

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND CHAPTER 10-30 OF THE CODE IN ORDER TO PROVIDE FOR REGISTRATION AND REGULATION OF PIT BULL DOGS WITHIN THE CITY OF LAGRANGE; TO DEFINE SAID BREED; TO REQUIRE LIABILITY INSURANCE AND PROPER ENCLOSURES; TO PROVIDE FOR IMPOUNDMENT; TO REQUIRE SUCH DOGS TO BE SPAYED OR NEUTERED; TO PROVIDE A PENALTY FOR VIOLATION; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of LaGrange find that the unique and demonstrated history, nature and characteristics of dogs known as “Pit Bulls” warrant special regulation in order to protect the health, safety and welfare of the citizens of the City of LaGrange,

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That the Code of the City of LaGrange be amended by creating therein a new Article IV of Chapter 10-30, to be entitled “Pit Bull Dogs” and to state as follows:

Article IV

Pit Bull Dogs

Sec. 10-30-40. Definitions; Standards.

(a) As defined and used in this article, the term *pit bull dog* shall refer to any dog which exhibits those distinguishing characteristics which:

1. substantially conform to the standards established by the American Kennel Club for American Staffordshire Terriers or Staffordshire Bull Terriers; or
2. substantially conform to the standards established by the United Kennel Club for American Pit Bull Terriers.

(b) The current standards of the American Kennel Club and United Kennel Club referred to in this Article and incorporated herein shall remain on file in the office of the City Clerk.

Sec. 10-30-41. Registration; Fee.

(a) In order to insure and monitor compliance with the requirements of this Article, no pit bull dog shall be kept, harbored or maintained in the city unless such animal has been registered by the owner with the Animal Control Division of the LaGrange Police Department.

- (b) Each registration shall include the following:
1. Name, address and telephone number of the dog's owner;
 2. Address where dog is harbored, if different from owner's address;
 3. A full description of the dog including the sex, color and any other distinguishing physical characteristics of same;
 4. Proof of inoculation and tag as required by Code Section 10-30-23;
 5. Proof of liability insurance or adequate surety bond as required in this Article; and
 6. Proof of proper enclosure as required in this Article.

(c) Upon proper registration, City shall provide to the pit bull owner a tag to verify registration which shall be and remain attached to the dog's collar.

(d) The fee for registration pursuant this ordinance shall be \$10.00.

Sec. 10-30-42. Liability insurance; Surety bond.

Every owner of a pit bull dog subject to this Article shall at all times maintain either a) a policy of insurance in the amount of at least \$50,000.00 issued by an insurer authorized to transact business in the state insuring the owner of the pit bull dog against liability for personal injuries inflicted by the pit bull dog; or b) a surety bond in the amount of \$50,000.00 or more issued by a surety company authorized to transact business in this state and payable to any person injured by the pit bull dog.

Sec. 10-30-43. Proper enclosure.

(a) Every owner of a pit bull dog subject to this Article shall at all times maintain for said dog a proper enclosure. A proper enclosure means an enclosure for keeping a pit bull dog while on the owner's property securely confined indoors or in a securely enclosed or locked pen, fence or structure suitable to prevent the entry of younger children and designed to prohibit the dog from escaping said enclosure. Any such enclosure shall have secure sides and a secure top, and, if the dog is enclosed within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the dog from escaping either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the dog.

(b) At any time that a pit bull dog is not confined in a proper

enclosure as described herein, the dog shall be muzzled in such a manner as to prevent it from biting or injuring any person or animal, and kept on a leash with the owner or custodian in attendance.

(c) An exception to this Code Section is hereby provided for any pit bull dog being attended to by a veterinary professional, or while participating in any lawful dog show, contest or exhibition sponsored by a dog club, association, society, or similar organization.

Sec. 10-30-44. Impoundment.

(a) Upon complaint or upon reasonable grounds to believe that a person owns or is keeping or harboring an unlicensed pit bull dog on any premises within the City, the LaGrange Police Department or Animal Control Officer may cause the matter to be investigated.

(b) Any unlicensed pit bull dog found within the city may be seized and impounded at the city animal shelter and retained for ten days, during which time the owner may reclaim the animal upon proof of compliance with this article. If the owner of the impounded dog is known, such owner shall be notified of the impoundment. Should the owner fail to reclaim the pit bull within ten days from impoundment, the animal shall be destroyed.

Sec. 10-30-45. Mandatory spay / neuter.

(a) Subject to the express exceptions provided in subsection (b) below, it shall be unlawful to keep, harbor or maintain in the City any unspayed or unneutered pit bull dog over four (4) months of age.

(b) The prohibition set forth in subsection (a) above shall not apply if a veterinarian licensed in this state shall certify in writing that a specific pit bull dog is medically unfit to undergo the required spay or neuter procedure because of a physical condition which would be substantially aggravated by such procedure or would likely cause the animal's death. Such writing shall also include a description of the likely duration of the physical condition which prohibits the procedure. As soon as such condition ceases to exist, it shall be the duty of the person who harbors or keeps such animal to promptly comply with this code section.

(c) Failure to comply with this code section may result in the unspayed / unneutered pit bull to be seized and impounded at the city animal shelter and retained for ten (10) days, during which time the owner may reclaim the animal upon proof of arrangements to comply with this code section. Should the owner fail to make and give proper notice of the arrangements to comply with this code section within ten (10) days from

impoundment, the animal shall be destroyed.

Sec. 10-30-46. Violation; Penalty.

Any person who shall violate the provisions of this Article shall upon conviction in the Municipal Court of the City of LaGrange be punished as provided in Section 1-1-6 of this code.

SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3:

This Ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING _____

SECOND READING AND ADOPTED/REJECTED _____

SUBMITTED TO MAYOR AND APPROVED/DISAPPROVED _____

BY: _____
Mayor

ATTEST: _____
Clerk