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2012-0446

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV

ORDINANCE NO. 13-1-4

An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Chapter 4 Animals and Fowl, Article I.; Section 4-5. Public nuisance, and Section 4-10.1 Penalties.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Code "Section 4-5 Public nuisance." is amended as follows:

AS WRITTEN:

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 them from creating or becoming a public nuisance; and it shall be unlawful to otherwise harbor or keep any animal which is a public nuisance and/or disturbs the peace by loud noises at any time of day or night. Excessive, continuous or untimely barking, howling, yelping, whining, crowing, calling, crying, screeching, caterwauling, bawling, wailing, puling, ululating or other animal noises so as to disturb the peace and quiet of a neighborhood or its residents or to disturb the health or repose of the residents; attacking or molesting passersby 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.

AS REVISED:

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.

SECTION II. That Code "Section 4-10.1. Penalties." is amended as follows:

AS WRITTEN:

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 fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) plus court costs, or be imprisoned in the parish jail for not more than sixty (60) days or both. Each separate day on which any violation of the provisions of this ordinance is shown to have continued to exist shall constitute a separate offense.

AS REVISED:

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 ordinance is shown to have continued to exist shall constitute a separate offense.

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

YEAS: SCHEXNAYDRE, FAUCHEUX, WILSON, BENEDETTO, HOGAN, COCHRAN,
FLETCHER, FISHER-PERRIER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 7th day of January, 2013, to become effective five (5) days after publication in the Official Journal.

Animals and Fowl 4-5 and 4-10 revise animal nuisance ord 12-14-12

CHAIRMAN: Wendy Benedetto

SECRETARY: [Signature]

DLVD/PARISH PRESIDENT: 1-9-13

APPROVED: [Signature] DISAPPROVED: _____

PARISH PRESIDENT: [Signature]

RETD/SECRETARY: 1-9-13

AT: 10:05 am RECD BY: [Signature]