

**STURGIS**  
**Animals Ordinance**  
**Ordinance 116**

**April 1, 2002**

**Be it ORDIANED and enacted by the Mayor and Board Of Alderman of the Town Of Sturgis, MS as follows:**

**ARTICLE I**

**Definitions.**

**The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.**

*At large* means off the premises, not controlled by the owner or his immediate family by leash, cord, chain or otherwise.

*Domesticated animals* means animal which are kept as pets, such as dogs and cats.

*Owner* means any person owning, keeping or harboring any animal or fowl.

*Undomesticated animals* means horses, mules, cattle, goats, swine and other animals which are not domesticated.

**Running at large.**

No person shall allow any animal, whether domesticated or undomesticated, or fowl to roam, run, or be at large or on the premises of another within the city.

**Cruelty.**

It shall be unlawful for any person to willfully abuse, cruelly treat, injure or neglect any animal or fowl within the city.

**Destruction of dangerous, fierce domesticated animals.**

Any dangerous, vicious or fierce domesticated animal or any domesticated animal having dangerous, vicious or fierce propensities and tendencies found at large after the owner there of has previous knowledge or notice that such domesticated animal is dangerous, vicious or fierce or has dangerous, vicious or fierce propensities and tendencies may be killed by any police officer of the city with out such officer having to catch or impound such domesticated animal.

### **Keeping livestock.**

It shall be unlawful for any person to keep or permit to be kept cows or horses within the city which constitutes a nuisance.

It shall be unlawful for any person to keep or permit to be kept cows or horses within the city where any such animal is kept on lands having less than one acre.

## **ARTICLE II. DOGS**

### **Definitions.**

**The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.**

***Dog*** means and shall be held to apply to both male and female dogs, regardless of age or size.

***Owner.*** Any person over the age of 18 years who shall harbor or permit a dog for ten days or more or let a dog habitually remain to be fed for a period of ten days or more in or about his house, store, etc., shall be deemed the owner, and shall be liable under this article.

***Running at large.*** Any dog shall be deemed to be running at large if it is at any time off the premises of the owner, and it shall not be sufficient that the dog is trained to obey the commands of its handler or that it is merely momentarily or accidentally off the premises of the owner or that such owner is not aware that such dog was off his premises or that such dog is very young or known to be harmless, except that such dog shall not be deemed running at large if it shall be controlled as follows at all times while off the premises of the owner.

1. If enclosed in an adequately ventilated cage, pen, vehicle, trailer, or other enclosure suitable to prevent the escape of such dog.
2. If chained or tied to a leash not to exceed six feet in length and having sufficient strength to restrain such dog, such leash being securely affixed to an object of

sufficient rigidity that it cannot be moved by such dog, or leash being securely held by a person over the age of six years and who is otherwise capable of controlling and restraining such dog.

3. If such dog is bodily carried by a person over the age of six years and who is otherwise capable of controlling and restraining such dog.

### **Proclamation order by Mayor.**

The mayor, whenever in his opinion the danger to the public safety from rabid dogs is imminent, may issue a proclamation order requiring all persons or person owning a dog to muzzle such dog or to confine it within a suitable cage, pen or building.

### **Confinement for rabies observation.**

Any dog which is reasonably suspected of having bitten any person may be impounded and kept under observation by the city for a sufficient length of time to determine if such dog is rabid.

### **Running at large.**

It shall be unlawful for the owner of any dog to permit such dog to run at large.

### **Disturbance, nuisances prohibited.**

It shall be unlawful for the owner of any dog to permit such dog to create a disturbance in the city or become a nuisance in any manner, particularly by reason of noises, odors, or filthy conditions.

### **Proof of vaccination.**

All dogs of the age of three months or over shall display evidence of current rabies vaccination at all times. Evidence must be clearly seen at all times.

### **Impoundment; fees and penalties.**

Any dog whose condition or demeanor violates any provision of this article may be seized and impounded by the police. Impoundment may be in any animal shelter or veterinarian clinic that the Mayor deems advisable and for whatever length the Mayor deems advisable.

Any expenses incurred due to any dog whether it be to person or persons, personal properties, businesses, damages of any type to neighbors, etc. or lawsuits that the



town may be involved in, will be solely the responsibility of the owner of the animal and not the town.

A fee of \$50 will be charged for the impoundment of the dog in addition to any impoundment expenses that are incurred.

If the owner of any dog impounded under this section shall fail to redeem such dog within five days after its impoundment, any other person may, upon complying proof of vaccination and paying all fees, redeem such dog and be the lawful owner of such dog thereafter.

All dogs impounded under this section and which have not been redeemed or purchased as authorized by this section within five days of such impoundment may be disposed of in a humane manner and the expense will be that of the owner.

Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount of \$100.00 or imprisoned in jail or by both such fine and imprisonment, within the discretion of the court.

### **ARTICLE III. UNDOMESTICATED ANIMALS**

#### **Definitions.**

**The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.**

*Undomesticated Animals* means horses, mules, cattle, goats, swine and other animals which are not domesticated.

*Owner.* Any person over the age of 18 years who handles undomesticated animals shall be deemed the owner, and shall be held liable under this article.

*Running at large.* Any Undomesticated animal shall be deemed to be running at large if it is at anytime off the premises of the owner.

It shall be unlawful for any person to keep or permit to be kept undomesticated animals within the city which constitutes a nuisance in any manner, particularly by reason of noises, odors, or filthy conditions.

It shall be unlawful for any person to keep or permit to be kept undomesticated animals within the city where any such animal is kept on lands having less than one acre.

## **Impoundment; fees and penalties.**

Any undomesticated animal violates any provision of this article may be seized and impounded by the police. Impoundment may be in any shelter the Mayor see fit and for whatever length the Mayor deems advisable.

Any expenses incurred due to any undomesticated animal whether it be to person or persons, personal properties, businesses, damages of any type to neighbors, etc. or lawsuits that the town may be involved in, will be solely the responsibility of the owner of the animal and not the town.

A fee of \$50.00 will be charged for the impoundment of the undomesticated animal in addition to any impoundment expense that are incurred.

If the owner of any undomesticated animal under this section shall fail to be redeem. The undomesticated animal becomes property of the city and will be sold at auction set forth by the Mayor. The money that is received will be placed in the General Budget of the town.

Any person violating any provision of this article shall be guilty of a misdemeanor and, upon conviction, shall be fined an amount of \$100.00 or imprisoned in jail or by both such fine and imprisonment, within the discretion of the court.

## **ARTICLE IV. BIRDS**

### **Birds causing nuisance.**

If starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to the health or property in the opinion of the proper health authorities of the city, then in such event the health authorities shall meet with representatives of the Audubon Society, bird club, garden club or humane society, or as many of such clubs as are found to exist in the city, after having given at least three days actual notice of the time and place of such meeting to the representatives of such clubs. If as a result of such meeting no satisfactory alternative is found to abate such nuisance, then such birds may be destroyed in such numbers and in such manner as is deemed advisable by the health authorities under the supervision of the police.

**Passed and approved, this 1 Day of April 2002**

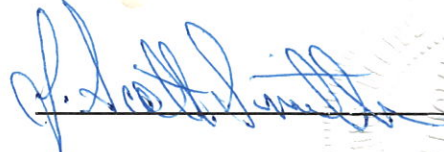
**Alderman Sarah Long made motion, seconded by Alderman Derrell Collins**

**Alderman:**

<b>Sarah Long</b>	<u>  X  </u>	<b>Yea</b>
<b>J.D. Jackson</b>	<u>  X  </u>	<b>Yea</b>
<b>Susan B. Jackson</b>	<u>      </u>	<b>Yea</b>
<b>Craig Vechorik</b>	<u>  X  </u>	<b>Yea</b>
<b>Derrell Collins</b>	<u>  X  </u>	<b>Yea</b>



**Sandra L. Scarbrough, Clerk**



**Jacob Scott Smith, Mayor**

