



**City of Hattiesburg
Animal Control Ordinance
Proposed Updates // Working Draft
JULY 1, 2019**

Improvement Objectives

- To further assure the healthy and humane treatment and care of domestic pets in Hattiesburg
- To further enhance the safety of citizens and pets in the City of Hattiesburg against the threats of nuisance, potentially dangerous, dangerous or vicious domestic animals.

Text in red bold is either updated content or new content.

Under Section 2, Definitions: added

Potentially Dangerous Dog: Any dog that has, without provocation, been found to menace, chase, or display threatening or aggressive behavior so as to potentially endanger the safety of any person or domesticated animal.

Under Section 4-1 Enforcement

PENALTIES, DIRECTIVE ACTIONS, CITATIONS FOR POTENTIALLY DANGEROUS, DANGEROUS OR VIOLENT DOMESTICATED ANIMALS:

A. Potentially dangerous or dangerous animals:

1. **The animal may be impounded for observation. If, upon observation, the animal is found to be irrevocably vicious, the animal may be humanely put to rest.**
2. **If it is determined that a potentially dangerous dog may be returned to its owner and neighborhood, the owner may be required to meet further restriction and directives including but not limited to keeping the animal inside unless attended by owner, tethering even inside a fence, additional warning signs on owner's property, or other reasonable restrictions as ordered by Animal Control.**
3. **Citations for any violations stated herein under the animal control ordinance.**
4. **Other violations of the municipal code.**

B. Vicious animals:

As defined in Section 2, any animal that has shown vicious propensities by virtue of attacking a person or other animal with such intensity as to cause significant physical or property harm, made unprovoked attacks on animals or humans, or intentionally attacking physical property in an attempt to attack humans or other animals will not be allowed in the City limits.

Owners of vicious animals will be subject to the following actions, penalties or citations:

1. The animal will be immediately impounded
2. If, upon observation, the animal is found to be irrevocably vicious, the animal will be humanely put to rest.
3. If #2 above is not enacted, the owner may be mandated not to return the animal to its prior residence, or elsewhere within the City limits
4. Fine in the amount of \$100
5. Given appropriate due process, the Municipal Court may order the owner to make restitution for medical expenses, property damage or other losses incurred by victims of the vicious dog.
6. Other violations as may be cited by the Municipal Court

Under Section 4-2

- A. The animal control section shall be a unit of the ~~Hattiesburg Police Department...~~
- C. All moneys collected by any affiliate authorized by the city under the terms of this article shall be used at the ~~City's designated animal shelter~~ for the care and feeding of impounded animals.
- D. ~~The City will contract annually with a licensed Hattiesburg animal shelter for the impoundment and care of animals seized by Hattiesburg Animal Control.~~

Under Section 4-5

~~Kennels, breeding farms, animal training businesses and boarding services may only operate in properly zoned areas; and may not operate in areas zoned as residential.~~

Under Section 5-2. Impoundment.

7. Any animal who has attacked or done harm to a person, animal or property.

Under Section 5-2-B

~~Increased fine for second or subsequent impoundments within the preceding twelve months from \$20 to \$50.~~

Added provision 4: Any other fees assessed by the City's contracted animal shelter for reimbursement of actual costs to the shelter for medical or other forms of care beyond the norm.

Under Section 6-1. Animal Care.

- E. No owner shall confine a pet alone in an unattended vehicle for such an amount of time as to threaten the health and safety of the animal.**

Section 6-3. Keeping more than six pets.

The keeping on any premises in the city of any pets in any number exceeding six (6) in aggregate is prohibited, except licensed kennels or licensed breeding farms, and the pens, stalls or other enclosure facilities for keeping the same shall be so located that the pets cannot come within one hundred **and twenty (120')** feet of any food service establishment or food processing establishment, regardless of the ownership or occupancy of such establishments. **Kennels, breeding farms, training businesses and boarding operations may only operate in areas zoned for these types of business.**

Further, persons who keep more than three (3) dogs must not have neighbors (residences or businesses), within 120 feet in all directions of the residence where the dogs reside. Dog owners who reside within less than 120 feet of other residences or businesses may have no more than 3 dogs. The 120 feet will be measured from the property line of the dog owner to the neighboring primary structures (home or business). Exception to 6-3 may be granted with regard to new born puppies under 3 months of age.

New Section: 6-4 Adequate space for dogs kept primarily outside

Dogs kept out of doors for continuous periods of time exceeding 30 minutes that are tethered and sheltered (see definition) or in a secured fenced in yard (see fence definition) must have adequate space in the yard for the pet's health and safety; specifically not less out door space where the dog is enclosed than 2 (two) square feet for every pound of the dog or dogs' weight.

New Section: 6-7 Habitual animal offender

Residents who are cited and found to be in violation of three (3) or more animal care or animal nuisance provisions over any 24 month period of time will be cited as a habitual offender. If found to be a habitual animal offender through the Municipal Court process, the person may be ordered to limit, restrict or be prohibited from animal ownership for a period of time of not more than one (1) year.