



**Section 6.04.05 Reclaiming animals; fee for reclaiming is amended to read as follows:**

- A. Any person owning, possessing or keeping an animal which has been allowed to run at large and which has been impounded may claim and retrieve such animal from the Animal Welfare Unit by payment of a fee of Ten Dollars (\$10.00) per day that the animal remains in custody; owner of such impounded animal shall be responsible for all costs incurred. If a dog or cat has not been vaccinated against rabies within the immediately preceding twelve months and/or is not currently licensed, as applicable, said animal shall be reclaimed only after payment of the appropriate fees.

The burden of proof as to vaccination and licensing shall be upon the party attempting to claim the dog or cat from the Animal Welfare Officer under this ordinance. (O-09-82) The person reclaiming the animal must provide positive picture identification such as Drivers License, Arkansas ID card or School ID provided that the name, address and date of birth are contained on the card.

- E. Upon redemption an additional fee of Ten Dollars (\$10.00) shall be assessed for microchipping. The microchip will be administered and registered by the Conway Animal Welfare Unit.
- F. All fees described in this section shall be in addition to whatever penalties might be assessed for misdemeanor violations described in other sections under this ordinance. (Ord. No. O-04-60, Sec. 5)

**Section 6.04.08 Number of animals is amended to read as follows:**

- A.4 Numbers of animals are counted beginning at 12 weeks in determining the quantity present on site.
- A.5 The permit shall be issued by the Animal Welfare Unit. There is no cost for the permit and is renewable annually
- A.6 The holder of the permit shall agree to random inspection of the kennel to insure compliance with these regulations to insure that safe and sanitary conditions are maintained. The Animal Welfare Unit shall be responsible for notifying the permittee of his/her renewal date. The permittee shall be responsible for completing the renewal procedure in a timely manner.

**Section 6.04.16 Animal care is amended to read as follows:**

- A. All animals, excluding livestock, 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 allow the animal to stand, stretch, turn around, and lie down freely. Unless heated, animal houses shall contain proper bedding to insure protection from weather conditions.

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.

**Section 6.04.22 Keeping of dangerous or vicious dogs is amended to read as follows:**

- C. Confinement indoors: No dangerous or vicious dog may be kept on a porch, patio or in any part of a house or building that would allow the dog to exit on its own volition unless to a kennel as described in Section B above. In addition no such animal may be kept in a building when the windows are open or when screen window or screen doors are the only obstacles preventing the dog from exiting the structure unless they exit to the proper enclosure.

E. Insurance: All owners, keepers or harborers of vicious or dangerous dogs must within ten (10) days of being so designated provide proof to the Animal Welfare Unit of public liability insurance in a single incident amount of Fifty Thousand Dollars (\$50,000.00) for bodily injury or death of any person or persons for damage to property owned by any persons which may result from the keeping or maintenance of the dog. The insurance policy shall provide that no cancellation shall be made without ten (10) days written notice being provided to the Animal Welfare Unit.

**Section 6.08.04 Keeping of livestock prohibited is amended to read as follows:**

- A.1. The keeping of horses, cows, donkeys, mules, goats, sheep, or ratites (flightless birds such as ostrich, emu etc.) is permitted where they are maintained on an enclosed pasture with a minimum of three acres for each animal. Such enclosures shall be kept in a sanitary, healthful, and secure condition so as to prevent any nuisance to citizens.
- B. For any other animals commonly referred to as farm animals including but not limited to chickens, guinea, goose 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. Pens shall be designed to prevent run off of feces to adjacent property owners and maintain in such a way to prevent undue odors. (Ord. No. O-04-60. Sec. 4)

**Section 6.08.05 Hunting and trapping is amended to read as follows:**

- C. No person shall set any trap, to catch any animal, permit any trap owned by them or in their control to be set to catch any animal, or allow a trap to be set to catch an animal on their property unless approved by the Animal Welfare Unit. Any animal so trapped shall be immediately relinquished to the Animal Welfare Unit.

**SECTION 2.** That any ordinances in conflict herewith are hereby repealed to the extent of that conflict.

**SECTION 3.** This ordinance is necessary for the protection of the public peace, health and safety and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

Passed this 12<sup>th</sup> day of April, 2011.

Approved:



Mayor Tab Townsell

Attest:



Michael O. Garrett  
City Clerk/Treasurer