

ORDINANCE NO. 939

AN ORDINANCE TO PROHIBIT THE RUNNING AT LARGE OF DOGS WITHIN A DESIGNATED AREA OF THE CITY OF EUREKA SPRINGS, ARKANSAS; PROVIDING FOR THE IMPOUNDMENT AND DISPOSAL OR DESTRUCTION OF DOGS VIOLATING THE PROVISIONS OF THIS ORDINANCE; PROVIDING A PENALTY FOR VIOLATIONS OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF EUREKA SPRINGS, ARKANSAS, THAT:

SECTION 1. PURPOSE. The running at large of any dog within the confines of the Fire Limits of the City of Eureka Springs, Arkansas, as established by Ordinance No. 905 and all amendments thereto, is hereby declared to be a nuisance and a health hazard, and shall be regulated as hereinafter set forth.

SECTION 2. AREA INCLUDED. Any licensed or unlicensed dog found running at large within the area of the Fire Limits of the City of Eureka Springs, Arkansas, more particularly described as that area of the City of Eureka Springs contained within the boundaries beginning at the intersection of North Main Street and Mountain Street, running thence South to the intersection of Main Street and Armstrong Street, thence following Main Street to Spring Street, thence following Spring Street to Howell Avenue and German Alley, thence following German Alley to Center Street, thence following Center Street to Mountain Street, thence following Mountain Street to North Main Street, the point of beginning, including all that area of the City within the above described perimeter and the area within one hundred (100.0') feet outside of the above described perimeter, together with such other areas of the City of Eureka Springs as shall hereinafter be included by Amendment to Ordinance No. 905. All dogs picked up within the above described area shall be impounded and disposed of in accordance with the provisions of Ordinance # 940 which is incorporated herein by reference.

SECTION 3. PENALTY. It is hereby declared that the running at large of any dog within the above described area of Eureka Springs, Arkansas

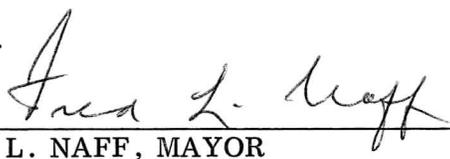
is declared to be a nuisance and a health hazard, and that it shall be a misdemeanor for the owner of any dog to allow or permit his dog to run at large within the above described portion of the City of Eureka Springs, Arkansas, and any person violating this ordinance shall be fined in a sum to be not more than \$25.00 and upon a subsequent offense hereunder within the period of one calendar year from a prior conviction or bond forfeiture shall be fined in a sum to be not less than \$50.00.

SECTION 4. REPEAL. The provisions of this Ordinance are hereby declared to be supplementary to the provisions of Ordinance No. _____ and any Amendments thereto, but all other Ordinances and Resolutions, and parts thereof, in conflict, wholly or in part, with any provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 5. SEVERABILITY. The provisions of this Ordinance are hereby declared to be severable. If any provision shall be held to be invalid or to be inapplicable to any persons or circumstances, such invalidity or inapplicability shall not affect the remainder of the provisions of this Ordinance.

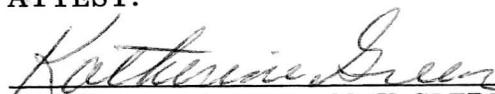
SECTION 6. EMERGENCY. It has been found, and is hereby declared, that the control of dogs in the City of Eureka Springs is necessary for the preservation of the public health, safety and general welfare, and an emergency is hereby declared to exist and is so declared whereby this Ordinance shall be in effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the City Council of Eureka Springs, Arkansas, this ^{17th} ~~3rd~~ day of August, 1972.



FRED L. NAFF, MAYOR

ATTEST:



KATHERINE GREEN, CITY CLERK

THOMAS D. LEDBETTER
ATTORNEY AT LAW

POST OFFICE BOX 637
HARRISON, ARKANSAS 72601
501-365-6127

POST OFFICE BOX 366
EUREKA SPRINGS, ARKANSAS 72632
501-253-9444