

**AN ORDINANCE AMENDING AN ORDINANCE PROVIDING FOR THE
VACCINATION AGAINST RABIES OF ALL DOGS WITHIN THE
CORPORATE LIMITS OF THE CITY OF FULTON, MISSISSIPPI
PROHIBITING DOGS FROM RUNNING AT LARGE DURING CERTAIN
PERIODS AND UNDER CERTAIN CONDITIONS AND PROVIDING
PENALTIES FOR THE VIOLATION HEREOF, ALL AS PARTICULARLY
HEREINAFTER SET FORTH**

BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Fulton, Mississippi, to wit:

THAT an ordinance adopted on February 4, 1986, and recorded in Ordinance Book #3 at pages 83-86 and as amended on March 15, 1991 as recorded in Ordinance Book #23 at pages 149-150 and as amended on February 15, 1994 as recorded in Ordinance Book #3 at page 200 and as amended on April 15, 2003 as recorded in Ordinance Book #4 pages 216-218 shall be amended as follows:

SECTION 5A. If any dog is caused, permitted or is found to be at large within the corporate limits of said City in violation of any of the provisions of this ordinance, then such dog may be caught and impounded by any authorized personnel of said city and may be held and disposed of herein provided. If any such dog is so impounded, the same shall be released to the owner thereof only in the event of the payment within seven (7) days to the Municipal Court Clerk of the City of Fulton, Mississippi, the sum of \$30.00 as a fee for catching or otherwise apprehending such dog, plus the additional cost of apprehension. An additional sum of \$4.00 per day or portion thereof that such dog may be so impounded may be charged. If impounded a second time within a year, a \$50.00 fee plus additional cost shall be charged. If impounded for a third time or more within a year, a \$150.00 fee plus additional cost shall be charged. If the owner of such dog fails or refuses to so pay such fees within seven (7) days from the time such dog is initially caught and impounded, then such dog may be destroyed after the following guidelines and recommendations are met or considered:

Dogs may be held longer if it is determined they are the following:

1. Determined to be adoptable, healthy, well adjusted dogs whom may be rehomed.
2. Treatable dogs who are not adoptable on arrival but with minimal treatment, as determined by the Mayor, and minimal attention may become so.

Dogs may be destroyed if they are determined to be the following:

1. Non-rehabilitatable dogs for whom euthanasia is the only option due to their suffering from incurable and painful conditions.
2. Dogs that have attacked a person, attempted to attack a person or have been determined to be dangerous or life threatening to persons can be destroyed by a

policeman or other officers charged with enforcing this ordinance without being impounded.

The remaining provisions of the original ordinance and amendments thereto shall remain in full force and effect.

On motion made by Mike Nanney, seconded by Barry Childers the foregoing ordinance having been reduced to writing, read and considered, passed and adopted by the following vote:

Alderman Liz Beasley	Yea
Alderman Hayward Wilson	Yea
Alderman Mike Nanney	Yea
Alderman Joey Steele	Yea
Alderman Barry Childers	Yea

WHEREUPON, the Mayor declared said ordinance duly passed and legally adopted and approved on this the 17th day of June, 2014.

Mayor

Attest _____
City Clerk

SECTION 4. No dog of dangerous, vicious, fierce or mischievous propensities or tendencies may be at large at any time within the corporate limits of said city, and it shall be unlawful for the owner or other person having any such dog in his or her possession or under his or her control, or in any manner keeping or harboring any such dog within the corporate limits of said city to cause or permit any such dog to be at large in said city. If any dog bites or attempts to bite any person while such dog is at large and not on the owners property, then such dog shall be conclusively presumed to be a dangerous dog and a dog of dangerous propensities and tendencies. If any dog at large chases or otherwise attempts to catch a person, then such dog shall conclusively presumed to be a fierce dog and to have fierce propensities and tendencies. The owner of a dog with dangerous propensities shall post a sign warning of dangerous dog on premises. Owners having habitual problems with dogs of dangerous tendencies shall remove the dog from within the city limits.

SECTION 5B. The City shall follow the following guidelines in maintaining humane care for neglected dogs.

1. Accept all dogs in need, investigate and combat dog cruelty, and rescue sick or injured strays.
2. Provide a clean, safe and healthy environment for dogs. Provide dogs with proper food and water, and protection from the elements.
3. Hold stray dogs for a minimum of seven (7) days.
4. Work in cooperation with the weekly newspaper to reach out into the community to find more responsible homes for homeless dogs, encourage responsible pet ownership, promote spaying and neutering, and facilitate public involvement in humane issues.
5. If a dog is found, a process should be in place and communicated to the public on who to call or where to go to reclaim a pet.
6. Use sodium pentobarbital, administered by well-trained, compassionate individuals, when euthanasia is necessary.

SECTION 5C. Before any impounded dog is so destroyed the officer charged with the primary duty of enforcing this ordinance or the Chief of Police of said City, shall give a

five (5) day notice of the fact that said dog has been so impounded and would be destroyed if not claimed, by posting a notice in three public places in said City.

SECTION 8. Deleted.

SECTION 10. Deleted.

SECTION 11. The Street Department shall have the primary responsibility and duty of enforcing the provisions of this ordinance, but any and all police officers, utilities employees and Emergency Management Director of said city are fully authorized and empowered to enforce any and all of the provisions hereof if called upon by the Mayor to do so.