

CODE OF ORDINANCES
City of
JACKSON, MISSISSIPPI

Codified through
Ord. No. 2007-4(10), adopted Jan. 1, 2007.
(Supplement No. 19)

ANIMALS

ARTICLE I. IN GENERAL

Sec. 18-1. Definitions.

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

Animal means any live, vertebrate creature, domestic or wild.

Animal control, division of means the review and enforcement authority under the supervision of the director of sanitation, and empowered to administer this chapter.

Animal control officer means any person designated by the city as a law enforcement or animal control officer who is qualified to perform such duties under the laws of this state.

Animal shelter means any facility operated by a humane society, or municipal agency, or its authorized agents, for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

Feral dog means a dog that has escaped from domestication and become wild, dangerous, or untamed.

Kennel means any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs or cats, or where there are regularly kept four or more adult dogs or cats, or any combination thereof.

Owner means any person, partnership, or corporation owning, keeping, or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered.

Performing animal exhibition means any spectacle, display, act, or event, other than a circus, in which performing animals are used.

Pet means any animal kept for pleasure rather than utility.

Public nuisance means any animal which:

- (1) Molests passersby or passing vehicles;
- (2) Attacks other animals;
- (3) Trespasses on school grounds, in city parks, or in zoological parks;
- (4) Is repeatedly at large;
- (5) Damages private or public property;
- (6) Barks, whines, or howls in an excessive, continuous, or untimely fashion; or
- (7) Is allowed by its owner to become a nuisance to people or other animals.

Restraint means any animal's being secured by a leash or lead of less than six feet, within the fenced real property limits of its owner, or tethered in such a way that the animal is within the real property limits of its owner.

Running at large means any animal's being not under restraint.

Veterinary hospital means any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

Vicious animal means any animal that constitutes a physical threat to human beings or other animals.

Wild animal means any live monkey (nonhuman primate), raccoon, bear, skunk, fox, poisonous snake, leopard, panther, tiger, lion, lynx, or any other warm-blooded animal which can normally be found in the wild state and is not ordinarily domesticated by man, whether raised in captivity or in the wild.

Zoological Park means any facility, other than a pet show, roadside zoo, or kennel, displaying or exhibiting one or more species of nondomesticated animal and operated by a person, partnership, corporation, or government agency.

(Code 1971, § 6-1)

Cross references: Definitions generally, § 1-2.

Sec. 18-2. Police department, animal control officer to enforce chapter provisions; interfering with such officers.

(a) The civil and criminal provisions of this chapter shall be enforced by the superintendent of animal control and the city police department.

(b) It shall be a violation of this chapter to interfere with an animal control officer in the performance of his duties.

(Code 1971, § 6-2)

Sec. 18-3. Penalty for violation of chapter.

Any person violating any provision of this chapter, except as provided for in sections 18-13(c) and 18-91, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$25.00 nor more than \$500.00 or imprisonment in the city jail not to exceed 30 days, or by both fine and imprisonment. If any violation is continuing, each day's violation shall be deemed a separate violation.

(Code 1971, § 6-3)

Sec. 18-5. Leaving animals unattended inside motor vehicle; authority of animal control division to remove from vehicle.

It shall be unlawful to leave an animal unattended inside a motor vehicle when such action is reasonably potentially harmful to the animal. The division of animal control shall have the authority to remove an animal from such a vehicle.

(Code 1971, § 6-7)

SECTIONS OMITTED ON PURPOSE

Sec. 18-9. Keeping of vicious animals.

(a) *Confining and muzzling required.* Every vicious animal, as determined by the superintendent of animal control, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.

(b) *Displaying or exhibiting.* No person shall keep or permit to be kept on his premises, or in any roadside zoo or pet store, any vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This subsection shall not be construed to apply to zoological parks, performing animal exhibitions, or circuses.

(Code 1971, § 6-11)

SECTIONS OMITTED ON PURPOSE

Sec. 18-11. Responsibility of owner generally.

No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance.

(Code 1971, § 6-13)

Sec. 18-12. Standards for care and treatment generally.

No owner shall fail to provide his animals with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.

(Code 1971, § 6-14)

Sec. 18-13. Running at large.

(a) *Prohibited.* It shall be unlawful for the owner of **any animal** to permit it to run at large within the corporate limits of the city.

(b) *Impoundment of animals at large.* Animals running at large may be impounded as provided in sections 18-56 and 18-57.

(c) *Violation notice; penalty; failure to pay; warrant; penalty for violation of section.* In addition to, or in lieu of, impounding an animal found at large, the animal control officer or police officer may issue to the known owner of such animal a notice of ordinance violation. Such notice shall impose upon the owner a penalty of \$50.00 which may, at the discretion of the animal owner, be paid to the division of animal control within 72 hours in full satisfaction of the assessed penalty. If such penalty is not paid within the time period prescribed, a criminal warrant shall be initiated before a magistrate, and, upon conviction of a violation of this section, the owner shall be punished as provided in section 18-3.

(Code 1971, § 6-16)

Sec. 18-14. Removal of wastes.

The owner of every animal shall be responsible for the removal of any excreta deposited by his animal on public walks, recreation areas, or private property. It shall be unlawful for the owner of any property to allow unsanitary, unsightly, or malodorous conditions to develop on his property due to the keeping, maintaining, owning, or harboring of animals.

(Code 1971, § 6-17)

SECTIONS OMITTED ON PURPOSE

Sec. 18-21. Elimination of animals--Authorized in certain cases.

(a) *Vicious animals or feral dogs.* When an animal is determined by the superintendent of animal control to be a vicious animal or a feral dog, that animal may be destroyed by the superintendent of animal control or his designee providing each of the following requirements is met:

(1) The animal is running at large.

(2) There is no vaccination tag around the animal's neck.

(3) Attempts to peacefully capture the animal have been made and proved unsuccessful.

(b) *Incurably injured or diseased animals.* It shall be the duty of the police and duly authorized animal control officer to discharge a firearm in order to mercifully end the life of an animal suffering from an incurable injury or disease or as the sole effective means of controlling a public nuisance or health hazard including, but not limited to: pigeons, rabbits, squirrels, snakes and feral dogs.

(Code 1971, § 6-24)