

ORDINANCE NO. 2013-07

AN ORDINANCE AMENDING SECTIONS 1, 2 & 3 OF ORDINANCE NO. 2009-15 WHICH PRESCRIBES CERTAIN RULES AND REGULATIONS WITH RESPECT TO THE CARE, KEEPING, INSURING AND LICENSING OF ANIMALS WITHIN THE CITY OF POCAHONTAS, ARKANSAS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS, Section 1(C) defines every Owner as "Every person, firm, partnership or corporation, owning, keeping or harboring an animal within the corporate limits of the city"; and

WHEREAS, Section 1(C) should be changed to read that Owner means, "Every person, firm, corporation, association or household, when the parties reside on the same property, keeping or harboring a domestic animal, dog, cat and/or fowl within the corporate limits of the city."; and

WHEREAS, as a result of the change of the definition of Owners the first sentence of Section 2 should be changed to read, "It shall hereafter be unlawful for any Owner to keep within the corporate limits of the City of Pocahontas, Arkansas any unconfined dog." and the first sentence of Section 3 should be changed to read, "It shall hereafter be unlawful for any Owner to own, keep or harbor more than four (4) dogs or cats over six (6) months old within the corporate limits of the City, except that this provision shall not apply to proprietors of animal grooming, boarders and veterinarians when such dogs or cats are kept upon premises used by such groomers, boarders and veterinarians as their normal place of business."

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POCAHONTAS, ARKANSAS:

SECTION I: That the definition of Owner in Section 1(C) of Ordinance No. 2009-15 shall be amended to read as follows:

C. OWNER: Every person, firm, corporation, association or household, when the parties reside on the same property, keeping or harboring a domestic animal, dog, cat and/or fowl within the corporate limits of the city.

SECTION II: That the first sentence of Section 2 and Section 3 of Ordinance No. 2009-15 shall be changed to read as follows:

Section 2: It shall hereafter be unlawful for any Owner to keep within the corporate limits of the City of Pocahontas, Arkansas any unconfined dog.

Section 3: It shall hereafter be unlawful for any Owner to own, keep or harbor more than four (4) dogs or cats over six (6) months old within the corporate limits of the City, except that this provision shall not apply to proprietors of animal grooming, boarders and veterinarians when such dogs or cats are

kept upon premises used by such groomers, boarders and veterinarians as their normal place of business.

SECTION III: All ordinances and parts of ordinances in conflict herewith, and particularly any ordinance requiring licensing of animals, are hereby repealed.

SECTION IV: 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 emergency is hereby declared to exist and this Ordinance shall take immediate effect from and after its passage, approval and publication.

Approved this 9th day of July, 2013.

Attest: Suzanne Hawkins
City Clerk/Treasurer

Frank Buggs
Mayor