

ORDINANCE 4 OF 2013

AN ORDINANCE TO AMEND ORDINANCE 1 OF 2013, AN ORDINANCE PROHIBITING PIT BULL DOGS WITHIN THE CORPORATE LIMITS TOWN OF NEW LLANO, LOUISIANA, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the Mayor and Board of Council Members of the Town of New Llano deem it necessary for the purpose of providing safety and the general welfare for the citizens of the Town of New Llano.

NOW THEREFORE BE IT ENACTED by the Mayor and Board of Council Members of the Town of New Llano, Louisiana, as an Ordinance:

SECTION 1: DEFINITIONS

Definitions to include and define the term pit bull.

- a. The Staffordshire Bull Terrier breed of dogs
- b. The American Staffordshire Terrier breed of dogs
- c. The American Pit Bull Terrier breed of dogs
- d. Dogs that have the appearance and characteristics of being predominately of the breeds of dogs known as Staffordshire Bull Terrier, American Pit Bull Terrier, or American Staffordshire Terrier.

Section 2: PIT BULL BREEDS NOT ALLOWED

No owner shall keep or permit to be kept within the corporate limits of the Town of New Llano any dog or dogs that are of or predominately of breeds of dogs defined in Section 1. This includes people who are residents and also people who come to visit residents of New Llano.

Section 3: IMPOUND PIT BULL DOGS

Pit Bull Dogs as defined in Section 1 shall be immediately impounded by the animal control officer of the Town of New Llano.

Section 4: RULES FOR REDEMPTION OF PIT BULL DOGS.

Any person owning a Pit Bull as described in Section 1 shall be allowed to redeem such dog on the following conditions:

- a. Upon the payment of the assessed fee in the amount of \$100.00 or more for Running at Large or a \$500 or more for Failure to comply with Ord. 4 of 2013 or both.
- b. The owner of a pit bull that has been impounded shall be able to redeem the dog upon the transfer or sell of the dog to another party. A notarized bill of sale reflecting proof of ownership and location, specifically stating the full physical address at which the dog will be housed, must be provided. The new owner cannot reside within the corporate limits of the Town of New Llano, or proof that the owner of the dog is moving from the city limits of New Llano; and
- c. The dog must be vaccinated within the current calendar year as evidenced by a certificate showing that such dog has been vaccinated. The dog cannot be redeemed as stated in subsection (b) unless it has been vaccinated and the payment of the fees imposed under subsection (a) of this section. If any fees are due the Animal Shelter, the owner of said animal is responsible for paying all fees due.

Section 5: DESTRUCTION UPON FAILURE TO REDEEM PIT BULL DOGS.

If a pit bull as described in Section 1 impounded under the provisions of this division is not redeemed by the owner within **five (5) days** after being impounded, the town animal control officer shall destroy in a humane manner such dog(s) impounded and shall deposit the carcass/remains in a place as may be designated for such purposes.); or, in the alternative, it may be released to a responsible person

Section 6: PENALTY.

It shall be unlawful to possess a pit bull as stated in Section 2. Failure to abide by this ordinance shall result in a citation with a fine of \$500.00 or more and a maximum of 60 days in jail, or both.

Section 7: EXCEPTION/GRANDFATHERED PIT BULL DOGS.

This ordinance shall allow for existing Pit Bulls residing inside the city limits of New Llano to be grandfathered in as long as the following rules are followed and proof is presented to the Town Hall by or before May 1st, 2013. This information will be verified yearly.

1. Owner must provide the New Llano City Hall with a color picture of the Pit Bull, along with information such as Date of Birth, Color, Owners Name, Address, Phone Numbers, \$100,000 liability insurance per dog, proof of micro-chipping by a license veterinarian, proof of vaccinations by a license veterinarian, collar with owner information and rabies tag and proof of installation of a 6 foot tall/high back yard fence, not to be smaller than 120 square feet (10 X 12) per number of dogs at household.
2. Pit Bulls that are grandfathered in will not be allowed out of the fenced in yard of the owners and will not be allowed to be taken for walks in public areas or along public streets within the city limits of New Llano unless the dog is securely muzzled and leashed at all times. The dog(s) can only be walked by an adult 21 yrs of age or older.
3. Owner must be at least 21 years of age or older by May 1st, 2013.
4. The owner shall have posted at each possible entrance to the owner's property AT ALL TIMES where the pit bull is kept, a conspicuous and clearly legible pit bull sign. Such pit bull sign must be at least eight inches wide by ten inches tall in rectangular dimensions and shall contain **only** the words "PIT BULL DOG" in lettering not less than two inches in height. Minimum of 2 signs required.
5. It shall be a violation of this chapter for the owner of any dog to permit the dog to wear any vaccination tag not issued to that particular dog.
6. If any of these rules are not followed, the Pit Bull will no longer be considered as grandfathered in, and will no longer be allowed to reside within the city limits of New Llano
7. If the information is not verified yearly by March 1st of each year, the Pit Bull will no longer be considered as grandfathered in, and will no longer be allowed to reside within the city limits of New Llano.
8. No more than (3) dogs (Of any kind) are allowed per residence within the Corporate limits of New Llano.
9. No breeders of any animals are allowed within the corporate limits of New Llano.
10. If a dog becomes pregnant, the puppies are only allowed to be with their mother for up to 8 weeks to assure time to find proper homes.
11. Once a Pit Bull (that has been grandfathered in prior to May 1st, 2013) dies, the owner will not be allowed to replace the deceased dog with another pit bull breed. Once all the pit bull dogs that have been grandfathered in have expired, there will be no pit bulls or pit bull breeds, at all, allowed within the corporate limits of New Llano.

Section 8: GRANDFATHERED PIT BULLS RUNNING AT LARGE AND PENALTY.

In the event this animal is found running at large in violation of the New Llano Code of Ordinances, such animal shall constitute a public nuisance and it shall promptly be impounded. The owner shall be fined not less than \$100.00 (One Hundred Dollars) and after payment of citation is made to the Town of New Llano, the dog shall be picked up by owner as long as all areas of this ordinance regarding insurance and tags are verified and accurate and as long as the Pit Bull was already given the exception of being grandfathered in. If not claimed by the owner within **five (5) days**, shall be destroyed in a humane manner, and without further notice to you (who will be deemed to have abandoned the same); or, in the alternative, it may be released to a responsible

person conditioned upon satisfactory proof that such person will protect the public from such animal and with documentation that the animal will not reside in the New Llano City Limits. The fine shall increase by \$100 for each separate offense on the same animal.

Section 9: GRANDFATHERED PIT BULLS -VICIOUS AND PENALTY.

If at any time a Pit Bull, that has been grandfathered in, shows aggression to any person or to another animal, whether it bites or not, will be considered vicious and will no longer be allowed to reside within the corporate limits of New Llano and the owner will be fined not less than \$250.00 dollars and not more than \$500.00, or not less than 30 days in jail or both. The animal control officer is required to take the animal immediately to the animal shelter and place a hold until owner follows all rules of this ordinance. The owner will have **five (5) days** to relocate the animal or the town animal control officer shall destroy in a humane manner such dog(s) impounded and shall deposit the carcass/remains in a place as may be designated for such purposes.); or, in the alternative, it may be released to a responsible person conditioned upon satisfactory proof that such person will protect the public from such animal and with documentation that the animal will not reside in the New Llano City Limits.

Section 10: DISPUTED BREED.

In the event that the owner of such dog disputes the classification of such dog as a Pit Bull, the Town of New Llano will have a DNA test done to declare the breed. The owner will be responsible for the \$200 fee for the testing which will be payable to the Town in advance. If the dogs' genetic test states that he is not of any Pit Bull breed, than the Town will refund the owner for the fees. If the test comes back that the dog is of Pit Bull breed, than the owner will have to abide by all the rules of this ordinance.

Section 11: EFFECTIVE.

This ordinance shall be effective July 1st, 2013. All ordinances and parts of ordinances contrary to or in conflict with the provisions of this ordinance are hereby repealed.

THUS DONE AND INTRODUCED at a regular meeting of the Mayor and Board of Council Members for the Town of New Llano, Louisiana, held on the 28th day of May, 2013. After a public hearing was held on the above Ordinance, the title having been read and the Ordinance considered, on the motion by Councilwoman Cooper seconded by Councilwoman Todd to adopt the Ordinance, a record vote was taken and the following result was had:


**YEAS: Councilman Wilson, Councilman Speicher
Councilwoman Cooper, Councilwoman Todd**
NAYS: None

ABSENT: Councilman Balthrop

ABSTAIN: None

APPROVED AND ADOPTED by the Town Council of the Town of New Llano, Louisiana, on this 25th day of June, 2013.

I, Mayor Freddie Boswell, do hereby certify that the above is a true and correct copy of Ordinance 4 of 2013 duly passed and adopted by the Town of New Llano, Parish of Vernon, State of Louisiana, on the 25th day of June, 2013.


FREDDIE BOSWELL, MAYOR

ATTEST:

Donna Condon, Town Clerk