

**ANIMAL CONTROL ORDINANCE  
SEMINOLE COUNTY, GEORGIA**

**Sec. 10-1. Purpose.**

The purposes of this chapter are to provide for the safety, good order, general welfare treatment and maintenance of animals; to limit the number and types of animals, which may be kept and maintained to prohibit certain animals; to provide for control of animals; to provide for the control of rabies and zoonoses (diseases that can be transmitted to humans); to prohibit fighting dogs, cocks, and other animals; to provide for an animal control board; to provide seizure, confinement, reclamation, forfeiture, abandonment, surrender, adoption, and disposal of animals, and to provide generally for the public health and welfare of the citizens of Seminole County.

**Sec. 10-2. Jurisdiction.**

The provisions in this chapter shall be applicable in the unincorporated areas of the county.

**Sec. 10-3. Administration and interpretations.**

The authority and responsibility for administration of this chapter shall rest with the board of commissioners. In exercising that authority and discharging that responsibility, the county administrator shall designate the animal control department head to be charged with enforcing this chapter. The animal control department shall coordinate and cooperate with the county health department and such other agencies, as the board of commissioners deems advisable. The animal control department head shall issue interpretations of this chapter upon written request.

**Sec. 10-4. Enforcement and penalties.**

- (a) It shall be the duty of the animal control officer under the direction of the animal control department head to enforce this chapter.
- (b) Violations of the provisions of this chapter shall be deemed a misdemeanor, except for the exceptions outlined for dangerous and potentially dangerous dogs in article VI of this chapter and neglect and abuse cases, punishable as provided by in state law, with each day such violations continue constituting a separate offense. Upon conviction for the first offense, the court shall be authorized to impose a fine of up to \$1,000.00 per day for each day that such condition or violation shall exist. Upon conviction for a second or subsequent offenses within a 12-month period, the court shall be authorized to impose a fine of up to \$1,000.00 per day for each day that such condition or violation shall exist. Appropriate actions and proceedings may be taken by law or in equity to prevent any violations of this chapter, to recover damages, and to restrain, correct or abate a violation; and these remedies shall be in addition to the other penalties described in this subsection.

**Sec. 10-5. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abused animal* means any animal that is mistreated, beaten, tormented or teased; or is deprived of water, food or shelter; or is kept under unsanitary conditions; or is abandoned; or is trained for fighting other animals.

*Animal* means a multicellular organism of the kingdom Animalia, differing from plants in certain typical characteristics such as a capacity for locomotion, nonphotosynthetic metabolism, pronounced response to stimuli, restricted growth, and fixed bodily structure.

*Animal control board* means a board consisting of a veterinarian, a county employee, and a citizen of Seminole County appointed as hereinafter provided.

*Animal control officer* means the person charged by the county administrator with enforcing this chapter.

*Animal shelter* means any facility operated by or under contract with the county for the purpose of impounding or harboring seized, stray, diseased, nuisance, dangerous, neglected, deprived, abused, homeless, abandoned, or unwanted animals or birds; any veterinary hospital or clinic operated by a veterinarian which operates for such purpose, in addition to its customary purposes; and any facility operated, owned, or maintained by other nonprofit organizations for the purpose of providing for and promoting the welfare, protection and humane treatment of animals.

*At heel* means a condition in which an animal is in the immediate vicinity of its owner and clearly under the voice control of that person and that control is clearly being exerted.

*At large* means that an animal is in any public street, right-of-way, park or other public grounds, or when off the premises of the owner or person who has custody of the animal, and not under restraint or under the immediate control (at heel) of the owner or the person who has custody of the animal.

*Bite* means to be seized with the teeth or jaws so that a person or animal has been nipped, gripped, wounded or pierced and saliva of the biting animal has or may have contacted the resulting break or abrasion of the skin.

*Board of health* means the Seminole County Board of Health and includes officers, officials and employees of such board of health acting within the scope of their authority.

*Breeder-hobbyist* means a person who maintains more than four animals of any breeds or species of animal as a hobby, but produces not more than two litters of any species of animal in any 12-month period.

*Breeder-professional* means a person who breeds animals for purposes of sale and maintains a current business license or who produces more than two litters of any species of animals in any 12-month period and who maintains affiliation in a nationally recognized society for the betterment, control and/or competitive display of the animal species.

*Cat* means a feline or whatever breed and all ages.

*Court* means the court in the county with jurisdiction to hear violations of county ordinances.

*Custodian* means any person whom within the county has responsibility for or exercises custody, charge, or control over an animal or harbors, maintains or keeps an animal.

*Dangerous animal* or *vicious animal* means any animal that; according to the records of the animal control department, the sheriff's department and any other department or agency with jurisdiction in the unincorporated areas of the county:

- (1) Inflicts a severe injury on a human being or another animal without provocation on public or private property at any time after (date ordinance is passed); or
- (2) Has attacked or endangered the safety of human beings or another animal without provocation on public or private property; or
- (3) Aggressively bites, attacks, or endangers the safety of humans without provocation after the dog has been classified as a potentially dangerous dog and after the owner has been notified of such classification.

*Dead animal* means the carcass, parts of the carcass, effluent, and blood of deceased animals.

*Deprived animal* means an animal which has not been provided by the owner or custodian thereof with adequate food and water, humane care, adequate sanitary shelter, adequate shelter from inclement weather or adequate ventilation or has been subject to cruel and inhumane treatment.

*Diseased animal* means any animal, is suffering from any disease or condition for which the animal is subject to quarantine or which is both contagious and deadly to humans or any other animal.

*Dog* means a canine of whatever breed and all ages.

*Dog control officer* means an individual selected by the county pursuant to the provisions of O.C.G.A. § 4-8-22(c) to aid in the administration and enforcement of the provisions of article VI of this chapter.

*Domestic animal* means dogs, cats, livestock, poultry, confined domesticated hares and rabbits, and all other animals and birds raised or maintained in confinement as pets or for work, food or recreational purposes.

*Equine* means any member of the equidae species, including horses, mules, and asses.

*Euthanasia* means a death brought about by any method, which produces rapid loss of consciousness to painless death.

*Exposed to rabies* means that a person or an animal has been bitten by, or exposed to, any warm-blooded animal known or suspected to have been infected with rabies.

*Fighting or attack dog or animal* means that a person or an animal has been bitten by, or exposed to, any warm-blooded animal known or suspected to have been infected with rabies.

*Free running line* means a line, which is attached or is secured by a swivel or other device, which will prevent the line from being wrapped around some object.

*Guard dog* means any dog that has been trained to attack persons independently or upon command and any dog that, while not so trained, is reasonably expected to perform as a guardian of its owner and/or the property upon and within which he is located.

*Harboring* means the keeping of an animal or allowing an animal to return daily for food and care for a period of ten days or more.

*Humane manner* means the care of an animal, to include protection from injury, adequate coolness and heat, ventilation, sanitary shelter, wholesome food and water that are consistent with the normal requirements and breeding habits of the animal's size, species and breed.

*Kennel* means an establishment kept for the purpose of breeding, selling, training or boarding animals.

*Nuisance animals* means an animal that:

- (1) Damages, defiles, or defecates on private property other than that of the owner of the animal or on public property unless such waste is immediately removed and properly disposed of by the animal owner;
- (2) Causes an unsanitary, dangerous or offensive condition; or creates noxious or offensive odors which are detectable outside the property of the owner or custodian thereof; provided, however, that such term shall not apply to animals owned as part of farm or ranch operations or to animals at a location which has a current valid kennel license for operation at a location or locations where such activities are permitted pursuant to the zoning ordinance of the county; or creates an accumulation of excreta which has the potential of becoming an insect breeding site;
- (3) Causes a disturbance by 15 minutes or more of excessive barking, whining, howling, honking, crowing, braying, or crying or other noise making, where such noise is detectable outside the property of the owner or custodian of such animal;
- (4) Chases vehicles; or disturbs persons by running at large; or is at large; or is a dangerous animal and is not kept securely confined as required by state law or local ordinance; or continuously barking or attacking passersby, whether such passersby or pedestrians, on a bicycle, or in a motor vehicle;
- (5) Does not have proof of rabies inoculation clearly displayed if required;
- (6) Is trained, owned or harbored for the purpose, primary or in part, for animal fighting; or
- (7) Is kept or maintained contrary to the public health, welfare or safety according to the rules and regulations promulgated by the health department, which rules and regulations are incorporated and made a part of this chapter as if fully set out.
- (8) Is in estrus (heat or season) and is located upon and in any road or street or public property, outside property owned or controlled by the owner or custodian of the animal or outside property owned or controlled by a person who has granted express permission for the animal to be upon such person's property.
- (9) Is repeatedly found at large.

Any person that knowingly keeps, owns, harbors, acts as custodian of an animal constituting a nuisance shall be guilty of a misdemeanor.

*Owner* means any natural person or any legal entity, including but not limited to a corporation, partnership, firm or trust, owning, possessing, harboring, keeping, or having custody or control of an animal within this county.

*Poison* means a substance that through its chemical action usually kills, injures or impairs an organism.

*Potentially dangerous dog* means any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise threaten persons without provocation; or any dog that, when unprovoked dogs:

- (1) Chases or approaches a human being or another domestic animal on any public or private property in a vicious or terrorizing manner in an apparent attitude of attack; or
- (2) Attempts to attack a human or another domestic animal.

*Poultry* means any domestic fowl including, but not limited to, chickens and water fowl such as geese and ducks; birds which are bred for meat and egg production, exhibition, or competition; and game birds such as pheasants, partridge, quail, and grouse, as well as guinea fowl, pigeons, doves, and peafowl to include: ratite, rhea, emus, ostrich.

*Pound* means those premises designated by the board of commissioners for the purpose of holding and caring for animals found to be at large by those persons charged with the enforcement of this chapter.

*Proper enclosure* means an enclosure for keeping a dangerous dog or potentially dangerous dog while on the owner's property securely enclosed indoors or in a securely enclosed and locked pen, fence or structure suitable to prevent the entry of young children and designed to prevent the dog from escaping. Any such pen or structure shall have secure sides and a secure top; and, if the dog is enclosed with a fence, all sides of the fence shall be of sufficient height and the bottom of the fence constructed or secured in such a manner as to prevent the dog's escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the dog.

*Rabies vaccination* means inoculation of an animal with an approved rabies vaccine.

*Severe injury* means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery or a physical injury that results in death.

*Stray* means an animal running at large in the county or the city that no one claims ownership of.

*Under restraint* means secured by a leash or lead not to exceed six feet in length held by a responsible, able-bodied person.

*Vicious animal.* See "dangerous animal."

**Cross references:** Definitions generally, § 1-2.

**Sec. 10-6. Rights of officials to enter premises.**

(a) Whenever an animal control officer, a representative from the health department, or their authorized representative, any law enforcement officer, or other county official has reasonable cause to believe that there exists in any building or upon any premises any violation of the provisions of this chapter or other applicable law, or whenever it is necessary for such official to make an inspection to enforce any provision or perform any duty imposed by this chapter or any other applicable law, he shall have the right to enter such property at any reasonable time to inspect and perform any duty imposed by this chapter or other applicable law; provided, that:

- (1) If such property is occupied, he shall first present proper credentials to the occupant and request entry explaining his reasons;

(2) If such property is unoccupied, he shall first make a reasonable effort to locate the owner or the person having charge or control of the property and request entry, explaining his reasons; and

(3) If such entry is refused or cannot be obtained because the owner or other person having charge or control of the property cannot be found after due diligence, recourse shall be had to every remedy provided by law to secure lawful entry and inspection of the property.

(b) Nothing in this section shall affect or otherwise abridge the right of any animal control officer to pursue or impound an animal or to issue a citation when an animal is on property other than that of the owner of the animal or that of a person who has a right to control such animal.

**Sec. 10-7. Rights of officials for emergency entry.**

If an animal control officer, health department representative, any law enforcement officer, or other county official has reasonable cause to believe that the keeping or maintaining of any animal is so hazardous, unsafe or dangerous as to require immediate inspection to save the animal or protect the public health or safety, he shall have the right to immediately enter and inspect such property, and may use reasonable means required to effect such entry and make inspection whether such property is occupied or unoccupied and whether or not permission to inspect has been obtained. If the property is occupied, he shall first present proper credentials to the occupant and demand entry, explaining his reasons and the purpose of the inspection. Failure or refusal to permit inspection shall constitute a misdemeanor.

**Sec. 10-8. Interference with officials prohibited.**

No person shall resist or interfere with an animal control officer or any other county official in the performance of his official duty in enforcing this chapter; nor shall any person fail or refuse to exhibit the vaccination certificate of any animal required to be vaccinated by this chapter when required to do so by any animal control officer or other county official.

**Sec. 10-8b. Interference with animal control shelter.**

It shall be unlawful for anyone to interfere with the operation of any animal shelter or other facility maintained for the confinement of animals under supervision of the county to remove from any such animal shelter or facility without the consent of the operator of the animal shelter or facility any animal kept therein; or to resist, hinder, delay, interfere with or molest any person, agent, employee or member of any organization or entity operating such animal shelter or facility in the performance of his duties or responsibilities.

**Sec. 10-9. Dead animals; removal from public rights-of-way.**

The owner of dead animals upon the public rights-of-way shall remove the carcass so as not to constitute a nuisance. If the owner fails to do so, the county shall remove and dispose of such carcass on public rights-of-way and charge the cost of such removal and disposal to the owner of the carcass, if known.

**Sec. 10-10. Abandonment of dead animals upon public property or public right-of-way.**

No person shall abandon a dead animal on any public property or public right-of-way unless the place in which the animal is being left is a public dump or other facility designed for receiving such and had been designated by the county as a public facility for receiving trash or refuse.

**Sec. 10-11. Removal of dead animals from private property.**

When any dead animal is found on private property, the owner of the dead animal or the owner of the premises upon which such animal is located shall remove the animal immediately at his own cost. Failure to do so in a timely manner is declared a nuisance and constitutes a violation of this chapter.

**Sec. 10-12. Abandonment of dead animals upon private property.**

No person shall intentionally abandon a dead animal on any private property belonging to another unless the person so doing shall have first obtained permission from the owner of the property on which the animal is being left.

**Sec. 10-13. Livestock on public rights-of-way.**

No one shall allow or permit any horses, cattle, sheep, goats or other livestock to run at large on public rights-of-way or to be staked so that they can go upon public rights-of-way, or to drive or lead any such animals along or on the public rights-of-way unless fastened to a rope, chain or other substantial leading device, which rope, chain or other substantial leading device is securely held by a responsible person during all the time that such animals are being led or driven along and over the public rights-of-way.

**Sec. 10-14. Abandonment of animals.**

No person shall release an animal or leave an animal on any property, public or private, with the intention of abandoning the animal.

**Sec. 10-15. Liability of owner or custodian for damages to livestock and poultry by an animal.**

(a) The owner, or if no owner can be found, the custodian exercising care and control over any animal that goes upon land of another and causes injury, death or damage directly or indirectly to any livestock or poultry shall be civilly liable to the owner of the livestock or poultry for damages, death or injury caused by the animal. The liability of the owner or custodian of the dog shall include consequential damages.

(b) This section is to be considered cumulative of other remedies provided by law. There is no intent to do away with or limit other causes of an action that might inure to the owner of any livestock or poultry.

**Sec. 10-16. Permitting animals in heat to roam or run free.**

No owner or custodian of any animal in heat shall permit the animal to roam free. Such animal shall be confined in a building or securely enclosed in a manner that shall not allow contact with a nonneutered male animal except for planned breeding.

**Sec. 10-17 Limiting number of animals.**

(a) With respect to all subdivisions (residential areas with six or more lots) located in the unincorporated area of Seminole County, there shall not be located upon any lot within such areas more than four animals (plus any offspring thereof less than six months of age) at any one time which are owned by one or more persons residing upon said lot. In addition, any animal residing at such location shall be maintained, except as otherwise permitted under the provisions of this chapter, at all times within a proper enclosure which shall be located no closer than ten feet from the nearest point of any property line. Any owner or occupier of any such premises who desires to keep or maintain more than four animals at such premises shall not be authorized to do so unless such owner or occupier obtains a kennel license as provided for under appropriate county ordinance.

(b) The provisions of this section shall not apply to the following, nor shall such provisions apply to employees, agents and servants of the following while they are acting within the scope of their employment:

- (1) Licensed veterinarians;
- (2) Animal shelters;
- (3) Any legitimate institution or agency of education, health or research; or
- (4) Any federal, state or local governmental entity, agency or instrumentality.

**Sec. 10-18. Nuisance Animals**

(1) It is unlawful for the owner of any animal to allow it to run at large or unattended on or about the streets and highways or upon property of another without the property owner's consent;

(2) Unlawful for the animal to cause a disturbance lasting 15 minutes or longer;

(3) Chases vehicles or pedestrians or continuously barking or attacking passersby, whether such passersby or pedestrians are on a bicycle, motor vehicle, jogging, or walking;

(4) Causes an unsanitary, dangerous or offensive condition or creates noxious or offensive odors which are detectable outside the property of the owner or custodian;

(5) Not allowed to train, own or harbor for the purpose, primary or in part, for animal fighting;

(6) Is in estrus (heat or season) and is located upon and in any road, street, or public property, outside property owned or controlled by the owner or custodian;

(7) All owners should have dogs inoculated for rabies and display proof of inoculation.

**Sec. 10-19. Prohibited animals.**

Except to the extent otherwise authorized in this chapter, no person shall own, have, keep or maintain within the county any of the following:

- (1) Any poisonous or venomous biting or injecting species of amphibian or reptile, including snakes.
- (2) Any animal listed as inherently dangerous to humans pursuant to the provisions of O.C.G.A. 27-5-4 or determined by regulation of the State Board of Natural Resources pursuant to the provisions of that Code section as being considered to be inherently dangerous to humans.
- (3) Any animal, bird, fish or insect, either dead or alive, and including any body or part thereof, which then appears on the endangered species list designated by the United States Secretary of the Interior and published in the Code of Federal Regulations pursuant to the Endangered Species Act of 1973 or which is protected under any federal or state law or regulation which has as its purpose the protection of endangered or threatened species.
- (4) Any animal, which is afflicted with any disease, which is contagious to humans or other animals and is not under treatment for that disease.
- (5) Any carnivorous animal which has not been domesticated or which has dangerous propensity toward any person, any other animal or any property of anyone other than the owner or custodian thereof.
- (6) Any animal pet at the age of three months and older, which has not been currently inoculated for rabies.
- (7) Any animal pet, which has been inoculated for rabies without identifiable proof of inoculation for rabies.
- (8) The provisions of this section shall not apply to the following as long as they have a current valid license for such business:
  - a. Animal dealers;
  - b. Livestock dealers;
  - c. Livestock market operators;
  - d. Kennels or professional breeders.

**Sec. 10-20. Animal control board.**

The purpose of the animal control board, and hereafter referred to as the board shall be to hear and determine matters submitted to the board pursuant to the state Dangerous Dog Control Law (O.C.G.A. 4-8-20---4-8-29) and to determine such other matters as shall be provided from time to time by ordinance of the county.

**Sec. 10-21. Membership.**

The board shall consist of three members and one alternate board member to serve when any board member cannot serve. Board of commissioners or their designee of Seminole County shall appoint members of the board, which must consist of a veterinarian, an employee of the county, and a citizen of the county. The term of office of each member position of the board shall be on a calendar year basis for a three-year period with members subject to removal with or without cause by a majority vote of the Board of Commissioners of Seminole County prior to the end of their term of office. The alternate member shall be either a veterinarian, an employee of the county, or a citizen of the county.

**Sec. 10-22. Compensation.**

Members of the board shall receive no compensation for their services.

**Sec. 10-23. Disqualification of members.**

(a) No member of the board shall participate in connection with any hearing or any decision involving classification or nonclassification pursuant to the provisions of the state dangerous dog control law with respect to any dog of which the member has a personal knowledge, other than as a member of the board, with such member being disqualified from participating with such matter.

(b) Should any member of the board have any personal or financial interest or relationship with respect to any animal, owner, matter or issue pending before the board or otherwise be closely associated with any animal, owner, matter or issue pending before the board, then such member should declare a conflict of interest in connection with such matter or issue.

Any member of the board shall be entitled to raise a question of a potential disqualification of any other member who has not disqualified himself whereupon, following such consideration as the board shall deem appropriate, the board shall determine by the majority vote of the remaining members (including the alternate) as to whether the member should be disqualified from voting on the matter under consideration.

**Sec. 10-24. Meetings.**

Meetings of the board shall be held from time to time as necessary for the board to perform its duties and responsibilities. All meetings of the board shall be open to the public and shall be held in accordance with the requirements of state law relative to open public meetings. The records of the board shall be open to the public under the Georgia Open Records Act to the extent required by law.

**Sec. 10-25. Duties and responsibilities.**

(a) The board shall hear and determine such issues and matters as it shall be authorized from time to time by law or by ordinance of the county, including specifically determination of matters provided in O.C.G.A. 4-8-24 and other provisions of the state Dangerous Dog Control Law as now enacted and subsequently amended from time to time.

(b) The board shall have such additional duties, responsibilities and powers as shall be specifically provided from time to time by ordinance adopted by the board of commissioners.

**Sec. 10-26. Rules and regulations.**

The board shall recommend such rules, policies, procedures and regulations for the transaction of its business and for consideration and determination of issues and matters before the board, as it deems necessary, subject to prior approval by the board of commissioners or their designee.

**Sec. 10-27. Selection of chairman and vice-chairman.**

The board shall select from among its members a chairman who shall preside at meetings and hearings of the board and vice-chairman who shall preside at meetings and hearings of the board in the absence or disqualification of the chairman. The chairman, or in the absence or disqualification of the chairman, the vice-chairman, shall call all meetings of the board.

**Sec. 10-28. Secretary of board---Designation.**

The secretary of the board shall be such person or official as shall from time to time be designated by the animal control department to perform the functions of secretary of the board. The secretary may, but need not be, a member of the board.

**Sec. 10-29. Secretary duties.**

The secretary of the board or his designee shall:

- (1) Prepare and conduct all correspondence of the board;
- (2) Receive and file all correspondence to the board;
- (3) Receive and file all requests for hearings before the board and other applications;
- (4) Receive and file all transmittals to the board from the animal control officer and other public officials;
- (5) Review and evaluate all requests, applications and filings to and with the board for compliance with the rules and regulations of the board and notify those filing the same of any noncompliance therewith;
- (6) Following consultation with the chairman and to the extent necessary the other members of the board, schedule hearings and meetings of the board in accordance with applicable laws and ordinances and the rules and regulations of the board;
- (7) Prepare and maintain a calendar and docket of proceedings before the board;
- (8) Prepare and submit to members of the board at least 24 hours prior to a scheduled hearing an agenda therefore, as well as copies of all requests and other filings made in connection with each such proceedings;
- (9) Determine all notices to be given in connection with proceedings before the board and cause such notices to be given to those entitled thereto;
- (10) Attend all meetings and hearings of the board;
- (11) Retain and maintain all evidence presented in connection with matters before the board;
- (12) Prepare and maintain minutes of proceedings of the board indicating therein all significant information, matters and facts pertaining thereto, including specifically all motions, votes and decisions of the board, together with such other matters as shall be pertinent to the activities of the board;
- (13) Retain and maintain all minutes, records, files and notices of the board;
- (14) Maintain a minutes book of the board in which shall be recorded by date, owner and animal and record of the decision of the board;

- (15) At hearings before the board attempt to obtain the name and address of all persons, who shall present any evidence, testimony or opinions, make any statement to the board or present any argument in connection with matters before the board;
- (16) Obtain transcriptions of hearings before the board upon the direction of the chairman of the board and the approval of the county administrator;
- (17) Notify those persons entitled thereto of decisions of the board; and
- (18) Perform such other duties with respect to the activities of the board as shall be directed from time to time by the board and approved by the county administrator.

**Sec. 10-30. Authority.**

The board shall have no authority or power other than as specifically provided from time to time by law or by ordinance and, without limiting the generality of the foregoing, shall have no authority, right or power to expend any funds, to direct the activities of any employee or official of the county, except solely the secretary of the board, if applicable, and then only to the extent specifically provided in this division, or to contract for or on behalf of either itself or the county.

**Sec. 10-31. Vicious Dogs**

- (a) No person owning or having custody or control of any dog or other animal known by such person to be vicious shall permit it to run at large, or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises.
- (b) It shall be the duty of every owner of any vicious animal, or anyone having any such animal in his possession or custody, to ensure that the vicious animal is kept under restraint, as prescribed in subsections (d), (e) and (f) of this section and that reasonable care and precautions are taken to prevent the vicious animal from leaving, while unattended, the real property limits of its owner, custodian, or harbinger, and it is securely and humanely enclosed within a house, building, fence, locked pen, or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition. Such enclosure must be securely locked at any time the animal is left unattended so that children are prevented from entry and to prevent the vicious animal from escaping.
- (c) For owners of a vicious animal whose animal lives out-of-doors, a portion of their property should be fenced with a perimeter or area fence. Within this perimeter fence, the vicious animal must be humanely confined inside a locked pen or kennel of adequate size. The kennel or pen must have secure sides that set securely into the ground or onto a concrete pad. The gate to the kennel must be locked when the animal is unattended. This enclosure shall provide protection from the elements.
- (d) A vicious animal shall not be upon any street or public place except when securely restrained by a leash not more than six feet in length and humanely muzzled when appropriate, as determined by the animal control officer, and in the charge of a competent person.
- (e) Whenever outside of its enclosure, as provided for in subsections (b) and (c) of this section, but the owner's property, a vicious animal must be attended by the owner or custodian and restrained by a secure collar, muzzled when appropriate, as determined by the health control officer, and on a leash of sufficient strength to prevent escape.

- (f) No vicious animal shall be chained, tethered, or otherwise tied while unattended by the owner or custodian to any inanimate object such as a tree, post, or building outside of its primary enclosure.
- (g) A warning sign (i.e. beware of dog) shall be conspicuously posted denoting a vicious animal on the premises.
- (h) Failure to keep any vicious animal confined or under restraint as provided for in this section shall be unlawful and shall be punishable as provided in this article.

**Sec. 10-32 Tethering of animals.**

- (a) It shall be unlawful to tether any animal on a chain, rope or cable, which is shorter than three times the length of the animal from the nose to the tip of the tail.
- (b) It shall be unlawful to tether an animal on a chain in which the weight of the chain would cause unreasonable pain or stress.
- (c) It shall be unlawful to attach a weight of any kind to any type of tether for the purpose of making the animal pull the weight.

**Sec 10-33 - 10-50. Reserved.**