

ORDINANCE NO. 2002-08

AN ORDINANCE OUTLAWING THE FEEDING OF STRAY ANIMALS, DEFINING STRAY ANIMALS; SETTING OUT FINES AND PENALTIES FOR SAID VIOLATIONS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, the City of Pocahontas has several stray animals residing and roaming in and around the City of Pocahontas.

WHEREAS, individuals are feeding said stray animals by dumping food around the City thus creating a nuisance for the citizens of the City of Pocahontas.

WHEREAS, the City of Pocahontas desires to adopt an ordinance outlawing the feeding of such animals to eliminate the nuisance created by such action.

WHEREAS, the need for regulation and control of stray animals is necessary to preserve the health and safety of the citizens of Pocahontas, Arkansas and an emergency is hereby declared to exist and this ordinance shall take immediate effect from and after its passage, approval, and publication.

NOW, therefore, be it ordained by the City Council of the City of Pocahontas, Arkansas:

SECTION I: The following words and phrases shall for purpose of this Ordinance have the following meanings.

A. Stray Animals: Any and all domesticated and/or undomesticated animals including but not limited to cats, dogs, racoons, skunks, possums, or any other type of animal that does not have a license as required by City Ordinance and are running at large without any proof of ownership.

SECTION II: It shall hereafter be unlawful for any person, firm, corporation, or association to feed within the corporate limits of the City of Pocahontas, Arkansas any stay animal that is not owned by said person, firm, corporation, or association.

SECTION III: That any person, firm, corporation, or association found guilty of violating

any portion of this ordinance shall be deemed guilty of a misdemeanor and shall be punished, upon conviction, by assessment of a fine not less than \$50.00 and not more than \$100.00.

SECTION IV: That the offence of feeding one stray or at large animal shall be considered a separate offense for the purposes of this ordinance.

SECTION V: If, for any reason, any portion of this Ordinance be held to be invalid, such invalidity shall in no way affect the remaining portions thereof which are valid but such valid portions shall be and remain in full force and effect.

SECTION VI: All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

SECTION VII: WHEREAS, the need for regulation and control of stray and at large animals is necessary to preserve the health and safety of the citizens of Pocahontas, Arkansas and an emergency is hereby declared to exist and this ordinance shall take immediate effect from and after its passage, approval, and publication.

PASSED AND APPROVED THIS 9th DAY OF July, 2002.

John M Patrick
Mayor John Patrick

ATTEST:

Shelia Rose, CMC
Shelia Rose

City Clerk/Treasurer

DATE: 07-09-02

ORDINANCE NO. 2002-09

AN ORDINANCE AMENDING ORDINANCE NO. 99-04 TO INCREASE THE RETRIEVAL FEE FOR ANIMALS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Pocahontas passed Ordinance No. 99-04 on or about February 9, 1999.

WHEREAS, Ordinance No. 99-04, SECTION 11, assess a ten (\$10.00) fee for animals that have been retrieved by the City and then latter claimed by their owner. A fifteen dollars (\$15.00) pickup fee is assessed the second time the same animal is impounded.

WHEREAS, the third time the same animal is picked up, a citation may be issued.

WHEREAS, the City of Pocahontas desires to increase the first time pickup fee from \$10.00 to \$25.00, the second time pickup fee from \$15.00 to \$50.00 and set the fines that can be assess for any third or subsequent offense.

NOW, therefore, be it ordained by the City Council of the City of Pocahontas, Arkansas:

SECTION I: That the fee in SECTION 11 of Ordinance No. 99-04 for first time pickup fee is increased from \$10.00 to \$25.00. That the fee for the second offense will be increased from \$15.00 to \$50.00. The third and consecutive time the officer will have the option to issue a citation for violation of Ordinance NO. 99-04 and the District Court of Randolph County will assess a fine, a minimum of \$50.00 up to \$100.00 for the third or subsequent offense.

SECTION II: If, for any reason, any portion of this Ordinance be held to be invalid, such invalidity shall in no way affect the remaining portions thereof which are valid but such valid portions shall be and remain in full force and effect.

SECTION III: All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 9th DAY OF July, 2002.

John M Patrick
Mayor John Patrick

ATTEST: Shelia Rose, CMC
Shelia Rose
City Clerk/Treasurer

DATE: 07-09-02