

## **TITLE 6**

### **ANIMALS**

#### **Chapters:**

- 6.04 Dogs
- 6.08 Spaying and Neutering

### **CHAPTER 6.04**

#### **DOGS**

#### **Sections:**

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6.04.01 Definition of terms. As used in this ordinance unless the context otherwise indicates;

- A. "Dogs" includes all members of the canine family

- B. "Cats" includes all members of the feline family
- C. "Owner" means any person, persons, firm, association or corporation having a right of property in a dog, cat or other animal, or has it in their care, or is authorized to act as owner, or acts as its custodian, or knowingly permits a dog, cat or other animal to remain on or about any premises occupied by them.
- D. "Running at Large" means not confined in an enclosure on the owner's property or not under the control of the owner either by leash, cord, chain, carrier, physically held or other means by which control is maintained.
- E. Dangerous animal as the term is used in this ordinance shall mean:
  - 1. Any animal which attacks or bites a human being or domestic animal without Provocation, or
  - 2. Any animal for which compelling evidence is presented to show the animal manifests the disposition to bite, attack or injure a human being or other domestic animal while off the owner's premises and without provocation. (Ord. No. 1651, Sec. 1.)

6.04.02 Requirements for owning or possessing dogs All dogs shall be securely confined:

- A. Indoors; or
- B. Outdoors in a secure, enclosed fenced yard with gate and latch that can be secured with a minimal fence height of four (4) feet posted "Beware of Dog"; or
- C. Outside in a secure, enclosed fenced pen, no top required, having minimum dimensions of four (4) feet in height, encompassing no less than sixty-four (64) square feet for each animal and posted "Beware of Dog"; or
- D. On a leash when the dog is outside its legal confinement as described.

All pens must be clean and sanitary at all times as well as provide protection from the elements. Electric fence devices are prohibited. Invisible fence devices are permitted but are not considered by this ordinance as a means of confinement.

No dog shall be allowed to run at large or be permanently or temporarily out of the presence of the owner, be kept, tied, chained or restrained in the front or side areas of any yard of any premises unless such premises is fully fenced as is described this ordinance, or on an open front or side porch. No dog shall be permanently or temporarily, out of the presence of the owner, be kept, tied, chained or restrained in the backyard of any

premises that is not fenced or penned in a manner described by this ordinance. No dog shall be penned in the front or side yard of any premises. Dogs in the presence of their owner shall not be allowed to harass, aggress, threaten, or otherwise annoy those who pass by. (Ord. No. 1651, Sec. 2.)

6.04.03 License and registration required.

- A. All dogs or cats kept, harbored or maintained by their owners in the CITY shall be licensed if over three (3) months of age. Licenses shall be issued by the City Collector in the CITY upon producing a certificate signed by a licensed veterinarian or said licenses may be issued by fill authorized veterinarian after vaccinating said dog or cat against the rabies virus within six (6) months prior to the time of application for license and upon payment of a license fee for each dog or cat. The cost will be Five Dollars (\$5.00) for each dog or cat which is spayed or neutered and Ten Dollars (\$10.00) for those which are not. The owner shall state at the time of application for license and place upon printed forms provided for such purpose, their name and address and the name, breed, color, sex and age of each dog or cat owned or kept by them. The provisions of this section shall not be intended to apply to dogs or cats whose owners are non-residents temporarily within the CITY nor to "seeing eye dogs" which are properly trained to assist blind people when said dog is actually being used by a blind person for the purpose of aiding them in going from place to place.
- B. Licenses for dogs or cats which are to be provided shall be purchased on or before the first day of June of each year for the ensuing year or immediately upon bringing of such dog or cat into the CITY or upon the dog or cat becoming three (3) months of age. Licenses and the right to use the particular tag shall expire on the 31st of May of the year following that in which the licenses are issued. (Ord. No. 1724, amendment.)

6.04.04 Tag and collar. Upon payment of the license fee the City Collector or any authorized veterinarian as set forth hereinabove shall issue to the owner a license certificate and a metallic tag for each dog or cat licensed. The tag shall be changed every year as noted in the previous section and the owner is required to provide each dog or cat with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn. In case the tag is lost or destroyed, a duplicate will be issued by the City Collector or an authorized veterinarian only upon presentation of a receipt showing payment of the license fee for the current year issued by the CITY or an authorized veterinarian and payment of Two Dollars (\$2.00) fee for such duplication. Dog or cat tags shall not be transferable from one dog or cat to another, and no refunds shall be made on any license fee because of death of the dog or cat, transfer of ownership, or the owner leaving the City of Blytheville before the expiration of the license period. (Ord. No. 1724, amendment.) (Ord. No. 1651, Sec. 4.)

6.04.05 Running at large prohibited. Running at Large: The owner of a dog or cat which is running at large or that is seen or observed and/or followed to the home of a person harboring a dog or cat, shall be given a summons to appear in court for violation of this ordinance and shall be subject to the penalties and provisions herein. (Ord. No. 1651, Sec. 5(1))

Interference. No dog shall be tied, chained or otherwise kept or restrained in a manner as to cause interference with the maintenance and service of a utility, postal/package delivery, law enforcement activity, inspection, or any other type service. (Ord. No. 1651, Sec. 5(2))

Illegal Activity. Any dog or animal maintained, restrained, confined, or harbored on any premises in connection with or for the purpose of promoting any illegal or criminal activity is subject to seizure, impound, and if not rehabilitated, destroyed. The owner or keeper of such animal/premises is subject to penalties under this ordinance separate from any other charges or findings of illegal or criminal activity. (Ord. No. 1651, Sec. 5(3))

6.04.06 Impounding. It shall be the duty of every police officer, animal control officer or other designated officials to apprehend or cause to be apprehended any dog or cat found running at large and to impound such dog or cat in the city animal shelter or other suitable place. Dogs or cats shall be kept impounded until the court case against said owner is settled in court and/or all fines, fees and provisions are paid and adhered to. It shall be unlawful for any person to interfere with or obstruct such designated official in the execution of said duty. The animal control officer or other designated official, upon receiving any dog or cat shall make a complete registry, entering the breed color and sex of such dog or cat and whether licensed. Licensed dogs or cats shall be kept separate from unlicensed dogs and cats. (Ord. No. 1651, Sec. 6(A))

If any dog or cat impounded is found to be in need of immediate medical attention, the owner of the dog or cat will be held responsible for all expenses incurred by the City of Blytheville. (Ord. No. 1651, Sec. 6(B))

6.04.07 Redemption by owner The owner of any licensed dog or cat, which has been impounded may claim and retrieve such dog or cat from the animal shelter provided;

1. No court case is pending, or the case has been settled and all fines have been paid and any provisions of the case have been adhered to
2. Owner pays an impoundment fee of thirty-five dollars (\$35.00) and cost incurred for maintenance and care of the dog or cat at a rate of five dollars (\$5.00) per day or part of a day the dog or cat was impounded. If dog or cat was quarantined, the cost will be ten dollars (\$10.00) per day. (See section twelve)

The owner of any unlicensed dog or cat, which has been impounded may claim and retrieve such dog or cat from the animal shelter provided;

1. That the dog or cat is vaccinated and licensed in accordance with this ordinance and the expense of such vaccination and license fee shall be paid by the owner in addition to any other fees or fines.
2. No court case is pending, or the case has been settled and all fines have been paid and any provisions of the case have been adhered to
3. Owner pays an impoundment fee of thirty-five dollars (\$35.00) and cost incurred for maintenance and care of the dog or cat at a rate of five dollars (\$5.00) per day or part of a day the dog or cat was impounded. If dog or cat was quarantined, the cost will be ten dollars (\$10.00) per day. (See section twelve)

Should any dog or cat belonging to the same owner be impounded for a second time within six months from the first impoundment, the impoundment fee shall be fifty dollars (\$50.00) plus other fees and provisions as noted in parts A and B above. If the same dog or cat belonging to the same owner is impounded for a third time within six months from the first impoundment, the impoundment fee shall, be seventy-five dollars (\$75.00) plus other fees and provisions as noted in parts A and B above. (Ord. No. 1651, Sec. 7 (A-C))

#### 6.04.08 Disposition of unclaimed or infected dogs.

A. All licensed dogs or cats, or those with owner's ID, that are impounded and not being held for a court case or quarantine, shall be kept for a period of six days. The owner of the dog or cat will be notified by certified letter, return receipt requested, that the dog or cat has been impounded. At the of the six days and owner having received notification at least five days prior, the dog or cat may be destroyed.

B. All unlicensed dogs or cats with no owner's ID shall be kept for a period of three days and if the dog or cat has not been claimed or adopted, then they may be destroyed. Any dog or cat that appears to be suffering from mange or other infectious disease shall not be released but shall forthwith be destroyed. Any dog or cat which gives the appearance of rabies shall be quarantined for a period of ten days before being destroyed.

C. In accordance with Arkansas Code 20-19-103; It is unlawful for the animal shelter to release any dog or cat which has not been sterilized (spayed or neutered) to a new owner unless a promise to spay or neuter the dog or cat has been signed by the person acquiring the animal.

Furthermore, the sterilization shall be performed by the date stipulated unless an extension is granted by the Animal Control Supervisor not to exceed thirty (30) days upon request of the owner. The signed promise shall be binding and failure to comply shall constitute

a violation of this section and of the noted Arkansas Code. In such case the dog or cat becomes property of the City of Blytheville and no claim may be made by the former owner to recover expenses incurred for maintenance of the animal, including the initial procurement cost. Violation of this section is declared to be a misdemeanor punishable by a fine of not less than one hundred dollars (\$100.00) or more than five hundred dollars (\$500.00). (Ord. No. 1651 Sec. 8)

6.04.09 Vaccination. All dogs or cats within the City of Blytheville shall be vaccinated at least once a year against rabies and it is the duty of the owner to have the dog or cat vaccinated by a licensed veterinarian with vaccine against rabies in an amount, quantity and quality as approved by the state veterinarian. Dogs or cats must be vaccinated upon becoming three months of age and vaccination is required to obtain a city license. Vaccination against rabies is not only a violation of this ordinance but is also a violation of Arkansas Code 20-19-202. (Ord. No. 1651, Sec. 9)

6.04.10 Barking and howling.

A. It shall be unlawful for any owner to keep on their premises or any area under their control and within the city limits, any dog which by loud and frequent barking or howling shall cause unreasonable disturbance within close proximity to where such dog is kept. If a dog is causing a disturbance at a location other than on the owner's premises, then the dog is considered "running at large" and as such an additional citation will be issued to the owner.

B: It shall be unlawful for any owner to keep on its premises or any area under their control and within the city limits any cat which shall cause an unreasonable disturbance within close proximity to where such cat is kept. If a cat is causing a disturbance at a location other than on the owner's premises, then the cat is considered "running at large" and as such an additional citation will be issued to the owner. (Ord. No. 1651, Sec. 10 (A-B))

6.04.11 Maintenance of premises. It shall be unlawful for any owner keeping or harboring a dog or cat to fail to keep the premises where such dog or cat is kept from being found offensive to the extent that such is disturbing to any person within reasonable proximity of the said premises. Furthermore, it is unlawful to all premises where a dog or cat is kept to become unclean and a threat to the public health by failing to diligently and systematically remove all animal waste from the premises. (Ord. No. 1651, Sec. 11)

6.04.12 Observation.

A. Any dog or cat quarantined in the city animal shelter shall be isolated (caged or penned) from other dogs or cats and shall be kept for a period of not less than ten days. The dog or cat shall be seen by a licensed veterinarian during the quarantine period. The owner of the dog or cat quarantined shall pay a daily fee for maintenance and care at a rate of ten dollars (\$10.00) per day or part of the day

that the dog or cat is kept in quarantine and the cost of the examination by the licensed veterinarian. After quarantine period has terminated, the owner of said dog or cat has five days to reclaim the dog or cat unless the dog or cat is being held for a court case. Any dog or cat left at the shelter beyond the five days becomes property of the city animal shelter and may be destroyed.

- B. The owner of any unlicensed dog or cat which has been under quarantine shall, before being released, assure that said dog or cat is licensed in accordance with this ordinance and the expense of such license fee and vaccination will be paid by the owner and this shall be in addition to any provisions, fines or the fees stated above and in other sections of this ordinance. (Ord. No. 1651, Sec. 12)

6.04.13 Vicious. The owner, keeper or custodian of any cat known to be vicious and dangerous shall at all times keep such cat securely enclosed or under muzzle and leash.

A. All dangerous dogs shall be securely confined:

- 1. Indoors; or
- 2. Outdoors in a secure, enclosed fenced yard with locked gates and a minimal fence height of four (4) feet posted "Beware of Dog"; and
- 3. In a secure, enclosed, locked fenced pen having minimum dimensions of five (5) feet in height encompassing at least sixty-four square feet for each animal so designated. It must have secure sides and a secure top attached to the sides. If no bottom is secured to the sides, the sides must be embedded into the ground no less than two (2) feet; posted "Beware of Dog"; or
- 4. The owner shall not allow the dog to go outside its legal confinement as described above, unless the dog is muzzled and restrained by a leash not more than four (4) feet in length, and under the physical control of a person not less than 21 years of age and capable of controlling the dog. The muzzle must not cause injury to the dog or interfere with its vision or respiration but must prevent the dog from biting any human or other animal.
- 5. A high visibility tag identifying the animal as dangerous will be worn by the dog at all times. This tag will be issued by the City of Blytheville and the cost for this tag incurred by the owner.

All pens must be clean and sanitary at all times as well as provide protection from the elements. Electric fence devices are prohibited. Invisible fence devices are permitted but are not considered by this ordinance as a means of confinement.

B. Other requirements of Ownership or Possession

Age of owner must not be less than twenty-one (21) years of age.

The owner of a dangerous dog shall display in prominent and conspicuous place, on the owner's premises, separate from any pen, a clearly visible warning sign indicating that there is a dangerous animal on the premises. A sign must also be posted on the animal's pen and shall contain the name, address, and telephone number of the owner or responsible person for said animal.

C. Change of Ownership

If the owner of the dangerous animal sells, gives away, or otherwise transfers custody of the animal, the owner shall, within five (5) working days, provide the Animal Control Department with the name, address, and telephone numbers of the new owner or custodian of the new owner. The previous owner shall notify the new owner of the animal's designation as a dangerous animal, and of the requirements and conditions of keeping a dangerous animal and provide written proof thereof to the Animal Control Department. In the event of the death, natural or otherwise, of the dangerous animal, the owner will be required to notify the Animal Control Department for proper identification within twenty-four (24) hours.

D. Compliance Required for Dangerous Animals

1. If determined by the Animal Control Department upon investigation that an animal is dangerous and is not contained as set forth in this Ordinance, the Animal Control Department shall impound the animal.

2. Where an animal is determined by the Animal Control Department to be a dangerous animal has escaped and is at large, the owner or custodian is in violation of this Ordinance, and the Animal Control Department shall:

- a. Cause the owner to immediately seize and securely confine the animal, if the owner is readily ascertainable and available; or
- b. Cause the animal to be immediately seized and impounded if the owner or custodian is not readily ascertainable, available, willing or able.
- c. Where an animal determined by the Animal Control Department to be a dangerous animal has caused serious physical harm or death to any person, the Animal Control Department shall cause said animal to be immediately seized and impounded. A dangerous animal may be killed if seizure and impoundment are not possible without further risk of serious injury or death. Upon impoundment of an animal determined to be dangerous, the Animal Control Department shall notify the owner or custodian, if known, that the animal has been determined a dangerous animal pursuant to this Ordinance by personal service, or by certified mail to the owner or custodian.



- d. Should it become necessary to impound an animal under the provisions of this Ordinance, the animal shall be impounded for a period not more than ten (10) days at the end of which time the animal shall be destroyed in a humane manner unless custody of such animal is released prior thereto under the following additional conditions.
- e. During the first six (6) days of the ten (10) day impoundment, the Animal Control Department shall make a diligent effort to determine the owner or custodian of the dangerous animal and notify the owner or custodian of impoundment. The owner may claim and repossess the animal by paying the cost of impoundment, and any other costs for complying with this Ordinance. The owner or custodian must also execute an affidavit with the Animal Control Department acknowledging that the owner or custodian has received a copy of this Ordinance and will comply with it.
- f. If an animal owner who has received notice that his or her animal has been determined by the Animal Control Department to be a dangerous animal feels that such determination was made in error, the owner may appeal the Department's decision within ten (10) days after receiving the notice by requesting a hearing in the Blytheville District Court. Upon the request of this hearing, the Animal Control Department will stay the destruction of the animal until the hearing. The owner will be required to pay any costs associated with the impoundment, pending the outcome of the hearing.
- g. The owner of any animal determined to be dangerous pursuant to this Ordinance shall consent to inspection of the property where the animal is kept upon twenty-four (24) hour notice by the Animal Control Department. Said inspections shall be set at a reasonable time and in a reasonable manner to verify full compliance with the requirements of this Ordinance by the owner or custodian. (Ord. No. 1651, Sec. 13)

#### 6.04.14 Attacks

- A. If at any time a dog or cat bites or scratches a person or bites another animal, such fact must be reported to the police department or animal shelter by any person having knowledge of such fact. Failure to do so is declared to be a violation of this ordinance.
- B. It shall be unlawful for the owner of the dog or cat to sell, give away, transfer, transport to another area, or otherwise dispose of the dog or cat that is known to have bitten a person or animal, until the court case has been settled and quarantine is over.

- C. Upon notification of a bite incident, the police department or animal control officer will investigate immediately, complete a bite report and insure the dog or cat is incarcerated. The offending dog or cat must be held under quarantine and observed for rabies in accordance with said section of this ordinance concerning quarantine. The dog or cat shall be seen by a licensed veterinarian during the quarantine period. All costs incurred must be paid by the owner of the dog or cat for the entire time the dog or cat is in quarantine.
- D. The owner of the dog or cat that has attacked, bitten or scratched a person or another animal shall be financially responsible for all medical expenses incurred by the victim. The only exceptions to this will be if the owner is in imminent danger from a person or another animal or if the person attacked is committing an illegal act. It shall also be unlawful to cause a dog or cat to attack a person or another animal unless the owner is in imminent danger. (Ord. No. 1651, Sec. 14.)

6.04.15 Authority to destroy. If a known vicious and dangerous dog or cat should be observed "running at large" and the dog or cat cannot be caught and impounded, then police or animal control officers have the authority to kill the dog or cat. If in responding to any call concerning a dog or cat which police or animal control officers determine that they or the public is in imminent danger, then said officer shall have the authority to kill the dog or cat. (Ord. No. 1651, Sec. 15)

6.04.16 Keeping unlawful.

- A. It shall be unlawful to keep, maintain or allow any cow, ox, sheep, swine, horse, mule, burro; goat, chicken or other livestock inside the city limits of Blytheville.
- B. It shall be unlawful to keep any animals in a number to be used as breeding animals, food or for sale to the public in a residential area. This includes, but is not limited to, rabbits, chickens and pigeons.
- C. It shall be unlawful to keep, maintain or allow any wild animals, such as ducks, geese, deer, fox, owl or any other wildlife inside the city limits of Blytheville. (Ord. No. 1651, Sec. 16)

6.04.17 Limiting the number of dogs or cats It shall be unlawful for any owner to house, harbor, own or keep more than a total of five dogs and/or cats in a residential area that are over four months of age. Furthermore, each dog or cat must be licensed and vaccinated as herein above set out. Each dog or cat must be kept so, as to not become a nuisance to people living or working within close proximity to where the dog or cat is being kept as set out in this ordinance. It shall be unlawful for any owner to keep, maintain or harbor more than two female dogs and/or cats over the age of four months that have not been spayed in a residential area of the City of Blytheville. (Ord. No. 1651, Sec. 17).

6.04.18 Cruelty

A. It shall be unlawful for any owner to keep any dog that does not have:

1. Shelter from the weather. The shelter must be large enough to accommodate the dog or cat being housed, protect the animal from inclement weather and wind and if the animal has offspring, it must be large enough to accommodate the offspring as well as the mother.

2. Water. The water container must be of adequate size for the number of dogs and/or cats that will be drinking from it and further must be secured so that the dog or cat may be able to reach it at all times without tipping it over.

3. Food. The food must be adequate to feed each dog and/or cat and must be given on at least a daily basis to help maintain the health of the dog or cat.

B. It shall be unlawful for any owner to keep a dog on a chain that is not at least eight feet long and attached in such a way as to allow the dog to reach food, water and shelter at all times without becoming tangled up. Further; it shall be unlawful for a dog to be kept in a pen in which the dog cannot naturally stand up and turn around in, or which is too small to allow the dog to lay down without laying in its own feces. All animals should receive adequate exercise on a regular basis.

C. It shall be unlawful for any person to overload, torture, torment, beat, mutilate, kill or cause or procure any of the said offenses to any dog, cat or other animal keep as a pet. (Ord. No. 1651, Sec. 18)

6.04.19 Animal fights. It shall be unlawful to keep or use any dog, cat or other animal for the purpose of fighting or baiting. Further, it shall be unlawful to fight any dog, cat or other animal for money or pleasure or encourage any dog, cat or other animal to attack another animal or person for money or pleasure.

A. A person commits the offense of unlawful dog fighting in the first degree if they knowingly:

1. Promote, engage in, or are employed at dog fighting, or
2. Receive money for the admission of another person to a place kept for dog fighting, or
3. Sell, purchase, possess, or train a dog for dog fighting.
4. In accordance with Arkansas code 5-62-120; Unlawful dog fighting in the first degree is a Class D felony.

- B. A person commits the offense of unlawful dog fighting in the second degree if they knowingly:
1. Purchase a ticket of admission to, or be present at a dog fight; or
  2. Witness a dog fight if it is presented as a public spectacle
  3. In accordance with Arkansas code 5-62-120; Unlawful dog fighting in the second degree is a Class A misdemeanor.
- C. Upon arrest of any person involved with dog fighting, the police or animal control officer shall have the authority to seize and take custody of all dogs in possession of the attested person. Upon conviction of any person of violating the provisions of this section, any dogs seized will become the property of the City of Blytheville and said person shall pay, in addition to other fines and penalties assessed by the courts, maintenance fees for each dog from the date taken into custody until the date of conviction. (Ord. No. 1651, Sec. 19)

6.04.20 Police Dogs Dogs used in law enforcement are exempt from the above ordinance with the exception of section eight; rabies vaccination required. (Ord. No. 1651, Sec. 20.)

6.04.21 Exotic Animals It shall be unlawful to own, keep, maintain or harbor any exotic animal that is poisonous or that has a normal species weight of over twenty-five pounds (25 lbs.) except for certain types of snakes; kept as pets. This does not apply to licensed pet stores, circuses, zoological parks and veterinarian hospitals. Exotic animals are considered to be reptiles, birds, primates or other creatures, which are not native to this area. No more than four exotic animals under ten pounds may be kept inside the city limits of Blytheville and no more than two exotic animals over ten pounds may be kept. All primates must be tested biannually for zoonotic diseases. Proof of results must be provided in order to obtain a license.

**Confinement standards are as follows:**

- A. Cages, pens or other enclosures for confining exotic animals shall be well braced, securely fastened to the floor of if outside, into the ground, with a top and if the exotic animal is known to dig, the enclosure must have a bottom to prevent escape. The cage construction must be of sufficient materials and strength to prevent escape. All exotic animals must be kept in an enclosure at all times unless on a leash or in the case of certain reptiles, held by the owner. No exotic animals is to be permitted to "run at will" in any dwelling inhabited by humans nor be allowed "free roam" on owner's property or "running at large".
- B. All cages must be securely fastened at all times and if enclosures are outdoors, they must have a lock to keep exotic animals from escaping. Clean drinking water

shall be available at all times and semi-aquatic animals shall be provided a pool of sufficient water depth to submerge themselves. Enclosures must have a den, nest, box or house for the animal to rest in. Exotic animals must be fed a diet appropriate to their species and the size, age, and condition in the amount recommended for such. Feed containers must be kept clean and uneaten food removed within a reasonable time. Animal waste shall be removed on a daily basis and disposed of properly. All bedding should be changed on a regular basis to prevent health and odor problems. If the exotic animal is outside, a shelter shall be provided for security, and protection from inclement weather. Shade or an overhead structure shall be provided during warm seasons. All exotic animals shall be kept in an enclosure of sufficient size for the animal to move about and be comfortable.

- C. Primates must be contained in an enclosure for outdoor purposes that shall be at least one hundred square feet (100 sq. ft) and at least six feet in height. Indoor enclosures for primates under ten pounds shall be at least eight square feet and for primates over ten pounds it shall be at least fifteen square feet and each must be at a height of at least four feet. For each additional primate in the same enclosure, the space provided must be increased by 25%. (Ord. No. 1651, Sec. 21)

#### 6.04.22 Licensing Exotic Animals

All primates and any other exotic animals that weigh over ten pounds must be licensed in the City of Blytheville. The licensing fee shall be twenty-five dollars (\$25.00) annually and shall be purchased on or before the first day of June of each year for the ensuing year or immediately upon bringing the animal into the city. The license shall be issued by the City Collector upon payment of said fee and the owner shall receive a license and tag. The license shall be available at all times for inspection or when requested by authorities as well as the tag if it is not worn by the animal. Licenses and the right use the particular tag shall expire on 31 May of the year following that in which the license is issued. (Ord. No. 1651, Sec. 22)

6.04.23 Citations Citations for violating any section of this ordinance may be issued any police officer or animal control officer or other designated official as approved by the City Council. (Ord. No. 1651, Sec. 23)

#### 6.04.24 Penalties

- A. Any owner or person found violating any section of this ordinance shall be guilty of a misdemeanor except for any violation of section eighteen, part A, subsection 1; which is unlawful dog fighting and is considered a Class D felony.

- B. Upon conviction of violating any section of this Ordinance, said person shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than two hundred fifty dollars (\$250.00) and or forfeiture of said animals per violation except for any violation of Section Eight, Part C; which is sterilization of impounded dogs and cats and is punishable by not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00 and or forfeiture of said animals per violation.
  
- C. Animal owners found in violation of any dangerous animal sections of this Ordinance shall be fined not less than five hundred dollars (\$500.00), nor more than one thousand dollars (\$1000.00), and or forfeiture of said animals per violation. (Ord. No. 1651, Sec. 24)

**CHAPTER 6.08**

**SPAYING AND NEUTERING**

Sections:

- 6.08.01 Spaying and Neutering Requirements
- 6.08.02 Obtaining An Unaltered Permit
- 6.08.03 Fines and Punishment

6.08.01 Spaying and Neutering Requirements Any person owning, keeping, harboring, or having custody of any dog or cat three (3) months of age or older is required to spay or neuter said animal unless said person holds an unaltered animal permit issued by the City Collector's Office, or any successor agency authorized by the City to issue said permit, except:

- (1) Persons who own, keep, harbor, or have custody of registered service dogs or working police dogs;
- (2) Individuals who are non-residents of the City and reside temporarily therein for a period not to exceed thirty (30) days within a 12-month period;
- (3) Animal shelters and veterinary hospitals; and
- (4) Persons who have an animal which in the opinion of a veterinarian licensed to practice veterinary medicine in the State of Arkansas is medically compromised to the extent that it cannot withstand immediate sterilization may be temporarily released pursuant to a foster care agreement until such time as it can safely be sterilized or until two (2) veterinarians licensed to practice veterinary medicine in the State of Arkansas certify that it is unlikely that the animal will ever recover to the extent that it can safely be sterilized.

- (a) At that time, ownership of the animal may be transferred to an owner who certifies that the animal will not be used for breeding.
- (b) An owner who violates the agreement shall be subject to the penalties set forth in Section III of this Ordinance. (Ord. No. 1743, Sec. 1.)

6.08.02 Obtaining An Unaltered Permit Applicants must apply for unaltered permits commonly referred to as a breeders license with the City Collector's Office, or any successor agency authorized by the City to issue said permit. The fee for an unaltered animal permit shall be \$250.00 per registered animal. The permit is nontransferable to other animals or other parties and is good only for the lifetime of the registered animal. (Ord. No. 1743, Sec. 2.)

6.08.03 Fines and Punishment In addition to any other fine or punishment for violation of City ordinances the owner of a fertile animal without a permit is not less than \$100.00 nor more than \$500.00. (Ord. No. 1743, Sec. 3.)