

0-645. - General duties of all animal owners.

- (a) It shall be the duty of every owner of any animal or anyone having any animal in his possession or custody to exercise reasonable care and to take all necessary steps and precautions to protect other people, property, and animals from injuries or damage which might result from their animals' behavior, regardless of whether such behavior is motivated by mischievousness, playfulness, or ferocity.
- (b) It shall be the duty of every owner of any animal or anyone having any animal in his possession or custody to care for said animal in a humane fashion and provide it with proper water, proper food, proper shelter, proper veterinary care and safe surroundings.
- (c) In the event that the owner or keeper of any animal is a minor, the parent or guardian of such minor shall be responsible to ensure that all provisions of this article are complied with.

(Code 1998, § 4-124.00; Ord. No. 01-0296, 5-3-2001; Ord. No. 03-0689, 6-5-2003; Ord. No. 09-2000, 2-5-2009; Ord. No. 16-3515, exh. A(4-124.00), 6-2-2016)

Sec. 10-646. - Public nuisance.

Every owner or keeper of animals shall exercise proper care and control of such animals so as to prevent them from creating or becoming a public nuisance. A violation of any of the following provisions shall constitute a public nuisance and is strictly prohibited:

- (1) *Excessive noises.* Excessive or untimely barking, howling, yelping, or other animal noise that is unreasonably loud and intrusive or disturbing and which essentially interferes with the right of privacy within one's home or unreasonably interferes with the use of one's residential property, which is defined to include single-family, duplex or multifamily dwellings, nursing homes, outpatient surgical facilities and similar facilities.
- (2) *Attack.* Attacking or molesting a person or animal or chasing vehicles.
- (3) *Animals at large.* No person shall suffer or permit any animal in his possession, or kept by him about his premises, to run loose, free or at-large on any street, sidewalk, alleyway, highway, common or public square, or upon any unenclosed land, or trespass upon any enclosed or unenclosed lands of another. The term "running loose, free or at large" means not under the immediate control of a competent person and restrained by a substantial chain or leash. Nothing in this part is intended to prevent any citizen of this state from lawfully hunting with a dog, provided the dog is accompanied by the owner or keeper.
- (4) *Enticing or releasing animals.* It shall constitute a violation of this article for any person to release any animal from, or to entice any animal to leave, the property of the owner or keeper of such animal.
- (5) *Scratching on or digging into or urinating or defecating upon lawns, shrubs, buildings or any property, either public or private, other than property of the owner or keeper.* In the case of nuisance by defecation, whether such nuisance shall take place in the presence of the owner or keeper or not, the owner or keeper must promptly remove all feces and dispose of them in a sanitary manner or be considered to be in violation of the provisions of this article.
- (6) *Premises maintained.* Premises on which animals, including fowl, are kept shall be maintained so as to prevent all obnoxious odors and stench of such unreasonable intensity and duration that it prevents or essentially interferes with a person's ability to use or enjoy his property, or the presence or breeding of flies, mosquitoes and other pests. Provisions shall be made for the removal and disposal of animal and food wastes, bedding, dead animals and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors and disease hazards.

- (7) *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.
- (8) *Cleanliness of containment areas.* All animal containment areas shall be maintained in order that excessive fecal matter and urine does not build up and create unsuitable living conditions for the animal and humans who enter the containment area; and does not create a health hazard and/or excessive odor. All animal containment areas should remain free of excessive water buildup and/or excessive flooding or continuous standing water.
- (9) *Dogs on school grounds.* Owners shall not permit their dogs on any school ground when school is in session, unless specifically authorized by the school board or principal.
- (10) *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 business. This provision shall not apply to service animals.
- (11) *Animals as prizes.* Giving live animals as prizes is strictly prohibited and it shall be unlawful for any person to give away an animal as an advertising device, or as a game prize at any fair, festival or charity event. Raffleing or auctioning an animal shall be permitted provided monetary consideration is given in exchange for a chance of winning the animal. For the purposes of this section, an animal shall include, but is not limited to, fish, rabbits, birds, cats and dogs.
- (12) *Animals restricted from parades and other public events.* Pets, animals or reptiles, other than those that have been authorized to participate in a parade or other public event by the organizer thereof, are prohibited from being within 150 feet of the parade route or the site of such public events for the duration of the parade or event.
- a. This prohibition shall apply to any pet, animal or reptile that is not within an enclosure on the property of the owner or keeper, even if it is under the immediate control of the owner or keeper by means of a leash, cage or hutch, for example.
 - b. In the case of a parade route, the distance is measured from the outer edge of the sidewalk or hard surface of the road or street (i.e., the concrete or asphalt) of the designated route.
 - c. In the case of the site of a public event, the distance is measured from the fence surrounding the site of the event or, if there is no fence, the boundary line of the property where the event is being held.
 - d. For the purposes of this prohibition, the duration of the parade or event shall include a two-hour period of time before the scheduled commencement of the parade or event and a two-hour period of time after the parade or event has ended.
- (13) *Prohibited.* No person shall sell, exchange, barter, trade, lease, rent, give away, or display for such purposes any live animal on any roadside, public right-of-way, parkway, median, park, playground, or other recreational area, flea market, commercial or retail parking lot, or property adjacent to such locations, that is generally accessible to the public, regardless of whether such access is authorized or not. Exception: This section shall not apply to humane societies, animal welfare groups, animal control agencies or non-profit organizations sponsoring animal adoption events.
- (14) *Penalties and enforcement for violating this section.*
- a. *Misdemeanor enforcement.* Whoever violates any provision of this section, or fails or neglects to perform any duty imposed by it, shall be fined not less than \$25.00 nor more than \$500.00, or imprisoned for not more than 30 days, or both. Additionally, upon conviction, such person shall be required to pay all court costs and the court may, in its discretion, order the payment of any

reasonable costs incurred in the enforcement thereof, including the costs of boarding the animal and necessary medical care.

- b. *Administrative enforcement.* In lieu of, or in addition to, enforcement under the misdemeanor provisions of subsection (14)a. of this section, whoever violates any provision of this section, or fails or neglects to perform any duty imposed by it, may be served with notice to appear before the parish administrative hearing officer in accordance with the provisions governing the bureau of administrative adjudication, section 2-542. If a particular section of this article provides for notice and hearing, the notice and hearing shall be governed by those provisions. In all cases where an animal is impounded, the hearing officer may order the payment of the costs of boarding and necessary medical care in addition to any other order.

(Code 1998, § 4-125.00; Ord. No. 01-0296, 5-3-2001; Ord. No. 03-0689, 6-5-2003; Ord. No. 09-2000, 2-5-2009; Ord. No. 09-2163, 11-5-2009; Ord. No. 16-3515, exh. A(4-125.00), 6-2-2016)

Sec. 10-647. - Animals at large; leash law.

It shall be unlawful for any person to suffer or permit any animal in his possession, or kept by him about his premises, to run loose, free or at-large on any street, sidewalk, alleyway, highway, common or public square, or upon any unenclosed land, or trespass upon any enclosed or unenclosed lands of another. The term "running loose, free or at large" means not under the immediate control of a competent person and restrained by a substantial chain or leash. Electronic leashes utilizing an electrical charge as a means of restraint shall not serve as a replacement for a tangible chain or leash.

(1) *Confinement by owner.*

- a. *Enclosure.* When not confined within the owner or keeper's dwelling or being exercised or transported outside the owner or keeper's premises, all animals owned or kept in the unincorporated portions of St. Tammany Parish shall be confined within an enclosure, which means a fence or structure, whether or not it is located along the boundary of the property, that is constructed in such a manner as to:
1. Prevent any unattended animal, while outdoors and upon the premises of its owner or keeper, from going beyond or outside of the boundaries of the property; and
 2. Not allow ready and unobstructed access to the animal by the general public.

Electronic fences, incorporating the use of electrical charges as a means of restraint of an animal within a yard-like perimeter, may only be used as a secondary means of restraint and not as a replacement for actual fencing material or an enclosure except in cases when an animal is under the supervision of its owner, in which case a fully operational invisible fence shall be considered an acceptable primary enclosure.

- b. *Tethering.* It shall be unlawful to tether a dog, except as follows.

1. The tether is attached to the dog by means of a suitable, properly-fitted collar or harness not exceeding two inches in width. Choke or prong collars are not permitted.
2. The tether provides access to adequate space for the dog to move about freely and cannot become entangled in such a way that would prevent the dog's mobility or cause strangulation.
3. At minimum, the tether should be four times the length of the dog from the tip of nose to the tip of the tail and the tether must allow the dog to lie down with its head flat on the ground and provide an additional 12 inches of slack.

4. The tether is made of a durable, lightweight material that will not cause unnecessary stress on the dog. The tether shall not weigh more than three percent of the dog's total body weight. Thick chains and other heavy lines are prohibited.
 5. The tether allows the dog to move at least 30 feet. Otherwise, the dog must be removed from the tether at least twice a day for exercise and/or socialization for a minimum of 60 minutes each day.
 6. The tether does not inhibit the animal's access to shelter, shade, food and water; and
 7. Intact dogs may not be tethered under any circumstances.
- (2) *Seizure and impoundment.* Any citizen may, or the sheriff, constable, or animal control officer shall seize any animal found to be at large. Any such animal may be turned over to the parish department of animal services. Animals found at large by the department of animal services may be seized and impounded; or as an alternative, the animal may be seized and returned to the owner or keeper and a notice of violation of this section may be issued to the owner or keeper.
- (3) *Penalties and enforcement for violating this section.*
- a. *Misdemeanor enforcement.* Whoever violates any provision of this section, or fails or neglects to perform any duty imposed by it, shall be fined not less than \$25.00 nor more than \$500.00, or imprisoned for not more than 30 days, or both. Additionally, upon conviction, such person shall be required to pay all court costs and the court may, in its discretion, order the payment of any reasonable costs incurred in the enforcement thereof, including the costs of boarding the animal and necessary medical care.
 - b. *Administrative enforcement.* In lieu of, or in addition to, enforcement under the misdemeanor provisions of subsection (3)a. of this section, whoever violates any provision of this section, or fails or neglects to perform any duty imposed by it, may be served with notice to appear before the parish administrative hearing officer as set forth in section 2-542. The fine shall be not less than \$25.00 nor more than \$500.00 and the payment of any reasonable costs incurred in the enforcement thereof, including the costs of boarding the animal and necessary medical care.
- (4) *Escaped dogs and cats.* Should any dog or cat while at large be captured, or is sought to be captured, by officers of the department of animal services, and such dog or cat escapes said officers by entering the premises of the owner or keeper, the penalty and enforcement provisions of subsection (3) of this section shall be applicable. Should such dog or cat escape by entering the premises of a person other than the owner or keeper, and the person refuses to deliver such dog or cat to the animal control officer of the department of animal services, the refusal shall be a violation of this article and such person shall be subject to administrative enforcement and the civil penalties provided for in subsection (3)b. of this section.
- (5) *Redemption of impounded dogs or cats found at large.* The disposition and processing of any dog or cat found at large shall be in accordance with the provisions set forth in section 10-649(b).
- (6) *Dangerous and vicious animals.* Owners or keepers of dangerous and vicious animals shall be subject to the provisions and requirements set forth in sections 10-659 and 10-664.
- (7) *Exceptions.* Nothing in this section is intended to prevent any citizen of this state from lawfully hunting with a dog, provided the dog is accompanied by the owner or keeper, including recognizable 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.

(Code 1998, § 4-126.00; Ord. No. 01-0296, 5-3-2001; Ord. No. 03-0689, 6-5-2003; Ord. No. 09-2000, 2-5-2009; Ord. No. 16-3515, exh. A(4-126.00), 6-2-2016; Ord. No. 18-3909, 7-12-2018)

Sec. 10-648. - Licensing; registration; vaccination and tags.

- (a) *License required; tag.* It shall be the duty of the owner or keeper of every dog, cat and ferret over three months old to register same with the parish department of animal services by the purchase of a license tag. Such license tag shall be dated and indicate the number of the license tag issued for the animal at the time it is vaccinated by a licensed veterinary or licensed veterinary technologist with appropriate anti-rabies vaccine at the owner's expense. The license tag shall indicate the current calendar year. The license tag shall be fastened to the animal's collar or harness and worn at all times. The license must be renewed annually and no animal shall be vaccinated without the issuance of a license or licensed without a current rabies vaccination.
- (b) *Fees.* The annual fee for registration, licensing and issuance of tags shall be \$8.00 for each sterilized animal and \$20.00 for each non-sterilized animal. In the event a license tag is lost, a duplicate tag may be issued for a replacement fee of \$1.00 upon presentation of the original license receipt to the issuing agency. Veterinarians collecting such annual fees are entitled to retain \$2.00 from the fees collected for each tag issued to defray the administrative costs. At the beginning of each calendar year, the department of animal services shall be authorized to adjust the current fees, which adjustment shall be based on the actual cost to board, sterilize, vaccinate and microchip the animals as demonstrated by the costs incurred during the prior calendar year. The department of animal services shall annually post the current fees on the parish website, as well as in the public waiting area at the shelter.
- (c) *Exemptions.* Fee-exempt registrations may be issued for the following:
- (1) Police, sheriff's department or other law enforcement dogs.
 - (2) Service animals.
 - (3) Licensed veterinary, vet or clinic animals in conduct of business.
 - (4) Any person or entity that has a current animal establishment permit.
- (d) *Hunting and show animals.* Animals used for hunting, on exhibition at American Kennel Club or other approved shows engaged in a specific "animal club" sponsored race or trial, or such animals while being transported to and from such events need not wear their collars nor their tags.
- (e) *Counterfeiting and unauthorized use of tags prohibited.* Any person who counterfeits or imitates the license tag as provided by the parish department of animal services, or any person who shall put on an animal any such counterfeit or imitation tag, or who shall use a license tag on an animal for which it was not issued, shall be subject to the penalties provided for in subsection (g)(2) of this section.
- (f) *Financial responsibility.* The department of animal services shall be responsible for the procurement, distribution and registration of license tags and shall have responsibility for the collection, accounting, administration and reporting of all fees, fines and penalties collected under the provisions of this article, excluding court assessed costs, fees and penalties.
- (g) *Penalty for violating this section or disturbing dog's collar or tag.*
- (1) Except as otherwise provided in subsection (g)(2) of this section, whoever violates any provision of this section, or fails or neglects to perform any duty imposed by it, shall be fined not less than \$25.00 nor more than \$100.00 and the costs of prosecution or enforcement, or imprisoned for not more than 30 days, or both.
 - (2) Any person who counterfeits, imitates or alters the license tag provided by the department of animal

services, or any person who removes a license tag from any dog properly registered as herein provided for, or uses a license tag on an animal for which it was not issued, shall be fined not more than \$100.00 and the costs of prosecution or enforcement, or imprisoned for not more than 30 days, or both. Each counterfeit, imitation, alteration, removal or unauthorized use of a license tag shall constitute a separate violation.

- (h) *Administrative hearing authorized.* In lieu of, or in addition to, enforcement of the criminal penalties as set forth in subsection (g) of this section, a violation of the provisions of this section may be enforced through the administrative hearing process of the bureau of administrative adjudication. Any civil fine imposed for a violation of this section shall be in accordance with the fine and costs set forth in subsections (g)(1) and (2) of this section.

(Code 1998, § 4-127.00; Ord. No. 01-0296, 5-3-2001; Ord. No. 03-0689, 6-5-2003; Ord. No. 09-2000, 2-5-2009; Ord. No. 16-3515, exh. A(4-127.00), 6-2-2016)