

## DOG TAG AND LEASH ORDINANCE

**AN ORDINANCE TO REQUIRE IDENTIFICATION OF DOGS, TO PROHIBIT DOGS TO BE FOUND BEYOND THE OWNER'S PROPERTY WITHOUT LEASH, TO PROVIDE FOR IMPOUNDMENT OF DOGS FOUND IN VIOLATION OF THE ORDINANCE, TO PROVIDE FINES AND PENALTIES FOR VIOLATION OF THE ORDINANCE, AND FOR OTHER PURPOSES; AND REPEALING ALL OTHER ORDINANCES AND SECTIONS OF ORDINANCES IN CONFLICT THEREWITH.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF ALAMO, GEORGIA that:

WHEREAS, there is a continuing problem within the City of Alamo caused by dogs roaming freely beyond the limits of the property of the owners or keepers of the dogs causing injury or fear of injury to persons and property, the threat of rabies and other diseases from untreated dogs, and scattering of garbage and waste within the City; and

WHEREAS, previous ordinances have been found to be inadequate to solve the problems and obtain the cooperation of the owners and keepers of the dogs;

NOW THEREFORE the mayor and council of the City of Alamo find it necessary to adopt stricter measures to assure the health, safety and well being of the citizens of the City and others within the limits of the City and do hereby adopt this ordinance for such purposes.

**SECTION 1. DOG TAGS REQUIRED.** Every owner or person in possession of a dog within the City of Alamo shall be required to have an identification tag attached to the collar of every dog kept by such owner or person within the City limits. The owner or keeper shall cause such tag to be worn by such dog for the purpose of identification at all times. Each tag shall show the name, address and phone number of the owner or person responsible for the dog.

**SECTION 2. CONFINEMENT OR LEASH REQUIRED.** A dog shall not be permitted to run free beyond the limits of the property of the owner or keep of the dog within the City of Alamo. Every dog shall be securely confined upon the property of the owner or keeper of the dog by fence, chain, electrical device or other means of restraint which shall prevent the dog from leaving the property of the owner or keeper. Every owner or keeper of a dog shall keep the dog on a leash or otherwise physically restrained when walking or otherwise transporting the dog from the property of the owner or keeper. Each day that such offense continues shall constitute a separate offense.

**SECTION 3. IMPOUNDING DOGS.** (a) Any dog found within the City limits of the City of Alamo without the tag required by Section 1 or without the rabies vaccination tag required by the laws of Georgia or roaming free beyond the property of the owner or keeper of the dog, is subject to be impounded by any authorized City employee, to be held or disposed of as hereinafter provided.

(b) Upon the written complaint as set forth in Section 6 of this ordinance that any dog has caused physical harm to any person, or if any dog exhibits vicious or dangerous behavior and is not securely confined within the confines of the property of the owner or keeper of the dog, then any authorized City employee shall be authorized to impound such dog, and to enter the owner's property for such purpose, and to enter the property of the owner for such purpose. -if upon his observation and in his opinion the dog continues to exhibit such dangerous behavior and is likely to cause physical harm to persons if not confined.

(c) The designated dog control officer shall follow the notice and

procedural requirements of O.C.G.A § 4-8-20 et seq. when a dog is determined to be a dangerous or vicious animal.

**SECTION 4. NOTICE TO OWNER.** If a dog has been impounded that is not considered to be a dangerous or vicious dog, and the owner of the impounded dog is known, then such owner shall be notified of the impounding of the dog and advised to come immediately and claim the dog. Such person shall be required to exhibit the tag required by Section 1 if the dog is not properly tagged, obtain or pay for any necessary rabies vaccination; and, in addition, the owner or keeper shall pay the fine hereinafter provided.

**SECTION 5. UNCLAIMED DOGS.** If the owner or keeper of an impounded dog is not known and cannot be identified after diligent inquiry by the City's dog control officer or if the owner or keeper has been notified but does not come to claim the dog as required by Section 4, then the dog shall be held for a period of seven (7) days from the date of impoundment, and if not claimed within such time, shall be donated to any interested person or euthanized as provided by O.C.G.A § 4-11-5.1. If more than one person desires to adopt the same dog, then the dog shall be sold to whichever person offers the highest price, and the City shall keep the proceeds from the sale.

**SECTION 6. COMPLAINTS.** (a) Any resident of the City of Alamo being disturbed by the presence of any dog on his property or by any damage caused to his person or property by any dog or by the overturning of any containers for garbage or waste within the City, may file a written complaint with the City Clerk, which complaint shall state the name of the complainant, the date of the complaint, the name of the

owner or keeper of the dog if known, a description of the dog, a description of the disturbance and date of its occurrence, and the date of any previous written complaint. Upon the filing of such complaint, the designated City employee shall make every effort to discover the identity of the owner or keeper of the dog if not known. The owner or keeper, if known or discovered, shall be notified of the complaint and its contents and shall be instructed to remedy the complaint within seven (7) days and that subsequent complaints may result in a fine and/or impoundment of the dog. After the giving of such notice, and the expiration of the seven (7) day period, a subsequent complaint against the same owner or keeper concerning the same dog and conviction of the offense alleged shall result in the issuance of a citation and the imposition of the penalty and fine as hereinafter provided, unless the owner or keeper shall show that the original or subsequent complaint is unjustified or incorrect, or the complainant fails to appear or fails to show that the complaint is valid.

**SECTION 7. PENALTY.**

(a) Before any citation is issued for any offense pursuant to any provision of this ordinance, a written warning shall be issued to the owner of the dog as to which the offense has occurred. For any subsequent offense, the following penalties shall be imposed:

(b) Any person convicted of a violation of Section 1 of this ordinance shall be punished by a fine in the sum of \$50.00.

(c) Any person convicted of a violation of Section 2 of this ordinance shall be punished by a fine of \$100.00 for the first such offense, \$250.00 for the second such offense and \$500.00 for the third or any subsequent offense thereafter.

(d) For a violation of this ordinance resulting in the impounding of a dog, the owner or other person responsible for such dog shall pay the fine provided hereinabove and in addition a charge of \$15.00 per day of impoundment of the dog plus \$50.00 for the cost of catching and transporting the dog.

(e) For the second and each subsequent valid complaint as set forth in Section 6 for which no justification is shown, there shall be a fine imposed in the amount of \$100.00 for the first such offense, \$250.00 for the second such offense and \$500.00 for the third or any subsequent offense thereafter.

(f) All fines and fees imposed by this ordinance shall be deposited in an animal control account or shall otherwise be accounted for separately from the general funds of the City to provide for the maintenance and expense of animal control and the animal control shelter.

**SECTION 8. REPEAL.** This ordinance shall be cumulative of all other ordinances which may govern the subject matter hereof except to the extent that such ordinances or parts of ordinances are in conflict with the provisions of this ordinance. To the extent of any such conflict, such prior ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 9. SEVERABILITY.** In the event any section, provision or portion of this ordinance shall be declared unconstitutional or unenforceable in whole or in part, such invalidity shall not have the effect of destroying or impairing the validity of the remaining parts of this ordinance, and the remaining portion shall remain in full force and effect.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect from

and after the 20<sup>th</sup> day of July, 2020.

Attest: Maria Camillo  
CITY CLERK

Pamela B. Lee  
MAYOR