

TITLE 6

ANIMALS AND FOWL

Chapters:

6.04 Animals

CHAPTER 6.04

ANIMALS

Sections:

- 6.04.01 Definitions
- 6.04.02 License
- 6.04.03 Identification
- 6.04.04 Vaccination
- 6.04.05 Number of animals
- 6.04.06 Confinement of animals and birds
- 6.04.07 Dog pens
- 6.04.08 Conditions of pens and premises; birdcages
- 6.04.09 Impounding; release or euthanization of animals
- 6.04.10 Disposition of injured or diseased stray animals
- 6.04.11 Release or adoption of animals
- 6.04.12 Nuisance animals
- 6.04.13 Vicious animals
- 6.04.14 Determination of vicious animal
- 6.04.15 Animal bites
- 6.04.16 Animal care
- 6.04.17 Wildlife protection
- 6.04.18 Keeping of exotic animals
- 6.04.19 Keeping of livestock prohibited
- 6.04.20 Bee keeping restricted
- 6.04.21 Keeping of animals for which no licensed, approved rabies vaccine is available
- 6.04.22 Relinquishment of unwanted animals
- 6.04.23 Standards for pet shops
- 6.04.24 Kennel standards
- 6.04.25 Enforcement

6.04.26	Interference with enforcement
6.04.27	Penalties and fines
6.04.28	Notice
6.04.29	Fines

6.04.01 Definitions the following words and phrases shall have the following meanings:

Abandon - Any living creature, domestic or wild.

Animal Control or Animal Services Officer - Any person designated by the state of Arkansas, a municipal government or a humane society as a law enforcement officer who is qualified to perform such duties under the laws of this state.

At large - Any animal not confined within a house, building, or other secure enclosure or any dog not restrained by the owner or responsible person by leash or lead.

Breeder - A person who breeds animals for sale, trade, or barter. Breeder shall also mean any person who maintains an unaltered (unsterilized) dog or cat and breeds such animal for any consideration for profit, fee or compensation.

Cats - when used herein shall include animals of all ages, both female and male, which are members of the feline or cat family.

Dangerous Animal - Any animal which according to the records of the appropriate authority has:

- A. Inflicted injury on a human without provocation on public or private property:
- B. Killed a domestic animal without provocation while off the owner's property or,
- C. Been previously found to be potentially dangerous, the owner having received notice of such and the animal subsequently aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Dogs - when used herein shall include animals of all ages, both female and male, which are members of the canine or dog family.

Enclosure - A fence or structure forming or causing an enclosure suitable to adequately confine any animal.

Exotic Animal - When used herein means an animal that is not indigenous to Arkansas, excluding captive bred species of common cage birds, or any other animal, fish, or reptile that is commonly sold or traded as a companion animal or household pet.

Harbor - For a period of three days or more, to keep and care for an animal and provide a

premise to which the animal returns.

Hazardous Animal - Any animal which has threatened any human or domestic animal while off the owner's property.

Injury - Any physical injury that results in the need for professional medical treatment.

Kennel, Cattery, or Pet Shop - Any premises where any person that engages in the business of boarding, breeding, buying, letting for hire, raising, training for a fee, or selling dogs, cats, birds, rodents, reptiles, fowl, fish, or other small animals for profit, whether operated separately or in conjunction with another business enterprise.

Livestock - Any animal commonly referred to as a farm animal, including but not limited to bovine, porcine, fowl or ratite.

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

Nuisance Animal - Any animal which, as a result of its actions, causes a human being any loss of rights or privilege.

Owner - When used herein means any person possessing or harboring one or more animals. An animal shall be considered harbored if it is fed or sheltered for three consecutive days or more.

Person - Any individual, partnership, corporation, association or any other legal entity.

Potentially Dangerous Animal - Any animal which, unprovoked:

- A. Bites a human, domestic animal, or livestock either on public or private property or,
- B. Chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any animal that has a documented history to attack unprovoked, cause injury, or to otherwise threaten the safety of humans or domestic animals or;
- C. Has been previously found to be hazardous.

Notwithstanding the above definitions, no animal shall be declared a hazard or nuisance if, after appropriate investigation, the animal's behavior was a result of teasing, tormenting, abuse, or assault of the animal or if the animal was protecting its young or owner's property.

Severe Injury - Any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery, or threatens the life of the victim.

Stray - Any animal which does not have affixed to it a collar with an identification tag with owners' name, address, and phone number and a current city of Bald Knob license tag, and/or identifying, traceable tattoo or microchip.

Vaccination - When used herein means an injection of any vaccine for rabies approved by the state veterinarian, and administered by a licensed veterinarian or agent of the health officer.

Vicious animal - Any animal which, when unprovoked, approaches in a manner of attack or bites a human being or domestic animal on public or private property.

- A. Any animal with a known propensity, tendency or disposition to attack without provocation human beings or domestic animals.
- B. Any animal which, without provocation, bites a human being or domestic animal on public or private property.
- C. Any animal owned or harbored primarily or in part for the purpose of animal fighting or any animal trained for animal fighting.
- D. Any animal which has inflicted severe injury on a human being without provocation on public or private property;
- E. Any animal which has been previously found to be dangerous, the owner having received notice of such, and the animal again aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Notwithstanding the above definition, no animal shall be declared vicious, dangerous, or potentially dangerous if the person attacked or bitten by said animal was teasing, tormenting, abusing, or assaulting the animal or was committing or attempting to commit a crime; or if the animal was protecting its young.

No animal shall be declared vicious if a domestic animal that was bitten or attacked was teasing, tormenting, abusing, or assaulting the animal. No animal shall be declared vicious if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault, or if the animal was protecting its young.

Wild Animal - Any living member of the animal kingdom, including those born or raised in captivity, except the following: human beings, domestic dogs (excluding hybrids with wolves, coyotes, or jackals), domestic cats (excluding hybrids with ocelots or margays), farm animals, and captive bred species of common cage birds. No other wild animal will be authorized in city limits, unless state law permits. (Ord. No. 99-02, Sec. 1-1.)

6.04.02 License It shall be unlawful for any person to own, keep, or harbor a dog within the corporate limits of the city without having first paid the city an annual license fee for all dogs six (6) months of age or older. To secure a license, owner provides proof of current legal rabies

vaccination. Upon payment of the license fee to the City Clerk of Bald Knob or Animal Control, it shall be the duty of the city to furnish the owner of the dog with a tag of distinctive design with the serial number of the dog. The city of Bald Knob shall keep this serial number on file. Every dog covered by the article must have and wear a collar of such type that the city license tag may be firmly attached to said collar. Such tag, when issued, shall be securely attached at all times to the dog's collar or harness. Failure to keep such a tag on the dog's collar shall be unlawful.

The license, as referred to in this section, shall be effective for the duration of the rabies vaccination period and shall expire the same date as said rabies vaccination. This license shall be non-transferable. Upon the death of the dog, the owner shall advise Bald Knob animal control which shall void the registration of the animal.

All owners of seeing eye dogs, hearing ear dogs, assistance dogs, or guide dogs, such dogs being used to aid sensory impaired citizens, or other citizens who, upon medical device, require the use of an assistance dog, shall not be required to pay an annual city license fee; but shall be required to obtain a license tag and identification tag. (Ord. No. 99-02, Sec. 1-2.)

6.04.03 Identification If a dog is of such age that a license is not required and if the dog is required by this ordinance to have a license tag, the owner of the dog shall obtain any durable commercially available simple identification tag for the animal setting forth the name, address and phone number of the owner of the animal; and said identification tag shall also be attached to the collar or harness of the animal. Failure to keep an identification tag on the animal, as well as a license, shall be unlawful. (Ord. No. 99-02, Sec. 1-3.)

6.04.04 Vaccination all such dogs, cats, and other animals in the city that are susceptible to rabies shall be vaccinated annually against rabies by an accredited veterinarian. A metal tag evidencing such vaccination shall be affixed to the harness or collar of every dog in the city, by virtue of a reasonable and humane method. Any person who shall keep any pet in the city without first having it vaccinated against rabies at least once a year, shall be guilty of a misdemeanor. A person other than a veterinarian or agent of the health officer, who vaccinates his own or another pet with anti-rabies vaccine in the state of Arkansas has committed a misdemeanor. (Ord. No. 99-02, Sec. 1-4.)

6.04.05 Number of animals It shall hereafter be unlawful for any person to own, keep, or harbor more than three (3) dogs within the corporate limits of the city. This provisions shall not apply to proprietors of animal hospitals and veterinarians when such animals are kept upon premises used by such business. This provision shall not apply to kennel operators. Keeping on the premises more than three (3) dogs, unless exempted, shall be prima facie evidence of violation of this section.

Any person found not to be in compliance with this section of this ordinance shall, at the discretion of Bald Knob Animal control have a period of not less than ten (10) days or more than ninety (90) days to reduce the number of such animals through legal channels. Any dog under the age of 8 weeks shall not count toward the three-animal limits of this section.

Any person owning, keeping or harboring more than three (3) dogs within the corporate limits of the city at the date of the passage of this ordinance shall be exempt from this section, but must comply with all remaining applicable sections of this ordinance. The exemption only applies to the life of the dogs in the owner's possession at the date of the passage of this ordinance. Once a dog dies or is disposed of by the owner, it may not be replaced as long as the owner has in his/her possession three (3) dogs. (Ord. No. 99-02, Sec. 1-5.)

6.04.06 Confinement of animals and birds From and after the passage of this ordinance, any person owning animals, whether vaccinated or unvaccinated, licensed or unlicensed, shall confine such animal within an adequate fence or enclosure, or within a house, garage or other building. Animals shall not be tied or chained to doghouses or other stationary objects, but must be in an approved enclosure.

All birds must be kept in cages large enough to provide them with exercise, toys, and another bird of the same species if it is common for the bird to flock. Male birds may be kept in separate cages. (Ord. No. 99-02, Sec. 1-6.)

6.04.07 Dog pens Outdoor dog pens shall be located thirty (30) feet from any dwelling other than the person owning or controlling the dog. There shall be at least one hundred (150) square feet in such pen for each dog, over six (6) months of age, kept therein and shall be so constructed to adequately contain the dog. (Ord. No. 99-02, Sec. 1-7.)

6.04.08 Condition of pens and premises It shall be unlawful for any person keeping or harboring animals to fail to keep the premises where such animals are kept free from offensive odors to the extent that such odors are disturbing to any person residing within reasonable proximity of said premises. It shall be unlawful to allow premises where animals are kept to become unclean and a threat to the public health by failing diligently and systematically to remove all animals' waste from the premises. It shall be unlawful to allow animals on premises where animals are kept to become infested with ticks, fleas or other vermin, by failing to diligently and systematically apply accepted methods of insect and parasite control.

Birdcages must be kept free from drafts and sudden chills. Cages must be cleaned daily to avoid airborne diseases to persons and other birds. Birds must have a constant supply of clean water and wholesome food appropriate to the particular species. No person may have an outside aviary unless he/she is a licensed rehabilitator. Outside aviaries must follow state and federal guidelines and have the approval of Animal Control.(Ord. No. 99-02, Sec. 1-8.)

6.04.09 Impounding The Bald Knob Animal Control Officers or assistants shall take into custody any animal that is untagged, unidentified, or at large as defined in Section 1-1. Such animal shall be impounded by Bald Knob Animal Control.

- A. Unrestrained dogs and nuisance animals may be taken by the police. Bald Knob Animal Control Officers, or humane officers and impounded in an animal pound and/or be confined in a humane manner. In the case of animals causing a noise problem and after owner of such animal has been duly notified twice that the

problem needs correcting and such correction has not been put in place, nuisance animals can then be impounded and a notice left at the owner's residence so as to provide the owner with instructions for reclaiming the animal.

- B. Impounded animals shall be kept for a period of not fewer than ten (10) working days, including one Saturday, thereafter kept at the discretion of Bald Knob Animal Control.
- C. If, by license tag or other means, the owner of an impounded animal can be identified, the animal control officer shall immediately upon impoundment notify the owner by telephone or certified mail.
- D. Any animal not reclaimed by its owner within ten (10) days shall become the property of the city of Bald Knob and shall be placed for adoption in a suitable home or humanely euthanized by sodium phenobarbital. The owner is responsible for payment of any fees and/or fines accrued by the animal as outlined in Section 1-29.
- E. In addition to, or in lieu of impounding an animal at large, the animal control Officer or police officer may issue to the known owner of such animal notice of ordinance violation. In the event such notice is not settled either by court proceedings or full payment of levied fines, a criminal warrant shall be initiated before a magistrate and upon conviction, the owner shall be punished as provided for in Section 1-29.
- F. The pound supervisor shall keep complete and accurate records of the care, feeding, veterinary treatment, and disposition of all animals impounded at the pound.
- G. The owner of an impounded animal who refuses to reclaim his animal may be proceeded against for abandonment under the provisions of Section 1.16. (Ord. No. 99-02, Sec. 1-9.)

6.04.10 Disposition of injured or diseased stray animals Disposition of injured or diseased animals shall be at the discretion of Bald Knob Animal Control. (Ord. No. 99-02, Sec. 1-10.)

6.04.11 Release or adoption of animals Animals not claimed by owner within prescribed period of time become the property of Bald Knob Animal Control and the city of Bald Knob and may be placed by Animal Control with a responsible potential owner who will provide a suitable home for the animals in compliance with this ordinance. If such person chooses not to keep the animal, the animal must be returned to Bald Knob Animal Control. Once an animal has become the property of Bald Knob Animal Control, ownership of such animal may never be transferred to persons representing medical laboratories, or any other entity for experimental purposes.

Bald Knob Animal Control does not guarantee the health or temperament of any animal adopted from the pound. (Ord. No. 99-02, Sec. 1-11.)

6.04.12 Nuisance animals Owners of nuisance animals shall be subject to fine. (Refer to Section 1-29). Nuisance animals are any animals which infringe upon the rights of another animal or a person, or:

- A. Molest passers by or passing vehicles
- B. Attacks other domestic animals;
- C. Trespass on school grounds;
- D. Are repeatedly at large;
- E. Damage private or public property;
- F. Bark, whine, or howl in an excessive, continuous, or untimely fashion;
- G. Causes fouling of the air by odor and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where animal is kept or harbored or;
- H. Interferes with refuse collection or other service personnel.

For purposes of this section, each day that a violation occurs shall be considered a separate offense, and if a separate citation is issued for each offense, each such separate offense may be punished separately. (Ord. No. 99-02, Sec. 1-12.)

6.04.13 Vicious animals It shall hereafter be unlawful for any person to keep within the corporate limits of the city any vicious or dangerous animal, unless such animal shall be confined by the owner within a building or secure enclosure. Such animal shall not be taken out of such building or secure enclosure unless securely muzzled, and under the physical control of a mature responsible owner by lead or leash.

When in the judgment of Bald Knob Animal Control any animal, by virtue of one or more attacks of such severity as to cause severe injury, or property damage, is determined to be a vicious animal, Bald Knob Animal Control shall give notice of said determination to the owner who shall forthwith comply with the provision of this section concerning vicious dogs or animals. After notice to the owner or if after documented diligent effort, no owner can be located, to protect the public from imminent danger to persons or property, Bald Knob Animal Control may have such animal humanely destroyed without regard to any time limitation otherwise established herein. (Ord. No. 99-02, Sec. 1-13.)

6.04.14 Determination of vicious animal The office of Animal Control shall be responsible for determining whether an animal is vicious, dangerous, or potentially dangerous and upon such a determination said office shall notify the owner of such determined classification. Although an appeal will not stay such determination, said owner may appeal determination by filing a Notice of appeal with the City Court of Bald Knob within ten (10) days thereof.

- A. Animal fighting or attack training: No person shall possess, harbor or maintain care or custody of any dog or other animal for the purpose of animal fighting. Nor shall any person train, torment, badger, bait or use any animal for the purpose of causing or encouraging the animal to attack human beings, domestic animals or livestock. This does not include accredited animal training programs for police use.
- B. Exception: No animal shall be declared vicious, dangerous or potentially dangerous if a domestic animal which was bitten or attacked was teasing, tormenting, abusing or assaulting the animal. No animal shall be declared vicious if the animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault or if the animal was protecting its young.
- C. Penalties: for purposes of this section, each day that a violation occurs, shall be considered as a separate offense, and if a separate citation is issued for each offense, each such separate offense may be punished separately.
(Ord. No. 99-02, Sec. 1-14.)

6.04.15 Animal bites Any dog or cat which has bitten a person is a rabies suspect and such animal shall be immediately released by the owner or custodian for quarantine confinement in a veterinary hospital approved by the city or at Bald Knob Animal Control for a period of ten (10) days. All other species of animals are to be confined and observed for rabies in the same manner except the time element will vary, so as to compensate for the difference in the incubation period of the disease. This adjusted time is to be determined by consultation with the Department of Health authorities. Such a quarantine may also be carried out within an enclosure approved by Bald Knob Animal Control.

When any animal has bitten, scratched, or otherwise attacked a person, the person or anyone having knowledge of such incident shall immediately notify Bald Knob Animal Control.

The animal may be quarantined for a period of at least ten (10) days at the expense of the owner, or ownership may be relinquished and the animal euthanized, and its head taken to the State Health Department for a pathological examination.

The quarantine may be on the premises of the owner at the discretion of and under supervision of Bald Knob Animal Control if an appropriate/suitable place is available. Unclaimed stray animals may be humanely euthanized after forty-eight (48) hours or two (2)

working days and the head removed and taken to the lab for pathological examination. (Ord. No. 99-02, Sec. 1-15.)

6.04.16 Animal care All animals, excluding livestock, which are provided for in Section 1-19 must be provided with appropriate shelter and a safe, non-injurious environment, as per Federal Animal Welfare Act Guidelines. Shelters and enclosures, whether temporary or permanent, must be constructed so that they are the appropriate size, strength, and material that allows the animal to stand, stretch, turn around, and lie down freely. The shelters, enclosures, and fenced areas for animals must be kept free of hazards such as trash, sharp edges, protruding nails, broken or splintered wood, metal or glass shards, machinery, loose wires, or any other material that may cause injury.

No person shall give away any live animal, fish, reptile, or bird as a prize for or as inducement to enter any contest, game, or other competition or to induce a sale, or as an inducement to enter any business agreement whereby the offer was for the purpose of attracting trade.

Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible, and shall immediately report such injury or death to the animal's owner. In the event the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency or to Bald Knob Animal Control.

No person shall expose any known poisonous substance, whether mixed with food or not, so that the same shall be liable to be eaten by any animal, provided that it shall not be unlawful for a person to expose on his own property common rat poison mixed only with vegetable substances.

No person shall fail to provide his animals with sufficient, good, wholesome and nutritious food, water in sufficient quantities, proper air, shade, shelter which provides protection from the weather which includes four sides with opening, roof, and floor; veterinary care then needed to prevent suffering, and humane care and treatment. No animal may be kept on flooring of wire grid.

No person shall beat, cruelly ill-treat, torment, overload, overwork or otherwise abuse an animal, or cause, instigate or permit any dogfight, cockfight, bull fight, or other combat between animals and/or humans.

No owner, keeper, or harbinger of an animal shall abandon such animal.

No person shall confine any animal in a parked vehicle if the outside air temperature is higher than 80 degrees Fahrenheit, unless the vehicle is running and the air-conditioner is working properly. Animal Control Officers, or other law enforcement officers shall not be liable for any damage resulting to the vehicle when such confined animals must be removed for their safety and well-being. (Ord. No. 99-02, Sec. 1-16.)

6.04.17 Wildlife protection It is unlawful for any person to hunt, chase, shoot, wound, kill, net, trap, snare, or in any other manner whatsoever catch any wildlife within the city limits of Bald Knob, except as may be allowed by fishing pursuant to the rules, regulations and licensing requirements of the Arkansas Game and Fish Commission. However, should it be determined by Bald Knob Animal Control that a wild or domestic animal is causing a nuisance or creating verifiable property damage, humane live traps may be used to capture and translocate or impound such animals. (Ord. No. 99-02, Sec. 1-17.)

6.04.18 Keeping of exotic animals The keeping of exotic animals, as defined in Sec. 1-1, shall be prohibited. (Ord. No. 99-02, Sec. 1-18.)

6.04.19 Keeping of livestock prohibited It shall be unlawful for any person to keep, maintain, or permit to run at large within the corporate limits of the city, any livestock except as provided herein.

- A. The keeping of horses, cows, or ratices is permitted where they are maintained on an enclosed pasture containing three (3) acres for each animal. Such enclosures shall be kept in a sanitary, healthful, and secure condition so as to prevent any nuisance to citizens. Additionally, adequate supplemental feed shall be supplied, such supplemental feed provided so as to maintain good health and proper condition of each head of livestock. Water vessels appropriately constructed and located must be available so that each animal kept will have 24 hour access to wholesome water.
- B. For any other animals commonly referred to as farm animals including but not limited to pigs, chickens, goats, sheep, and ducks, space allotment and food and water must be adequate enough for each animal to be maintained in a comfortable, healthy, and stress free manner.
- C. Any person not in compliance with the space requirement in this section but is keeping-maintaining livestock at the date of the passage of this ordinance shall be exempt from the space requirement. (Ord. No. 99-02, Sec. 1-19.)

6.04.20 Bee keeping restricted Keeping of bees shall be allowed, pursuant to State Apiary laws and regulations, with no more than two active hives per household. Hives shall be properly and safely constructed, and located at least 200 feet from the nearest neighboring resident. Upon request by Bald Knob animal control beekeepers must provide a copy of the latest yearly inspection report as completed by the State Apiary Inspector. Additionally, active hives shall be placed within a protective fence or other enclosure which will prevent the tampering with or ingress of passers-by. (Ord. No. 99-02, Sec. 1-20.)

6.04.21 Keeping of animals for which no licensed, approved rabies vaccine is available The keeping of animals for which no licensed, approved rabies vaccine is available shall be prohibited with the exception of rodents or any other domestic animal commonly vaccinated with anti-rabies vaccine approved for another animal. (Ord. No. 99-02, Sec. 1-21.)

6.04.22 Relinquishment of unwanted animals If an owner of an unwanted animal is unable to find a suitable home, or dispose of the animal through legal channels, ownership of the animal may be relinquished to Bald Knob Animal Control.

Bald Knob Animal Control will make every attempt to find a home for the animal or make arrangements with a nearby animal shelter to take the animal. (Ord. No. 99-02, Sec. 1-22.)

6.04.23 Standards for pet shops All pet shops, as defined herein, including pet shops run in conjunction with another holding facility, shall in addition to the other requirements of the ordinance comply with the minimum standards of this section. A pet shop is defined as an establishment which offers to sell live animals with the intent that they be kept as pets.

- A. Water. There shall be available hot water at a minimum temperature of 160 degrees for washing cages and disinfecting, and cold water easily accessible to all parts of the shop. Fresh water shall be available to all species at all times. Containers are to be mounted so the animal cannot turn them over and be removable for cleaning.
- B. Room temperature. The room temperature of the shop shall be maintained at a level that is healthful for every species of animals kept in the shop.
- C. Cages and enclosures. All cages and enclosures are to be of a non-porous material for easy cleaning and disinfecting. Each cage must be of sufficient size that the animal will have room to stand, turn and stretch out to his full length. Adequate ventilation and lighting shall be maintained. (Ord. No. 99-02, Sec. 1-23.)

6.04.24 Kennel standards All kennels, as defined herein, shall in addition to the other requirements of this ordinance comply with minimum standards of the section. A kennel is defined as an establishment wherein any person engages in the business of boarding, breeding, buying, grooming, letting for hire, training for a fee, or selling dogs or other animals.

STANDARDS:

- A. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs and walls shall be of an impervious material to permit proper cleaning and disinfecting.
- B. Building temperature shall be maintained at a comfortable level. Adequate ventilation and adequate lighting shall be maintained.
- C. Each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or tops of cages.
- D. Cages are to be of material and construction that permits cleaning and sanitizing.

- E. Cages are to be of concrete, and unless radiantly heated, shall have a resting board or some type of bedding.
- F. Runs shall provide an adequate exercise area and protection from the weather. Runs shall have an impervious surface.
- G. All animal quarters and runs are to be kept clean, dry and in a sanitary condition.
- H. The food shall be free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements of the condition and size of the animal.
- I. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and be of the removable type. (Ord. No. 99-02, Sec. 1-24.)

6.04.25 Enforcement It shall be the duty of Bald Knob Animal control and the Animal Control Officer to enforce the animal laws of the city of Bald Knob, and said officer shall be empowered with all enforcement measures available pursuant to this ordinance. (Ord. No. 99-02, Sec. 1-25.)

6.04.26 Interference with enforcement It is a Class A misdemeanor for any person to interfere in any manner with the operation of Bald Knob Animal Control or any animal control worker while they are discharging their duties or have in their custody any animals.

It shall also be unlawful for any person to remove from Bald Knob Animal control an animal unless the supervisor or other person in charge of the center has authorized the release of said animal. (Ord. No. 99-02, Sec. 1-26.)

6.04.27 Penalties and fines Any person violating any portion of this ordinance shall be deemed guilty of a misdemeanor and shall be punished upon conviction by assessment of a fine according to schedule of fines. Each day a person is in violation can be treated as a separate offense. (Ord. No. 99-02, Sec. 1-27.)

6.04.28 Notice For the purposes of discharging the duties imposed by this ordinance and enforcing its provisions, any police officer, or any Animal Control officer is hereby authorized, for violation of any portion of this ordinance, to give to the offender a Notice to Appear in the city of Bald Knob City Court. Such Notice to Appear shall state the name and address of the violator and the date of the violation, shall contain a statement of the nature of the violation, and be signed by the person having knowledge of such violation and who is also a member of one of the departments before mentioned. The Notice to Appear shall contain a printed statement in which the violator promises to appear in the Bald Knob City Court, without issuance of any warrant or other process in which statement is to be signed by the violator. Upon failure to sign the Agreement to Appear, the officer or employee shall swear out a Complaint and the usual procedure upon the filing of Complaints in the Bald Knob city Court shall govern the arrest and trial of the violator.

Upon the violator's signing of the Agreement to Appear and his appearance as set out in the Notice to Appear, no warrant shall be issued for the arrest of the violator.

The police department and Bald Knob Animal control workers are hereby authorized to issue citations for violations of this ordinance, in addition to any other authority that they may have. (Ord. No. 99-02, Sec. 1-28.)

6.04.29 Fines

Failure to wear tag on or off premises, per I.D./License	At least \$25.00, not more than \$50.00
Animal running at large	At least \$25.00, not more than \$50.00
Failure to possess city license	At least \$25.00, not more than \$50.00
License fraud	At least \$25.00, not more than \$100.00
Public nuisance	At least \$50.00, not more than \$100.00
Over limit of number of pets	At least \$12.50, not more than \$25.00
Improper bee keeping	At least \$50.00, not more than \$100.00
Failure to vaccinate annually against rabies	At least \$50.00, not more than \$100.00
Wildlife protection	At least \$50.00, not more than \$100.00
Violation of 1-14 (a) Animal fighting or attack training	At least \$250.00, not more than \$500.00

Any other violation where the penalty or fine is unspecified shall henceforth be punishable by a fine not to exceed two hundred fifty dollars (\$250.00).(Ord. No. 99-02, Sec. 1-29.)