

ORDINANCE NO. 940

AN ORDINANCE PROVIDING CONTROLS AND REGULATIONS FOR THE KEEPING, MAINTAINING AND QUARTERING OF DOGS WITHIN THE CITY LIMITS OF EUREKA SPRINGS; PROVIDING FOR DISPOSAL OR DESTRUCTION OF IMPOUNDED DOGS UNDER STATED CONDITIONS; AND DECLARING AN EMERGENCY.

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

SECTION 1. DEFINITION. The quartering, keeping or maintaining of any dog within the corporate limits of the City of Eureka Springs, Arkansas is declared to be a renewable privilege exercisable only by the owner of any dog obtaining a license issued by the City of Eureka Springs for such purpose for the current calendar year.

SECTION 2. APPLICATION. An applicant shall be issued a license upon presentation of proof that the applicant's dog has been inoculated against rabies for the current calendar year and upon payment to the City of Eureka Springs of \$2.00 to cover the cost of issuing the license.

SECTION 3. IDENTIFICATION. The applicant shall, by a permanent, appropriate and reasonable means, attach the license to the dog in a manner that will allow ready identifiable evidence to a viewer that the dog is properly licensed.

SECTION 4. IMPOUNDMENT. All dogs impounded by the City of Eureka Springs pursuant to the provisions of this Ordinance or any other ordinance related to the quartering, keeping and maintaining of dogs within the city limits of Eureka Springs, shall be placed in the City Pound or other publicized location, with unlicensed dogs to be impounded for a period of not more than 48 hours and licensed dogs to be impounded for a period of not more than 72 hours, during which period the owner of an impounded dog may reclaim and recover his dog by having him licensed as above provided, if unlicensed, and payment of an impounding fee of \$10.00 plus an additional amount of \$2.00 for each day or portion thereof that the dog is impounded. If the owner of the dog is known, the City Poundmaster shall give notice by

mail of the impounding of the dog to its owner. All dogs remaining unclaimed at the end of the applicable time after the impounding, or the time that notice is given as herein provided, whichever is later, may be sold by the Poundmaster to any person who will pay the fees imposed against that dog, Provided that if no buyer is found or the owner does not reclaim the dog within the applicable time period, the dog shall be disposed of or destroyed.

SECTION 5. ENFORCEMENT. The Mayor may appoint a City Poundmaster, subject to ratification by the City Council, who shall have power to enforce this Ordinance and all other dog and livestock Ordinances. The salary or compensation to the City Poundmaster shall be fixed by the City Council, and he shall serve in that capacity until removed or otherwise replaced by the City Council.

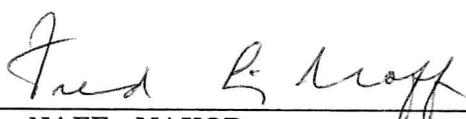
SECTION 6. PENALTY. Quartering, keeping and maintaining an unlicensed dog is hereby declared to be a nuisance and a health hazard, and it shall be a misdemeanor for the owner of any dog to quarter, keep or maintain any dog without licensing that dog in accordance with the provisions of this Ordinance. Any person violating this Ordinance shall be fined a sum of not more than \$25.00 for a first offence, and shall be fined a sum of not less than \$50.00 for each subsequent offence thereafter which shall occur within a calendar year after conviction or bond forfeiture for a prior offense committed under this Ordinance.

SECTION 7. REPEAL. Ordinance No. 816 is hereby repealed in its entirety, and all other Ordinances and Resolutions and part thereof in conflict, in whole or in part, with any of the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8. 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.

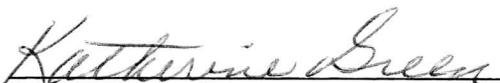
SECTION 9. EMERGENCY. It has been found, and is hereby declared, that the control of dogs in the City of Eureka Springs by licensing is necessary for the preservation of the public health, safety and general welfare, and an emergency is hereby declared to exist and is so declared, whereby this Ordinance 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 ^{19th} ~~3rd~~ day of August, 1972.



FRED L. NAFF, MAYOR

ATTEST:



KATHERINE GREEN, CITY CLERK

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