



CERTIFICATE OF RECORD

JORG 0006-0090

VAN BUREN CO, AR FEE \$0.00

RECORDED BY: 6/24/2013 8:33:12 AM

BOBBY BENNETT, COUNTY CLERK

BY: *Janice Berto*

Sponsored by J.P. Dale James

VAN BUREN COUNTY QUORUM COURT
EMERGENCY ORDINANCE NO. 2013-09

BE IT ENACTED BY THE QUORUM COURT OF THE COUNTY OF VAN BUREN, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

AN EMERGENCY ORDINANCE REPEALING ORDINANCES 2003-42, 2004-27, AND 2011-11, PROVIDING ANIMAL CONTROL POLICIES AND PROCEDURES WITHIN VAN BUREN COUNTY, ARKANSAS, ESTABLISHING PENALTIES FOR THE VIOLATION THEREOF, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES.

WHEREAS: There is a need to establish an updated fee schedule at the Van Buren County Animal Control Shelter; and

WHEREAS: There is a need to establish comprehensive policies and procedures which govern and operate the Van Buren County Animal Control Shelter; and

WHEREAS: The Van Buren County Animal Control Shelter must be operated legally and lawfully.

THEREFORE BE IT ORDAINED BY THE VAN BUREN COUNTY QUORUM COURT THAT:

Section 1. DEFINITIONS

As used in this ordinance, the following terms have the following meanings:

- (A) **Abandon:** An act of any person, partnership, firm or corporation owning, in possession of, harboring or having custody of an animal who knowingly refuses to provide care for the animal
- (B) **Altered Animal:** A neutered male or spayed female - an animal incapable of reproduction
- (C) **Animal:** Any description of vertebrate, excluding Homo sapiens.
- (D) **Animal-At-Large:**
 - (1) Any animal shall be considered an "animal-at-large" when it is not under the physical control of the animal's owner or harbinger, or his authorized representative by leash, cord, chain, fence or enclosure of sufficient strength or construction to contain the animal, or by other effective means of restraint or

control; or

(2) An animal intruding upon the property of another person or upon public property and not under the physical control referred to herein shall be deemed "running at large." An animal within an automobile or other vehicle shall not be deemed "running at large" if the animal is physically confined to the vehicle. An animal shall not be considered "at large" when on the premises of the owner or harbinger thereof.

(E) Animal Control Authority: Van Buren County or any group, agency, or society designated by the County

(F) Animal Shelter: Any facility operated by a humane society, or municipal agency or its authorized agents, for the purpose of impounding animals under the authority of this ordinance or state law, for care, confinement, return to owner, adoption, or euthanasia.

(G) Cat: A domestic feline of either sex.

(H) Cruelty to Animals: Except as authorized by law, it shall be considered "cruelty to animals" when a person, acting knowingly:

- (1) Abandons an animal
- (2) Subjects the animal to cruel treatment which shall include refusal of necessary veterinary services
- (3) Subjects any animals in his custody to cruel neglect; or
- (4) Kills or injures any animal belonging to another without legal privilege or consent of the owner.

(I) Dog: A domestic canine of either sex.

(J) Enclosure: A fence or structure establishing an area suitable to confine an animal and prevent the animal from escaping.

(K) Exotic Animal: An animal that is not indigenous (occurring naturally, native to Arkansas)

(L) Harbor: To keep or care for an animal; to provide food, shelter, or premises to which the animal returns for a period of three (3) days or more.

(M) Humane Officer or Animal Control Officer: Any person designated by Van Buren County, State of Arkansas, or humane society as the law enforcement officer who is qualified to perform such duties under the laws of this state, and this ordinance.

(N) Muzzle: When required by this ordinance, a muzzle shall be of appropriate material with sufficient strength to restrain the animal from biting and no such muzzle employed shall be made from any material or maintained on the animal in any manner so as

to cut or injure the animal.

(O) Owner:

- (1) Any person, firm, partnership, or corporation owning, possessing, keeping, or harboring one or more animals
- (2) Any person, firm, partnership, or corporation who has allowed an animal to remain at their location for a period of three (3) days or more.

(P) Pet: Any animal kept for pleasure; an animal or a species that has been bred and raised to live in or about the habitation of humans and is dependent on people for food and shelter.

(Q) Public Nuisance: Any animal or animals that:

- (1) Unreasonably annoys humans or endangers the life or health of other animals or persons; or
- (2) Substantially interferes with the rights of citizens, other than owners, to the enjoyment of life and property; or
- (3) Is repeatedly found at large; or
- (4) Damages the property of anyone other than its owner; or
- (5) Molests or intimidates pedestrians or passersby; or
- (6) is vicious; or attacks other domestic animals; or has been found by the Animal Control Officer, after notice to its owner and opportunity for a hearing, to be a "public nuisance animal" by virtue of being a menace to property or the public health, welfare, or safety; or interferes with refuse collection or spreads trash from refuse containers or molests service providers.

(R) Restraint: When any animal is secured by a leash, cord, or chain, or otherwise under the control of a responsible person and obedient to the person's commands, or within the real property limits of its owner or harborer.

(S) Vicious Animal:

- (1) Any animal that attacks, bites, or injures human beings or domesticated animals without adequate provocation, or which because of temperament, conditioning, or training, has a known propensity to attack, bite, or injure human beings or domesticated animals.
- (2) Any animals owned or harbored, primarily or in part, for the purpose of animal fighting, breeding fighting animals, or trained for animal fighting. Notwithstanding the above definition, no animal shall be declared vicious if the person or the animal attacked or bitten by said animal was teasing, tormenting, abusing, or assaulting the animal or the person was committing or attempting to commit a crime. No animal shall be declared vicious if the animal can be deemed to be protecting or defending a human being within the immediate vicinity of the animal from an unjustified trespass, attack or assault, No animal shall be declared vicious if the animal was protecting or defending its young from attack or assault.

(T) Wild Animals: Any living member of the animal kingdom including those born or raised in captivity, except the following: human beings, domestic dogs (excluding hybrids with wolves, coyotes, or jackals), domestic cats (excluding hybrids with ocelots of margays), farm animals, and captive-bred species of common cage birds.

(U) Puppy: A canine less than 14 weeks of age.

(V) Kitten: A feline less than 14 weeks of age.

(W) Euthanasia: To humanely and lawfully end the life of an animal.

(X) Euthanize: To administer euthanasia.

(Y) Foster: To care for and accept guardianship of an animal belonging to the animal control shelter.

(Z) Un-adoptable: Any animal that has shown illness, mange, unacceptable temperament, or excessive tenure as prescribed in this ordinance. Un-adoptable animals shall be immediately scheduled for euthanization.

Section 2. GENERAL ANIMAL OWNERSHIP

(A) RESTRAINT:

(1) Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come in contact with another animal except for planned breeding.

(2) Every vicious animal, as defined herein, shall be confined by owner or harbinger within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner or harbinger.

(3) It shall be the duty of any owner or harbinger of any animal to keep such animal under control so as to prevent said animal from becoming a public nuisance animal.

(B) ANIMAL CARE:

(1) No owner or harbinger shall fail to provide their animals with sufficient, wholesome, and nutritious food, potable water in sufficient quantities, proper air and shelter which provides protection from the weather, veterinary care when needed to prevent suffering, and humane care and treatment.

(2) No person shall beat, treat cruelly, torment, overload, overwork, or otherwise abuse an animal or cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans.

(3) If any animal is confined by chain, rope, or cable, the restraint must be not less than ten (10) feet long and so placed that the animal may not intrude on the property of another person, whether public or private, and provide room for normal postural adjustments and exercise. The area where any animal is confined must provide

proper and adequate drainage, be free from toxic substances and be free of items that could cause injury. Adequate potable water and shelter must be available at all times to any animal confined by such restraint.

(4) All animals must be provided with appropriate shelter and non-injurious, safe environment. Shelters and enclosures, whether temporary or permanent, must be constructed so that they are of an appropriate size, strength, material that allows the animal to stand, stretch, turn around, and lie down freely. The shelters, enclosures, and fenced area for animals must be free of hazards, such as, trash, sharp edges, projecting nails, broken or splintered wood, metal or glass shards, machinery, loose wires, or other material that may cause injury.

(5) No person shall confine any animal in a parked vehicle without adequate ventilation when the temperature is such that the animal is in distress or its health jeopardized. Animal control or humane officers, or other law enforcement officers shall not be liable for any damage resulting to the vehicle when such confined animal(s) are removed.

(C) ANIMAL WASTE

The owner of every animal shall be responsible for the removal of any excreta deposited by their animal(s) on public walks, recreation area, or public property.

(D) ANIMAL BITES

Any animal which has bitten a person is a rabies suspect and such animal shall be immediately released by the owner or harbinger for quarantine confinement at the animal control of the county or within an enclosure approved by the Animal Control Officer for a period of ten (10) days. When any animal has bitten, scratched, or otherwise attacked a person, the person or anyone having knowledge of such incident shall immediately notify the Animal Control Officer. The animal shall be examined by a veterinarian, and vaccinated prior to release. The animal may be quarantined at the expense of the owner, or ownership may be relinquished and the animal euthanized and its head taken to the State Health Department for pathological examination. The owner shall be responsible for the cost of quarantined impoundment, daily care or fee, euthanasia, transportation of the head and disposal of the body of the animal, and any other cost associated with the care and/or treatment of such animal.

(E) IMPOUNDMENT

(1) Any dog or cat at large or otherwise in violation of the provisions of this ordinance may be impounded in an animal shelter in a humane manner for a period of not less than five (5) days; and, if within such time, a dog or cat is impounded has not been reclaimed by its owner or harbinger in accordance with the provisions of this ordinance, such dog or cat shall become the absolute property of the animal control authority which may convey ownership of such dog or cat to any responsible person on such conditions as the animal control authority may prescribe, or the animal control authority may euthanize such animal.

(2) The animal control authority shall make a reasonable effort to notify the owner of any animal impounded in the animal shelter that the animal has been impounded, of the manner by which the animal may be reclaimed, and that the animal may be euthanized or become the property of the animal control authority as provided herein.

(3) Prior to the euthanization of a dog or cat at large which carries its owner's address and which is impounded at the animal shelter, the animal control authority shall give the owner five (5) days' notice of the proposed euthanization by certified letter, return receipt requested. The five (5) days shall begin after receipt of signed return receipt.

(4) Notwithstanding any provision of this ordinance to the contrary, the animal control authority may refuse to release any animal impounded in the animal shelter for rabies or contagious disease quarantine or for use as evidence in a criminal prosecution for such time as the animal control authority may determine.

(5) Notwithstanding any provision of this ordinance to the contrary, the animal control authority may humanely euthanize any animal impounded in the animal shelter upon the written opinion of a licensed veterinarian that the destruction of the animal is necessary to prevent disease or injury to other animals or to humans, or when the animal control authority reasonably believes the animal has sustained an injury or disease which will likely result in maiming, prolonged and severe suffering and death.

(F) RECLAIMING IMPOUNDED ANIMALS

(1) The owner or harbinger of an animal impounded in the animal shelter may reclaim the animal upon presenting evidence satisfactory to the animal control authority of compliance with all provisions of this ordinance and upon payment of fees and charges as hereinafter provided, credited to the account of the animal control authority and shall be in lieu of any fine or penalty otherwise provided by law.

(2) An owner or harbinger of an impounded animal shall be liable for all applicable fees as stated in this ordinance, "PENALTIES, VIOLATIONS AND FEES".

(3) Dogs and cats must wear identification tags on collars with the owner's name, address, and phone number at all times, when off the premises of the owner or harbinger whether or not the animal has an identifying implanted chip.

(G) RELINQUISHMENT OF UNWANTED ANIMALS

The Van Buren County Animal Control Shelter (VBCACS) shall be responsible for collecting and housing as described in this ordinance stray dogs and cats, nuisance dogs and cats, or animals displaying obvious signs of rabies ONLY. The VBCACS shall not promote owner irresponsibility by accepting unwanted animals. The VBCACS shall provide to an individual a list of known resources to enable the relinquishment of unwanted animals in a lawful manner which shall include, but not be limited to, humane societies, animal rescues, or other animal control shelters that accept such animals. No transfer of unwanted animals shall occur on property

owned by Van Buren County, Arkansas. An animal shall be considered to be owned when it has been allowed to reside at a particular property for a period of three (3) days or more before calling the VBCACS.

(H) ENFORCEMENT

The provisions of this ordinance shall be enforced by the Animal Control Officer and by the Van Buren County Sheriff's Office. They are hereby authorized to issue a citation to any person for violation of any provision of this ordinance. Enforcement after posted business hours at the VBCACS will be limited to a vicious animal attack.

Section 3. ANIMAL CONTROL SHELTER OPERATIONS

(A) FORBIDDEN ANIMALS

The only animals that shall be harbored at the VBCACS are domesticated canines and felines.

The following animals or pets shall be forbidden from the VBCACS:

- (1) Any type of bird or fowl
- (2) Any type of snake or reptile
- (3) Any type of pig or swine
- (4) Any type of frog, turtle, or amphibian.
- (5) Any other type of animal that is not a canine or feline.

(B) ADOPTION

The animal control authority may convey ownership (permit adoption) of any animal which has become the property of the animal control authority to a responsible person, subject to such conditions as may be prescribed by the animal control authority including, without limiting, the following:

- (1) Payment of all applicable fees as stated in this ordinance, "PENALTIES, VIOLATIONS, AND FEES"
- (2) All animals adopted from the VBCACS must be altered prior to dismissal.
- (3) Minimum age of a person to adopt from the VBCACS shall be eighteen (18).
- (4) Person(s) adopting from the VBCACS must agree to provide and keep current all future vaccinations and necessary veterinary care.
- (5) A copy of the animal's file as prescribed in this ordinance shall accompany said animal's adoption.
- (6) VBCACS shall in no manner promote animal hoarding; therefore, a home study may be conducted prior to adoption at the discretion of the Van Buren County Animal Control Officer.

(C) MANAGEMENT STRUCTURE

- (1) The Van Buren County Animal Control Officer shall report directly to the Van Buren County Judge; and
- (2) The Van Buren County Judge shall have full employment authority over the Van Buren County Animal Control Officer; and
- (3) The Van Buren County Animal Control Officer shall have a staff of no less than four (4) part-time employees to carry out the daily shelter duties. The part-time employees shall be utilized as follows:
 - A. Two (2) maintenance employees responsible for feeding and cleaning at the facility; and
 - B. Two (2) office/clerical employees responsible for all monetary transactions, inventory control, and paperwork as prescribed in this ordinance.
- (4) The Van Buren County Animal Control Officer must adhere to and enforce all policies, rules, and procedures set forth in this ordinance and shall not have any authority to override any rule as set forth in this ordinance.
- (5) The Van Buren County Animal Control Officer may assign duties in addition to those listed in this ordinance. The expectations in this ordinance shall be considered the most minimum acceptable.
- (6) Annual funding from the municipality of Clinton, Arkansas, shall be received as follows: First payment of 50% from the City of Clinton shall be due by no later than January 10. Second payment of 50% shall be due no later than July 10.

(D) ANIMAL IDENTIFICATION AND RECORD KEEPING

- (1) Each animal shall be issued a control number upon intake at the VBCACS.
- (2) The control numbers shall be physically affixed to all canines by means of a collar
- (3) The control numbers shall be affixed to the cages of all felines
- (4) The control numbers shall be assigned as the two digit month, two digit date, two digit year and two digit number of intake for that date.
- (5) Each animal shall be issued a shelter name
- (6) Upon intake, the office employee shall create an open file for the animal consisting of the following:
 - A. Digital photo of the animal; and
 - B. Control number and name assigned to the animal; and
 - C. Date of admission to VBCACS; and

- D. Results of microchip scan including microchip number if present; and
- E. Species; and
- F. Estimated age; and
- G. Gender; and
- H. Physical description including breed and colors; and
- I. Pet Temperament Status Form; and
- J. Location of animal when picked up; and
- K. Any other available information

(7) During the animal's stay at the VBCACS, the animal's file should contain the following information:

- A. Date of exit from isolation
- B. Fostering information if applicable
- C. Any information learned about the temperament of the animal while caged, walked, bathed, or fed
- D. Any other available information

(8) Upon an animal's exit, the office employee shall add the following information to the animal's file and move the file to a drawer marked, "Closed Files".

- A. Final disposition
- B. Amount of money collected if disposition was adoption
- C. Copies of all adoption papers
- D. Copies of all veterinary paperwork for that animal
- E. Any other item available

(E) STANDARD OPERATING PROCEDURES

(1) Every animal, upon intake, shall spend the first seven days in isolation:

- A. The isolation room is to remain locked at all times
- B. Admission to the isolation room shall be limited to the Van Buren County Animal Control Officer, a licensed veterinarian, or an employee of the VBCACS.
- C. At no time should a volunteer be allowed into the isolation room
- D. Proper sanitation must be conducted when entering and exiting the

isolation room

1. Rubber boots and apron rinsed in solution of bleach (9 cups bleach per 5 gallons of water)
 2. Hands thoroughly washed with antibacterial hand soap
- E. Experienced Works employees shall, by this ordinance, be considered employees of VBCACS.
- (2) Every pen/kennel shall be cleaned daily by a maintenance employee:
- A. Puppy area shall be cleaned first
 - B. Washed out with a hose and excreta disposed of properly
 - C. Rinsed with a solution of nine (9) cups of bleach per five (5) gallons of water
 - D. Feeding bowls and watering buckets shall be washed daily and sanitized using a solution of nine (9) cups of bleach to five (5) gallons of water.
 - E. Cat litter shall be scooped daily with litter replaced as needed based on the smell.
- (3) Every animal shall be fed daily by a maintenance employee:
- A. All dogs shall receive one (1) cup of dry dog food per ten (10) pounds of animal weight.
 - B. Puppies shall receive feedings of dry food twice per day based upon individual metabolism.
 - C. Water containers shall be completely filled daily
- (4) Animals found deceased by any VBCACS employee shall be logged and their disposition notated in that animal's file. Said animal shall remain frozen until cremation occurs.
- (5) Maintenance employees shall be given other duties by the Animal Control Officer as needed.
- (6) Office employees shall be responsible for the following:
- A. All documentation of animals from intake to final disposition
 - B. Recording/logging all volunteer time
 - C. Recording/logging all inventory which shall include donated items and purchased items

- D. Cleaning the office, lounge, food storage room, restroom, and laundry room
- E. Posting sheltered animals on social media and all available internet resources
- F. Documenting all adoptions
- G. Maintaining a file for each volunteer as prescribed in this ordinance
- H. Collecting donations and fees:
 - 1. All money collected must be logged on a monthly master sheet which shall specify the exact reason for which the money was collected
 - 2. All money collected shall be verified and deposited to the Van Buren County Treasurer's Office by the offsetting office
 - 3. The total number of adoptions multiplied by the adoption fees shall equal the amount deposited
 - 4. The total number of euthanization multiplied by the euthanization fee shall equal the amount deposited.
 - 5. All animal disposition files shall match to the amount deposited for any particular day
 - 6. Donated funds shall be accompanied with a written receipt and a formal letter of thanks shall be mailed to the donor which shall serve as a tax statement.
 - 7. An audit of the books may be conducted at any time by the Van Buren County Quorum Court's Budget/Finance Committee and/or by the Van Buren County Judge or by any group or individual as granted authority by the Van Buren County Judge
 - A. Should an audit reveal error in bookkeeping an investigation shall occur by the authority of the Van Buren County Judge
 - B. At any such time that money is missing and is determined to have been stolen, an investigation shall occur by the Van Buren County Sheriff's Department and the individual responsible shall be prosecuted to the fullest extent of the law. If said individual is an employee, then employment shall be terminated.

- I. Maintaining a list of authorized rescues as prescribed in this ordinance.
- J. Maintaining a list of resources for individuals wishing to surrender ownership of their animal
- K. Maintaining a pictorial directory of all animals currently in foster care
- L. Office employees shall be given other duties by the Van Buren County Animal Control Officer as needed

(7) All animals aged six (6) months and over that leave the VBCACs permanently shall be altered. Vaccinations for rabies and general vaccination shall accompany alteration. Animals aged less than six (6) months shall be issued a voucher for alteration upon the animal's 6 month birthday. Shots and vaccinations shall be conducted on animals less than 6 months of age as approved by a licensed veterinarian

(8) The following rules shall govern fostering of animals from the VBCACS:

- A. Guardianship of an animal on an individual's private property shall be considered fostering
- B. The guardian of the fostered animal assumes all liability for said animal while in fostered care
- C. Absolutely no exchange of goods or services shall be conducted in consideration for fostering
- D. Any individual wishing to foster an animal must sign a formal waiver releasing Van Buren County of all liability
- E. The guardian of the fostered animal shall agree to prevent said animal from reproductive activity while in foster care
- F. Fostered animals shall be available for viewing for adoption purposes with a 24 hour notice.
- G. A picture shall be displayed at the VBCACS of all fostered animals
- H. Fostering shall be available to individuals who have chosen an animal from the VBCACS for adoption prior to said animal's alteration
- I. Additions to the list of governing rules for fostering shall be posted at the VBCACS and be signed by the Animal Control Officer and the Van Buren County Judge

(9) The following rules shall govern volunteers at the VBCACS:

A. Volunteers are vital and crucial to a well-run animal control shelter

B. All volunteers shall be properly trained on animal handling, excreta disposal, and basic animal shelter functions

1. All training shall be conducted by the Van Buren County Animal Control Officer

2. Each volunteer shall have a file at the VBCACS which shall contain a record of proper training completion signed by the Van Buren County Animal Control Officer

3. Upon completion of training, a volunteer may be deemed "certified."

C. Certified volunteers may conduct volunteer duties at any time.

D. Volunteers may at no time have unrestricted access to the office area without the presence of an office employee and/or the Van Buren County Animal Control Officer

E. Volunteers must sign a waiver releasing Van Buren County of any liability while performing volunteer duties and said waiver must be included in their file

F. Minors under the age of eighteen (18) must have parental consent to volunteer in any capacity

G. Continuing education may be required at any time at the discretion of the Van Buren County Animal Control Officer

(F) GENERAL PERSONNEL POLICIES

(1) All employees of the VBCACS shall be given, at no expense to the employee, a rabies vaccination. If an employee declines the rabies vaccination, that employee must sign a waiver releasing Van Buren County of all liability should rabies be contracted.

(2) All employees of the VBCACS shall be subject to the most current Van Buren County Personnel Policy.

(3) All VBCACS employees shall be issued a uniform.

(4) The Van Buren County Animal Control Officer shall be certified to write and issue citations for noncompliance to all rules set forth in this ordinance and all state laws applicable to animal control.

(5) No employee of Van Buren County shall have the authority to override any fee for any reason, nor should any employee be authorized to give away any item owned by the VBCACS including but not limited to food, bedding, cages, vaccinations, or any other item. Discounting services from the amounts listed in this ordinance shall be considered Theft of Services as well as any unauthorized transfer of goods.

(G) GRIEVANCE PROCEDURES

(1) Under no circumstance should a confrontation of any type occur at the VBCACS

(2) Any disagreement with VBCACS rules shall be directed to the Van Buren County Judge who may elect to give an individual five (5) minutes at the next scheduled meeting of the Van Buren County Quorum Court to present their disagreement and request a change in governing rules.

(3) Grievance procedures shall be used by volunteers, citizens, and employees

(4) Grievances by Van Buren County employees must be in writing and signed by said employee

(H) QUALIFICATIONS FOR RESCUES

(1) VBCACS will disperse animals only to rescues which meet the following qualifications:

A. Rescues must show proof of 501c3 status and a copy of the 501c3 paperwork must be submitted and kept on file at the VBCACS

B. Rescues must have a good reputation which shall be verified by contacting the office of Secretary of State and internet resources

C. All animals dispersed to qualified rescues must be altered and vaccinated at the rescues' expense

D. There shall be no limit to the amount of animals dispersed to a qualified rescue

E. Animals shall be available to rescues 14 days after intake

(2) A list of rescues deemed both valid and invalid for shelter transfers shall be issued to owners wishing to surrender their animal.

(I) ANIMAL TIMELINES

(1) Upon intake, all animals shall be isolated for seven (7) days

A. The following shall deem an animal "Un-adoptable"

1. Illness during isolation
2. Signs of rabies
3. Any sign of disease of any type
4. Animals with mange
5. Injured animals that cannot heal within 30 days
6. Ferrell cats
7. Vicious animals
8. Any animal that bites a human
9. Any animal showing overly aggressive temperament and is considered a danger to itself or to other animals or to humans by any VBCACS employee

B. Animals deemed un-adoptable upon intake shall be immediately euthanized

- (2) Upon seven (7) days of healthy isolation, an animal shall exit isolation and be considered "adoptable"
- (3) Upon 14 days from intake, an animal shall be available to qualified rescue organizations
- (4) Upon 60 days from intake, an animal shall be deemed as "un-adoptable"
- (5) Un-adoptable animals shall be immediately scheduled for euthanization
- (6) The timeline for animals born at the VBCACS shall begin at weaning age of six (6) weeks.
- (7) An animal which is a nursing mother shall have their timeline begin upon the weaning of their litter at six (6) weeks.
- (8) Maximum occupancy of the VBCACS shall be 40 dogs, 20 puppies, 20 cats, and 20 kittens. At such time the VBCACS exceeds maximum occupancy, the longest term animals shall be considered un-adoptable to make room for newer intakes.

(J) PENALTIES, VIOLATIONS, AND FEES

- (1) Any person who commits the offense of cruelty to animals shall be deemed guilty of a class A misdemeanor and shall be subject to fines and penalties as prescribed in A.C.A. Section 5-4-401 (up to one year imprisonment and \$1,000.00 fine)

(2) Any person violating any other provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of the following amounts; whereas, each day's violation shall be a separate offense.

- A. Illegally discarding a live animal "dumping"
Which shall include leaving animal(s) at the
VBCACS after business hours \$ 1,000.00
- B. Owning an animal-at-large \$ 50.00
- C. Owning a vicious animal-at-large \$ 500.00
- D. All other offenses \$ 25.00

(3) The following fees shall apply to the VBCACS:

- A. Adoption for Van Buren County Resident: \$ 25.00
- B. Adoption for non-Van Buren County Resident: \$ 55.00
- C. Reclaiming an impounded animal:
 - Pick-up Fee \$ 40.00
 - Alteration fee (if unaltered) \$ 165.00
 - Vaccinations (if unvaccinated) \$ 15.00
 - Harboring fee per day \$ 10.00
- D. Amounts double for repeat reclamations within a 12 month period
- E. Euthanization fee (includes cremation) \$100.00
- F. Rescue pull fee \$180.00
- G. Any other fees shall be posted at the VBCACS and shall be approved by the Van Buren County Judge.

(K) INTERFERENCE

No person shall interfere with, hinder, or molest the animal control authority in the performance of its duty or seek to release any animal in the control of the animal control authority, except as herein provided.

(L) REPEALER CLAUSE

This ordinance repeals Van Buren County Ordinance numbers 2003-42, 2004-27, 2011-11 and all other ordinances of this County that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

(M) SEVERABILITY CLAUSE

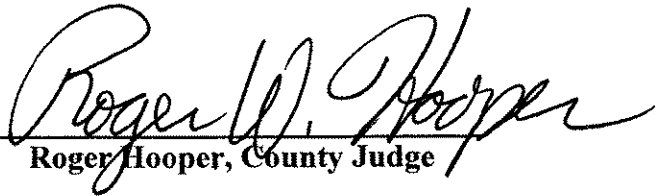
If any part of this ordinance shall be held to be invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

(N) EMERGENCY

This ordinance being necessary for the preservation of the public peace, health, safety, and welfare, it is therefore declared that an emergency exists and this ordinance shall be in full force and effect from and after its passage.

DATED THIS 20TH DAY OF JUNE, 2013

APPROVED:


Roger Hooper, County Judge

ATTEST:


Bobbye Bennett, County Clerk

