedule for any second or subsequent conviction of violation of provisions of this section, shall be as follows:

- (i) *Second offense.* Fines shall not exceed one thousand dollars (\$1,000.00) per violation per day any violation shall continue constituting a separate offense and/or a term of imprisonment of twenty (20) days.
 - (ii) *Third and subsequent offenses.* Fines shall not exceed three thousand dollars (\$3,000.00) per violation per day any violation shall continue constituting a separate offense and/or a term of imprisonment of thirty (30) days.
 - (iii) Any law enforcement, humane, or animal control officer may issue a citation for any or all violations of this article.
- (e) *Administrative hearing officer determinations:*
- (1) After a hearing and upon determination by the administrative hearing officer that a violation has occurred, he shall have the authority to impose any penalty allowed by law; in addition to all fines, costs and penalties, the hearing officer shall also require the person to pay all housing fees associated with the impoundment of the animal.
 - (2) In cases where an animal is declared to be dangerous, or vicious, the administrative hearing officer shall have the authority to order the muzzling, secure confinement, neutering, spaying, removal from the parish or humane destruction of any such animal and any reasonable restrictions required for the keeping of dangerous or vicious animals permitted by law which he may deem necessary to eliminate any hazard to the public.
 - (3) After a hearing and upon determination by the administrative hearing officer that a violation has occurred, in addition to all other penalties, the hearing officer may also order the animal to undergo training by a certified applied animal behaviorist or certified pet dog trainer approved by the director of the animal shelter and any other reasonable penalty to provide for the welfare and safety of the animal and persons who may come into contact with said animal.

(Ord. No. 24117, § 2, 9-21-11)

Secs. 7-161—7-172. - Reserved.

Editor's note— Ord. No. 24117, § 3, adopted September 21, 2011, repealed §§ 7-161—7-172, which pertained to registration and insurance; enforcement authority; administrative penalties; exceptions and exemptions; prohibited ownership; unlawful purpose; determination of fierce, dangerous or vicious; administrative hearing officer determinations and orders; impoundment pending hearing or appeal; and penalties for violations. See also the Code Comparative Table.

DIVISION 8. - PUBLIC NUISANCES

Sec. 7-173. - Nuisance in general.

- (a) It is unlawful for any person having the ownership, custody, or control of any animal to cause, allow, permit, either willfully or by failure to exercise due care, in any of the following, defined as a public nuisance or contained in this chapter and is prohibited as set forth herein:
 - (1) *Disposal of waste.* Any person having an animal which defecates in public or private property without the property owner's consent shall immediately remove and dispose of the excrement from any such place to a site not prohibited by law.
 - (2) *Animal noise.*

- a. The ownership, custody, or control of an animal that barks, bays, cries, howls, or makes any other noise so continuously or incessantly as to disturb the peace or quiet of any person for a period of ten (10) or more consecutive minutes or intermittent noise for a period of thirty (30) or more minutes is prohibited.
 - b. Any person who keeps or permits to remain on any premises any animal as defined in subsection (a) of this section is guilty of a violation of this division, provided that during the time that the animal is making such a noise, no person or other animal is trespassing or threatening to trespass or no person is teasing or provoking the animal.
 - c. This section shall not be construed to prohibit the ownership or keeping of a watchdog, provided that the keeper takes immediate steps to quiet such dog whenever it barks, and provided that such keeper never leaves such dog unattended on the premises in a place where its barking for a period of ten (10) or more consecutive minutes or intermittent noise for a period of thirty (30) or more minutes.
 - d. If the noise disturbs the peace or quiet of any two (2) persons living in different households or any one (1) person with evidence including video or tape recordings within one hundred fifty (150) feet of the locations of the disturbance said person(s) may report the disturbance to an animal control officer or other law enforcement officer.
- (3) *Destruction of property.* Any domesticated animal which enters upon private or public property, so as to damage or destroy any real or personal property of another is prohibited.
- (4) *Confinement.* Animals are to be properly controlled or contained, in a carrier or on a leash, when on public or private property unless the property owner consents for the animal to run loose within the confines of the property or the animal is in a designated animal park or location allowing free range. Said animal must be under the control of a person of suitable age, competency and discretion to restrain such animal, or such animal when not under the direct control of the owner or person of suitable age, competency and discretion to restrain such animal must be confined to the owner's premises. Exceptions include animals securely and legally confined as follows: (a) in a vehicle, (b) with consent of an owner or agent within a confined space, (c) specifically designated areas including hunting grounds, (d) animals at organized obedience class, (e) animal or kennel shows, service dogs and/or law enforcement dogs.
- (b) Any person having the ownership, custody, or control of any animal found to be in violation of this section shall be guilty of a nuisance and issued a citation.

(Ord. No. 24117, § 4, 9-21-11; Ord. No. 24118, § 2, 9-21-11)

Sec. 7-174. - Dangerous nuisance.

- (a) It is unlawful for any person having the ownership, custody, or control of any animal, either willfully or by failure to exercise due care, to allow such animal to:
 - (1) Chase vehicles on public property in such a manner to cause or potentially cause an accident or incident for drivers or other persons on or near the public property,
 - (2) Assault a legal invitee, person or animal, or
 - (3) Otherwise endanger the safety of human beings or domestic animals when unprovoked provided such dangerous nuisance is observed by the animal control officer or other law enforcement officer or attested to in a sworn statement by at least one (1) person and dutifully investigated by the Jefferson Parish animal shelter or any person with evidence including tape or video recordings and/or photographs of the incident provides such evidence to the animal shelter and as otherwise defined in this chapter.
- (b) Any person having the ownership, custody, or control of any animal found to be in violation of this section shall

be guilty of endangerment and a dangerous nuisance and issued a citation.

(Ord. No. 24117, § 4, 9-21-11; Ord. No. 24118, § 3, 9-21-11)

Sec. 7-175. - Violations; citations; hearings; penalties.

- (a) Upon receipt of a nuisance complaint and verification by an animal control officer or law enforcement agent of such nuisance, a reasonable attempt shall be made to notify the person with ownership, custody, or control of the animal in question to inform them of the nuisance complained of and that a nuisance complaint has been received, and issue a citation to said person(s).
- (b) Upon receipt of a second complaint within a twelve-month period, from any person, including the original complainant, an animal control officer or law enforcement agent, without further warning, shall issue a second citation to the owner and/or person with custody or control of the animal or animals causing the nuisance.
- (c) Upon receipt of a third complaint within a twelve-month period, from any person, including the original complainant, an animal control officer or law enforcement agent, without further warning, shall issue a violation notice to the owner and/or person with custody or control of the animal or animals causing the nuisance, in lieu of a citation, and the matter will be set for hearing.
- (d) Any third or subsequent violation shall subject the person to the cost of the hearing plus fines pursuant to this code if found to be in violation by the trier of fact.
- (e) All hearings docketed for nuisance violations shall be subject to the hearings procedures in section 2.5-7 of this Code.
- (f) Any person issued a citation for a nuisance shall be fined as follows: twenty-five dollars (\$25.00) for a first offense, one hundred dollars (\$100.00) for a second offense and for a third or subsequent offense within a twelve-month period pursuant to section 1-10 and/or section 1-11 of this Code.
- (g) Persons issued a citation shall have the right to pay the fine or to request a hearing. Should the person request a hearing, said person, if found to be in violation, shall bear the cost of the hearing.
- (h) If there is no physical evidence submitted by the complainant and no personal observations by the officer for either complaint, the violation may be dismissed at the discretion of the animal shelter director or designee.
- (i) In cases where a violation notice has been issued upon a third or subsequent verified nuisance complaint and a public nuisance is found to exist, the administrative hearing officer may order:
 - (1) A reduction in the number of animals kept by an owner, or require whatever reasonable restrictions in the keeping of animals he may deem necessary to eliminate or mitigate a public nuisance;
 - (2) Neutering/spaying of the animal;
 - (3) Microchipping;
 - (4) Other reasonable penalties including contempt for failing to timely comply with an order or judgment;
- (j) The animal may also be subject to impoundment pending a hearing and the owner, harbinger and/or keeper being responsible for payment of current animal shelter impoundment fees for animals at large.

(Ord. No. 24117, § 4, 9-21-11; Ord. No. 24118, § 4, 9-21-11)