

## TITLE 6

### ANIMALS AND FOWL

#### Chapters:

- 6.01 Definitions
- 6.04 Dog and Cat Licensing
- 6.09 Penalties
- 6.12 Other Animals and Fowl
- 6.16 Control and Protection of Animals

#### CHAPTER 6.01

#### DEFINITIONS

#### Sections:

- 6.01.01 Definitions

**Dogs** When used herein shall include animals of all ages, both female and male, which are members of the canine, or dog family. For male dogs or cats or spayed dogs or cats, the license fees should be increased to Seven Dollars and Fifty Cents (\$7.50) per calendar year or fraction thereof.

**Cats** A member of the felis catus family normally considered to be the domesticated type. For unsprayed female dogs or cats, the license fees should be increased to Fifteen Dollars (\$15.00) per calendar year or fraction thereof.

**Owner** Every person, firm, partnership or corporation, owning, keeping or harboring a dog or cat within the corporate limits of the city.

**Vaccination** An injection of any vaccine for rabies approved by the state veterinarian and administered by a licensed veterinarian or agent of the health officer.

**At large** Any dog not confined as hereinafter required.

**Vicious dog or cat** A dog or cat which has a disposition to bite humans and any dog or cat which has bitten or attempted to bite any person within the six (6) months immediately past; however, the fact that a dog or cat has bitten or attempted to bite some person when that person was teasing or threatening the dog or cat shall not constitute the dog or cat a vicious animal within the sense of this article.

**Kennel** Any person, group of persons, or corporation owning, keeping or harboring four (4) or more dogs and/or cats.

**Animal Control Department** The agency of the city of Green Forest having primary responsibility for the implementation of this ordinance as hereinafter prescribed.

**Spayed female** Any bitch which has been operated upon to prevent conception.

**Muzzle** When required by this article, a muzzle shall be of appropriate material with sufficient strength to restrain the dog or cat from biting and no such muzzle employed shall be made from any material or maintained on the dog or cat in any manner so as to cut or injure the animal.

**Collector** The City Treasurer, or his/her duly authorized agent.

**Exposed to rabies** A dog or cat has been exposed to rabies within the meaning of this ordinance if it has been bitten by, or been exposed to, any animal known to have been infected with rabies.

**CHAPTER 6.04****DOG AND CAT LICENSING****Sections:**

6.04.01	License fee and tag
6.04.02	Running at large
6.04.03	Impoundment
6.04.04	Condition of enclosure

6.04.01 License fee and tag. The quartering, keeping, and maintaining of any dog or cat within the corporate limits of the city of Green Forest, Arkansas, is declared to be an annual privilege exercisable only by annual license issued by the city for such purpose for the current calendar year.

Dog and cat licenses are classified as follows:

- A. For male dogs or cats or spayed dogs or cats, Seven Dollars and Fifty Cents (\$7.50) per calendar year or fraction thereof;
- B. For unspayed female dogs or cats, Fifteen Dollars (\$15.00) per calendar year or fraction thereof; (Ord. No. 548, Sec. 1.)
- C. Kennel license. There shall be assessed and collected an annual kennel fee of Two Hundred Fifty Dollars (\$250.00) per year or fraction thereof from each person quartering, keeping and maintaining four (4) or more dogs and/or cats and all persons issued a kennel license must comply with Section 6.04.04. No kennel license will be issued to persons residing in a R-1 residential area. There shall be assessed and collected an annual kennel fee of Seventy-Five Dollars (\$75.00) per year from each person quartering, keeping and maintaining four (4) or more dogs and/or cats within the city limits of Green Forest, Arkansas, for commercial purposes of buying, selling, breeding or boarding dogs or cats, in addition to the individual tag and license for each such animal heretofore set forth. (Ord. No. 472, Sec. 1.)

The dog and cat licenses herein shall be issued upon proof that the applicant's dog or cat has been inoculated against rabies for the calendar year and that payment has been made of the above mentioned fees. The license or tag issued for each animal hereunder shall be attached by the applicant to the animal in a manner to provide identifiable and easily discernable evidence of the existence of the license and its date of issue.

6.04.02 Running at large. The running at large of animals is hereby declared to be a nuisance and a health hazard, and shall be regulated as hereinafter set out:

- A. It should be unlawful for the owner of a dog or cat to allow or permit such said dog or cat to run at large within the corporate limits of the city of Green Forest and the owner of every dog or cat shall be responsible to keep said dog or cat confined or restrained.
- B. Animals found running at large within the corporate limits of the city of Green Forest shall be impounded in the City Pound for a period of seventy-two (72) hours, during which period the owner of said animal may reclaim said animal by paying to the city of Green Forest a fee of Twenty-five Dollars (\$25.00) for the impounding of said animal and an additional fee of Two Dollars (\$2.00) for each day or part thereof that said animal is impounded. If the owner of said animal is known, the Pound Master shall give notice by registered mail of the impounding of the animal to its owner. All animals unclaimed within seventy-two (72) hours from the time of impounding or the time that notice is given, whichever occurs last, may be sold by the Pound Master to any person who will pay the fees set forth herein. In the event no buyer is found or the owner does not reclaim the animal within a five (5) day period from the time of impounding or the time written notice is posted, whichever occurs last, the impounded animal shall be destroyed. (Ord. No. 540, Sec. 1.)

6.04.03 Impoundment. Unlicensed animals shall be impounded in the City Pound for a period of seventy-two (72) hours, during which period the owner of an impounded animal may reclaim or recover his animal by having him licensed as provided herein plus payment of an impounding fee of Twenty-five Dollars (\$25.00) plus the additional payment of the sum of Two Dollars (\$2.00) for each day or part of a day that the animal is impounded. If at the end of the seventy-two (72) hour period the animal has not been reclaimed, the animal then may be sold by the Pound Master to any person who is willing to pay the fees owed. If no buyer is found or if the owner does not reclaim the animal within a period of five (5) days from the date of impoundment, the animal shall be destroyed. No female unspayed animal which has been impounded by reason of it running at large shall be allowed to be adopted from the City Pound unless the prospective owner agrees to have such female spayed. Proof of spaying shall be furnished to the City Animal Control Officer or his agent within fifteen (15) days after adoption of such animal. (Ord. No. 540, Sec. 2.)

6.04.04 Condition of enclosure Every person who is granted a kennel license must comply with the following.

- A. Every enclosure wherein animals are confined or kept in the city shall be regularly cleaned at least one (1) time each calendar week by the owner, operator, or custodian of such premises.
- B. Every enclosure wherein animals are kept in the city, if such enclosure has a man-made floor shall be cleaned with an approved disinfectant at least once each calendar month.

C. No owner, operator, or custodian of any such enclosure shall house, or harbor dogs therein unless such enclosure shall provide a minimum of one hundred (100) square feet of floor or ground area for each dog or in the alternative, shall have a pen or enclosure of such type and construction as approved by the State Health Department. This section shall not apply to licensed veterinarians keeping dogs in small enclosures in connection with their practice of veterinary medicine.

D. When a person applies for and receives a kennel license from the city, that person agrees that the animal control officer may enter upon his or her premises for the purposes of making inspections to determine whether the sanitation requirements of this section are being complied with; he or she may enter upon said premises at any reasonable hour, and in making such inspection, shall in no wise be deemed guilty to trespass and shall not be personally liable to any property owner by reason of such action.

E. If, upon inspection, the animal control officer finds that the provisions of the chapter have not been or are not being complied with, he shall give written notice to the owner, operator, or custodian of such enclosure and such owner, operator, or custodian shall, within five (5) days after the receipt of such notice, proceed to fully comply with the provisions hereof; provided that the animal control officer shall give no more than two (2) successive notices requiring compliance with sanitation standards to any such owner, operator, or custodian; the specific purpose of this section is to require full and complete compliance with the sanitation regulations herein contained without the necessity for or the entitlement to any such notice; any owner, operator, or custodian failing to fully comply with the provisions hereof after the receipt of two (2) successive notices, shall be deemed to be in violation.

F. Failure to comply with written notice issued by the animal control officer within five (5) days shall be a violation of this chapter. Failure to comply with the provisions of this chapter after two (2) successive written notices shall be a violation. Interference with the animal control officer in the performance of his or her inspection duties shall be a violation.

G. Any person violating any provisions hereof, upon conviction, shall be fined in any sum not less than One Hundred (\$100) Dollars nor more than Two Hundred Fifty (\$250) Dollars and each day that violation shall continue shall be deemed a separate offense.

H. As used in this section the following definition of terms shall apply:

1. Animal shall mean dogs and cats.
2. Enclosure shall mean any enclosed area, including buildings, fenced areas, pens, and cages.

3. Disinfectant shall mean a product recognized and marketed as a germicidal disinfectant compound. (Ord. No. 472, Sec. 2.)

### Chapter 6.09

### PENALTIES

#### Sections:

- 6.09.01 Misdemeanor
- 6.09.02 Animal license fee and tag, vaccination
- 6.09.03 Penalty

6.09.01 Misdemeanor. It is hereby declared to be a misdemeanor for the owner of any animal to allow permit his animal to run at large within the City of Green Forest, and any person violating this ordinance shall be fined in a sum not to exceed Ten Dollars (\$10.00) upon conviction for a first offense, and upon conviction of a second or subsequent offense shall be fined the sum of not more than Twenty Dollars (\$20.00), unless a greater fine or penalty shall be otherwise provided in Title 6 of the Municipal Code. (Ord. No. 382)

6.09.02 Animal license fee and tag, vaccination It shall be required that all dogs within the city of Green Forest, Arkansas be vaccinated for rabies, that all dogs wear a city of Green Forest dog tag verifying license and vaccination. A certificate will be presented to the Chief of Police verifying the vaccination. At that time, a Dog Tag will be issued to the owner of the dog, which will be displayed on the dog described. Vaccination shall have been accomplished not more than thirty (30) days prior to licensing of the dog. Dog license shall be good for one (1) calendar year from date of purchase. Charge for dog license and dog tags shall be Two Dollars (\$2.00) for male dog and Three Dollars (\$3.00) for a female dog. (Ord. No. 333, Sec. 2.)

6.09.03 Penalty That any person who allows their dog or dogs to run at large within the city of Green Forest, Arkansas, or any person who maintains, keeps, or owns any dog or dogs without a license and tag issued by the city of Green Forest, Arkansas, shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than Fifteen Dollars (\$15.00) nor more than Twenty-Five Dollars (\$25.00).

Chapter 6.12OTHER ANIMALS AND FOWLSections:

- 6.12.01 Horses and cows running at large
- 6.12.02 Horses and cows - size of pasture
- 6.12.03 Horses and cows - supervision by marshal
- 6.12.04 Hogs, goats and sheep prohibited in city
- 6.12.05 Diseased animals
- 6.12.06 Releasing animals
- 6.12.07 Fowl not to run at large
- 6.12.08 Cruelty to animals

6.12.01 Horses and cows running at large It shall be unlawful for any person to permit to run at large within the corporate limits of this city, any cows and/or horses. The violation of this section is hereby declared to be a misdemeanor. It shall be the duty of the marshal to enforce the provisions hereof.

STATE LAW REFERENCE - Authority of city to prevent animals running at large, Ark. Stats. 19-2503.

6.12.02 Horses and cows size of pasture The keeping of horses or cows within the corporate limits of the city is permitted where they are maintained on an enclosed pasture containing one (1) acre for each animal.

6.12.03 Horses and cows - supervision by marshal The keeping of horses and cows in enclosures as herein provided within the limits of the city shall be under the supervision and control of the marshal. Should any of said enclosures become harbors for breeding flies, mosquitoes and rats, or should they become unsanitary, obnoxious, unhealthful, and/or discomforting to any of the citizens of the city because of conditions created by keeping of said animals, the marshal, upon investigating and finding any such conditions to exist, shall serve written notice to the owners or keepers of said premises as to the conditions thereof by delivering a copy of the notice to the owner or the keeper, or by posting same in a conspicuous place on the premises, and if within five (5) days after service of notice, said owner or keeper has not corrected said conditions, the City Attorney is hereby authorized to institute an action in a court of competent jurisdiction to abate same as a nuisance.

6.12.04 Hogs, goats and sheep prohibited in city It shall be unlawful for any person to keep any hogs, goats or sheep within the limits of the city or to permit any hogs, goats or sheep to run at large within the limits of the city, except hogs, goats or sheep in transit may be kept for a period not to exceed twenty-four (24) hours in a duly established stockyard. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor.

6.12.05 Diseased animals No person shall be allowed to transport into this city any animal affected with a contagious disease

6.12.06 Releasing animals

- A. Definitions. As used in this section, the term "animal" shall mean any animal other than a human being. The term "public place" shall include all properties owned by the city.
- B. Prohibited. It shall be unlawful for any person to knowingly release any animal in any public place within the corporate limits of the city.

6.12.07 Fowl not to run at large It shall be unlawful for any person owning or having control of any chickens, turkeys, or other fowl to allow the same to run at large within the city.

6.12.08 Cruelty to animals If any person shall drive, overload, torture, torment, deprive of necessary sustenance or cruelly beat or needlessly mutilate or kill any animal, he shall be guilty of a misdemeanor.

STATE LAW REFERENCE - Authority of city to prevent cruelty to animals, Ark. Stats. 19-2303

**CHAPTER 6.16**

**CONTROL AND PROTECTION OF ANIMALS**

Sections:

- 6.16.01 Definitions
- 6.16.02 Responsibilities of the Police Department
- 6.16.03 The control or protection of animals in general
- 6.16.04 Penalty

6.16.01 Definitions.

**Person** As used in this ordinance shall mean any individual, firm, association, joint stock company, syndicate, partnership or corporation.

**Animals** As used in this ordinance shall mean all vertebrate and invertebrate animals such as but not limited to bovine cattle, horses and other equines, hogs, goats, rabbits, sheep, chickens,

dogs, ducks, geese, turkeys, pigeons and other fowl or wild mammals, reptiles or fish or birds that have been tamed, domesticated or captivated.

**Fowl** As used in this ordinance shall mean all animals that are included in the zoological class "Aves".

**Inhuman treatment** As used in this ordinance shall mean any treatment to any animal which deprives the animal of necessary sustenance, including food, water and protection from weather, or any treatment of any animal such as overloading, overworking, tormenting, beating, mutilating or teasing or other abnormal treatment as may be determined by the city health officer.

**Harboring** Any person who shall allow any animal to habitually remain or lodge or to be fed within his home, store, yard, enclosure or place of business or any other premise in which he resides or which he controls, shall be considered as keeping and harboring such animal within the meaning of this ordinance.

**Running at large** An animal shall be deemed to be running at large when not confined on the premises of the owner within a fenced enclosure or animal shelter or under the control of the person, either by lead, cord, leash, rope or chain; provided, further, that an animal may be considered confined if on a lead, rope or chain which is securely fastened or picketed in a manner which is sufficient to keep the animal on the premises.

**Bite** Shall mean any actual or suspected abrasion, scratch, puncture, tear, bruise or piercing of the skin, caused by any animal which is actually or suspected of being contaminated or inoculated with the saliva from the animal, directly or indirectly, regardless of the health of the animal causing such bite. (Ord. No. 359, Sec. 1)

6.16.02 Responsibilities of the Police Department. The Police Department shall be responsible for the enforcement of this ordinance and is hereby authorized to make whatever investigations and to issue such notices, orders or directions as are necessary for enforcement of the provisions of this ordinance. (Ord. No. 359, Sec. 2)

6.16.03 The control or protection of animals in general. It shall be unlawful for any person to:

- A. Permit any animal to run at large within the corporate limits of the city.
- B. To keep or harbor any fowl within the corporation limits of the city. Exception: If the city of Green Forest, Arkansas, through annexation, extends its boundaries and, there exists structures and uses of land and structures which were lawful

before being annexed to the city, but which would be prohibited, regulated, or restricted under the outstanding ordinances of the city after annexation, such structures and land uses are deemed to be non-conforming and permitted to continue until they are removed, abandoned, or destroyed. (Ord. No. 534, Sec. 1.)

- C. Carry out any inhumane treatment against any animal.
- D. Keep or harbor any animal which by loud frequent or habitual barking, howling, yelping or other noise or action, or by emitting or causing to be emitted noxious smell or odor, disturbs any person or neighborhood within the corporate limits of the city.
- E. Keep or harbor a dangerous or vicious animal within the corporate limits of the city.
- F. Allow unspayed dogs to be away from confinement on the premises of the owner, except on a lead and under the control of an adult person, when such dog is in season. (Ord. No. 359, Sec. 3)

6.16.04 Penalty. Any person who shall be convicted of violating any provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the city jail for a period not exceeding one (1) year or both such fine and imprisonment. Each day that a violation of this ordinance occurs shall constitute a separate offense and shall be punishable hereunder as a separate violation. (Ord. No. 359, Sec. 4)

ORDINANCE NO. 534

AN ORDINANCE AMENDING CHAPTER 6.08.07  
OF THE GREEN FOREST MUNICIPAL REGARDING FOWL

WHEREAS, it has been determined by the City Council of the City of Green Forest, Arkansas, that fowl should not be allowed in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREEN FOREST, ARKANSAS:

Section 1. That Section .03 B. of Chapter 7.10 of the Green Forest Municipal Code shall be amended to read as follows:

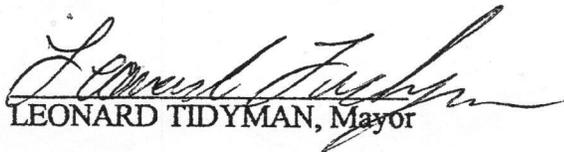
B. To keep or harbor any fowl within the corporation limits of the City.  
Exception: If the City of Green Forest, Arkansas, through annexation, extends its boundaries and, there exists structures and uses of land and structures which were lawful before being annexed to the City, but which would be prohibited, regulated, or restricted under the outstanding ordinances of the City after annexation, such structures and land uses are deemed to be non-conforming and permitted to continue until they are removed, abandoned, or destroyed.

Section 2. That this ordinance shall become effective 60 days after its publication.

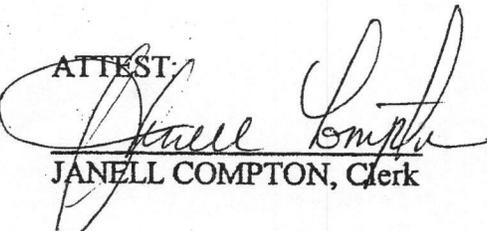
Section 3. That all ordinances or parts of ordinances in conflict herewith are repealed to the extent of said conflict.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GREEN FOREST, ARKANSAS THIS 10 DAY OF Dec, 2001.

APPROVED:

  
LEONARD TIDYMAN, Mayor

ATTEST:

  
JANELL COMPTON, Clerk