

ORDINANCE NUMBER 5-99
TOWN OF ELIZABETH, LOUISIANA

AN ORDINANCE REGULATING VICIOUS DOGS WITHIN THE VILLAGE OF ELIZABETH, PARISH OF ALLEN, STATE OF LOUISIANA, AND PROVIDING FOR RELATED MATTERS.

BE IT ORDAINED in regular session by the Board of Aldermen for the Town of Elizabeth that this Ordinance Number 5-99 is hereby enacted to read as follows:

SECTION 1: DEFINITIONS. Definitions of terms as used in this ordinance:

A. "owner" means any person, firm, corporation, organization or department possessing or harboring or having the care or custody of a dog.

B. "vicious dog" means:

1. Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury to, or otherwise threaten the safety of human beings or domestic animals; or
2. Any dog which because of its size, physical nature, or vicious propensity is capable of inflicting serious physical harm or death to humans and which would constitute a danger to human life or property if it were not kept in the manner required by this ordinance; or
3. Any dog which, without provocation, attacks or bites, or has attacked or bitten, a human being or domestic animal; or
4. Any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.

C. A vicious dog is "unconfined" if the dog is not securely confined in-doors or confined in a securely enclosed and locked pen or structure upon the premises of the owner of the dog. The pen or structure must have secure sides and a secure top attached to the sides. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot. All such pens or structures must be adequately lighted and kept in a clean and sanitary condition.

SECTION 2: CONFINEMENT. The owner of a vicious dog shall not suffer or permit the dog to go un-confined.

SECTION 3: LEASH AND MUZZLE. The owner of a vicious dog shall not suffer or permit the dog to go beyond the premises of the owner unless the dog is securely muzzled and restrained by a chain or leash, and under the physical restraint of a person capable of handling the dog. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but shall prevent it from biting any human or animal.

SECTION 4: SIGNS. The owner of a vicious dog shall display in a prominent place on his or her premises a clearly visible warning sign indicating that there is a vicious dog on the premises. A similar sign is required to be posted on the pen or kennel of the animal.

SECTION 5: DOG FIGHTING. No person, firm, corporation, organization or department shall possessor harbor or maintain care or custody of any dog for the purpose of dog fighting, or train, torment, badger, bait or use any dog for the purpose of causing or encouraging the dog to attack human beings or domestic animals.

SECTION 6: INSURANCE. Owners of vicious dogs must provide to the Town Clerk for the Village of Elizabeth proof of public liability insurance in the amount of at least \$100,000.00, in the form of a certificate of insurance from an authorized insurer providing that the Village of Elizabeth will be given at least ten (10) days written notice in advance in the event of cancellation or expiration of the policy, insuring the owner for any personal injuries inflicted by his or her vicious dog.

SECTION 7: PENALTIES. Any person found to be in violation of any provision of this ordinance shall be guilty of a misdemeanor and may be punished by a fine of not less than \$100.00 and not more than \$500.00, or imprisonment of not more than 60 days in jail, or by both fine and imprisonment.

SECTION 8: EFFECTIVE DATE: This ordinance shall become effective at 12:01 A.M., October 1, 1999.

SECTION 9: Should any provision or item of this Ordinance and the application thereof is held invalid, such invalidity shall not effect other provisions, items, or applications of this Ordinance which can be given effect without the invalid provisions, items, or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 10: Be it further ordained that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Said ordinance having been introduced on the 1st day of June, 1999, with notice having been published on the 24th day of June, 1999. Motion was made by Michael Melder and seconded by Kenneth Kelly to adopt said ordinance.

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SECTION 10: Be it further ordained that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Said ordinance having been introduced on the 1st day of June, 1999, with notice having been published on the 24th day of June, 1999. Motion was made by Michael Melder and seconded by Ken Kelly to adopt said ordinance.

The above and foregoing ordinance was called for a vote by the Mayor at the regular meeting of the Town of Elizabeth, Louisiana held on the 6th day of July, 1999, and the vote thereon was as follows:

	YEAH	NAY	ABSENT	ABSTAINING
Robert Murry	<u>X</u>	_____	_____	_____
Ken Kelly	<u>X</u>	_____	_____	_____
Michael Melder	<u>X</u>	_____	_____	_____
Dale Brandenburg	<u>X</u>	_____	_____	_____
Tony Normand	<u>X</u>	_____	_____	_____

THUS DONE AND PASSED at Elizabeth, Louisiana on the 6th day of July, 1999. Final publication was made in the Oakdale Journal on the 15th day of July, 1999.

Thereupon, the Mayor declared the Ordinance adopted on the 16th day of July, 1999.

ATTEST:

Maria Buson
TOWN CLERK

Terry Rasberry
TERRY RASBERRY, MAYOR