

CHAPTER 22

ANIMALS

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ARTICLE A

GENERAL PROVISIONS

Section 22.1 Animals Running at Large

No hogs, cattle, sheep, goats, horses, mules, poultry or other such animals shall be allowed to run at large in the Village of Folsom, nor shall any vicious animal be allowed to run at large.

Section 22.2 Animal Enclosures

All animals and fowl, when kept within the municipality, shall be kept in a dry sanitary enclosure.

Section 22.3 Hog Pens Prohibited

It shall be unlawful for any person to raise, product or keep on any private or public premises any swine, hogs or pigs within the corporate limits.

Section 22.4 Bird Sanctuary Established

(a) The entire area embraced within the corporate limits be, and the same is hereby designated as a bird sanctuary.

(b) It shall be unlawful to trap, hunt, shoot or attempt to shoot, or molest in any manner any bird of wild fowl or to rob nests or wild fowl nests.

(c) If certain birds are found to be a nuisance or a menace to health or property, the governing authority shall direct the abatement of the nuisance by lawful and reasonable means including the destruction of the offensive birds.

Section 22.5 Impoundment

It shall be the duty of the police to impound animals running at large, at the facilities of the St. Tammany Parish Humane Society, as described in Section 22.1. Unless the owner of the impounded animal makes a claim therefore within 3 days after impoundment, the Village may dispose of the animal by sale at auction to the highest bidder. Proceeds of the sale, less expenses and impoundment fee, shall be deposited with the treasurer. The original owner may claim and recover the sale proceeds within a period of 72 hours after the sale. Impoundment fees shall be as established by the board.

Section 22.6 Cruelty to Animals

(a) Cruelty to animals is the intentional or criminal negligent mistreatment of any animal by any act, or omission whereby unjustifiable physical pain, suffering or death is caused or permitted upon the animal.

(b) Any person committing cruelty on an animal shall be guilty of misdemeanor.

Section 22.7 through 22.10

Reserved

Article B

DOGS AND CATS

Section 22.11 Definitions

As used in this chapter the following terms shall have the respective meaning ascribed to them:

(a) **Dog** includes all dogs, male, female or altered, but except where otherwise

indicated applies only to those dogs more than 2 months of age.

(b) **Owner** includes any person who harbors or permit's a dog or cat to remain and to be lodged and fed within his or her home, or his or her premises, for 10 days or more.

(c) **Cat** includes all cats, male, female, or altered, but except where otherwise indicated applies only to those cats more than 2 months of age.

(d) **Inoculate** means the administration of an antirabid vaccine as approved by the United States Department of Public Health.

(e) **Run at Large** shall mean any dog or cat not under the control of the owner, either by a leash, chain, cord, or other suitable restraint attached to a collar or harness; or not restrained securely within an enclosure or a fence.

Section 22.12 Duty of Owner

(a) It is unlawful for any person to possess or harbor a dog or cat more than 3 months old unless the animal is inoculated by a licensed veterinarian.

(b) It is unlawful for the owner or person responsible for any animal to permit such animal to run or to be at large.

Section 22.13 Impoundment

(a) Dogs and cats are subject to seizure and impoundment, if at large, not inoculated, rabid, suspected of being rabid or bitten by another animal suspected of having rabies, unless the dog or cat is hospitalized or under the care of a veterinarian. Any dog or cat that bites a human being will be impounded.

(b) When the owner of an impounded animal can be determined, notice will be sent by mail to the owner's last known address, advising of the impoundment and the conditions upon which the animal may be released from impoundment.

(c) Impounded animals, except those which have not been currently inoculated, are rabid, have been bitten by a rabid animal, or have been exposed to rabies may be released to the owner upon the payment of a fee determined by, and subject to the periodic review of the board.

Section 22.14 Cruelty Prohibited

It is unlawful to be cruel or inhumane to any animal. The term "cruelty of inhumanity" includes, but is not limited to, beating, torturing, mutilating, failing to provide food, drink and shelter, abandoning an old, sick or disabled animal, or cruelly killing an animal.

Section 22.15 Rabid Dogs; Disposition

(a) Notification shall be made to the parish health officer by Village officials or the owner of any dog that is rabid, suspected of being rabid, has been bitten by a rabid animal or has bitten a human being. The report shall include all known facts regarding the animal and whether it has been in contact with other animals or with any person, whereby they might have been exposed to the disease.

(b) Any rabid dog or one suspected of being rabid, which has been bitten a person or another animal, shall be confined in a place approved by the parish health officer for a period not less than ten (10) days.

(c) Any dog bitten by a rabid animal or bitten by an animal suspected of being rabid shall be immediately destroyed in a humane manner at the direction of the health officer, or, in the event the owner elects, the animal should be delivered to a veterinarian of the owner's choice, where it shall be hospitalized for Pasteur treatment and quarantine.

Section 22.16 Unclaimed Dogs and Cats; Disposition

(a) The proper village authority shall humanely destroy badly injured or vicious animals whose owner's identity cannot be established.

(b) No other dog or cat shall be destroyed until 10 days have elapsed since the animal was impounded and not then unless the owner has not been found or someone who will pay the charges above stipulated and accept the animal. If such person is found, the receipt shall be evidence that the person by the payment has become the owner of the animal.

Section 22.17 Enforcement

Municipal officials are empowered to patrol the streets, roads or public places, with proper and suitable equipment, to employ proper agents, and to perform all necessary acts to efficiently catch and impound all stray and homeless dogs or cats which may be found at large in the streets, roads or public places.

Section 22.18 Interference with Officials

It shall be unlawful for any person to violate the provisions of this chapter or to hinder, molest, or interfere with any officer or agent in the performance of any duty provided for by this chapter.

Section 22.19 Liability of Village Officials

No officials of the Village of Folsom, the Police Department of the Village of Folsom, nor any person, firm, or corporation authorized to act in behalf of the Village of Folsom,

nor their agents, servants, or employees shall be liable for any injury which any animal receives while it is being taken up or during impoundment or for its disposal as is hereinabove provided.

Editorial Note: General authority for this chapter is L.R.S. 33:401(8). Specific reference is made in statute regarding suppression of hog pens. Municipalities are empowered to prevent or regulate animals of all kinds running at large and to impound and sell these animals. The statute also provides authority for dog registration, destruction of dogs running at large, and the maintenance of impounding facilities and personnel.

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE B, OF THE CODE OF ORDINANCES OF THE VILLAGE OF FOLSOM, LOUISIANA AND ADDING ARTICLE C. ARTICLE D, ARTICLE E AND ARTICLE F. SAID ORDINANCE TO READ AS FOLLOWS:

Section 22.11 DEFINITION

As used in this chapter the following terms shall have the respective meaning ascribed to them:

- (a) **Dog** includes all dogs, male, female or altered, but except where otherwise indicated applies only to those dogs more than 2 months of age.
- (b) **Owner** includes any person who harbors or permit's a dog or cat to remain and to be lodged and fed within his or her home, or his or her premises, for 10 days or more.
- (c) **Cat** includes all cats, male and female, or altered, but except where otherwise indicated applies only to those cats more than 2 months of age.
- (d) **Inoculate** means the administration of an antirabid vaccine as approved by the United States Department of Public Health.
- (e) **Run at Large** shall mean any dog or cat not under the control of the owner, either by a leash, chain, cord, or other suitable restraint attached to a collar or harness; or not restrained securely within an enclosure or a fence.

Section 22.12 CONFINEMENT BY OWNER

It shall be the duty of the owner or keeper of a dog to have such bog confined within his or her yard or enclosure, or secured therein by a human method.

Section 22.13 DOGS AT LARGE; VIOLATION NOTICES

No dog shall be permitted to run or be upon any street, alleyway, highway, common or public square unless under the immediate control of a competent person and restrained by a substantial chain or leash, except for recognized breeds of hunting dogs when in the process of tracking or retrieving of game, during a properly supervised hunt, said breeds being hounds, retrievers, spaniels, setters and pointers.

The police department of the Village of Folsom and the St. Tammany Parish Humane Society and/or designated agency is authorized to seize and impound dogs at large. Alternatively the police department of the Village of Folsom and the St. Tammany Humane Society is authorized to issue a notice to the owner of the dog that the owner is in violation of section. Such notice may impose upon the dog owner a fine of ten dollars (\$10.00) and shall be paid to the Village of Folsom or the St. Tammany Parish Humane

Society and/or designated agency within five days (5) of the date the notice was served. Failure to make such payment shall render the owner subject to the penalties provided for in Article F, Section 22.24 of this ordinance.

SECTION 22.14 REDEMPTION OF IMPOUNDED DOGS

The owner shall be entitled to claim any impounded dog upon payment to the impounding authority of the impoundment and daily board fees and compliance with vaccination/ registration requirements, provided application for such claim, with payment of all required fees, is made within seven days(7), exclusive of Sundays and all legal holidays, after impoundment.

SECTION 22.15 ESCAPED DOGS

Should any dog captured by the Police Department of the Village of Folsom or the St. Tammany Humane Society and/or designated agency escape said agents by entering premises of the owner or keeper, or any other person, and such owner, keeper or person refuses to deliver the dog to agents of the police department of the Village of Folsom or the St. Tammany Parish Humane Society and/or designated agency, the owner, keeper, or person shall be subject to the penalties provided for in Article E, Section 22.24, of this ordinance. The police department of the Village of Folsom and the St. Tammany Humane Society and/or designated agency is authorized to issue citation for violations of this Article.

SECTION 22.16 DOGS ON SCHOOL GROUNDS

Owners shall not permit their dogs on any school grounds when school is in session or on any public recreation area when an organized activity is being conducted, unless the dog is controlled by a leash or similar device to prevent the dog from biting any person or animal.

SECTION 22.17 ANIMALS IN RESTAURANTS

Dogs or other animals shall not be permitted in restaurants or other places serving food, establishments selling food or edible products, or in any place of business when prohibited by the owner of the same. This provision shall not apply to "Seeing-Eye" dogs.

SECTION 22.18 ANIMALS IN HEAT

Every female dog or cat in heat shall be confined so that the animal cannot come into contact with an un-neutered male, except for planned breeding.

ARTICLE C
IMPOUNDMENT

SECTION 22.19 REASONS

Whenever animals are kept within any building or on any premises without food, water or proper care and attention, or are kept in violation of the provisions of this Ordinance, or are infected with disease, or kept under conditions which could endanger public health or create nuisance, the police department of the Village of Folsom and the St. Tammany Parish Humane Society and/or designated agency are authorized to enter said premises and remove the neglected animals. Animals so impounded shall not be released until the cause for said impoundment has been corrected.

SECTION 22.20 DISPOSITIONS OF UNCLAIMED ANIMALS.

If any impounded animal, other than a dog or cat impounded for being at large, is not reclaimed by the owner upon payment of impoundment and daily board fees and compliance with other legal requirements for keeping an animal, or if the reason for causing said impoundment is not corrected within a reasonable time, the animal may be held for a reasonable time, considering the animal's probable value, condition of health and suitability for use. Upon expiration of such reasonable time, the animal may be offered for adoption, or it may be humanely destroyed.

SECTION 22.21 OWNER NOTIFICATIONS; HOLDING TIME, RELEASE OF ANIMAL, ADOPTION AND DISPOSAL OF ANIMAL.

Owner notification, holding time, release of animal, adoption and disposal of impounded animals shall be the same as those rules and regulations adopted by the St. Tammany Parish Humane Society and/or designated agency for its operation.

SECTION 22.22 LIABILITY OF OWNER FOR DOGS AT LARGE

In addition to the fees and charges to be paid to the St. Tammany Parish Humane Society for the release of any impounded dog, any owner who has permitted his licensed or unlicensed dog to roam at large may be found guilty of a violation of this Ordinance and shall be subject to a penalty as set forth in Article F, Section 22.24 of this Ordinance.

ARTICLE D
ANIMALS AT LARGE

The police department of the Village of Folsom and the St. Tammany Parish Humane Society and/or designated agency is authorized to impound any dog, cat, rabbit, raccoon, possum, hamster, guinea pig, gerbil, and any other animal impounded may be reclaimed by the owner upon payment to the impounding authority of impoundment and daily board

fees and compliance with other legal requirements for keeping of such animal as promulgated by the St. Tammany Parish Humane Society. If no claim is made on any such animal after seven days (7) of impoundment, exclusive of Sundays and legal holidays, the St. Tammany Parish Humane Society is authorized to humanely dispose of the animal.

**ARTICLE E
PENALTIES**

SECTION 22.23 Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction or the pleading guilty of each such offense may be both fined and imprisoned in the discretion of the Court.

SECTION 22.24 The fine and imprisonment schedule for conviction of violations of provisions of this Ordinance shall be as follows:

First Offense:

Fine	\$ 50.00
Term of imprisonment In parish jail, days	10

Second Offense:

Fine	\$ 75.00
Term of imprisonment In parish jail, days	20

Third Offense:

Fine	\$ 100.00
Terms of imprisonment In parish jail, days	30

Fourth and subsequent offense

Fine	\$500.00
Term of imprisonment In parish jail, days	30

ARTICLE F
POLICE AUTHORITY

Nothing contained herein shall abrogate the general police authority vested in the governing authority and police department of the Village of Folsom, Louisiana.

The above amendment to Chapter 22 of the Code of Ordinances of the Village of Folsom, Louisiana has been read and considered by Section, and upon motion of Alderman Brumfield seconded by Alderman Ezell the following result was had:

YEAS: Brumfield, Ezell, Richardson

NAYS: None

ABSENT: None

ABSTAINING:

Whereupon the Mayor declared the amendment to Chapter 22 of the said Code of Ordinances to be duly adopted on the 8th day of May, 1995.

Darrell Magee, Mayor

ATTEST:

Merty Fitzmorris, Municipal Clerk