

ORDINANCE # 2015-25
INTRODUCED BY O'Keefe
DATE INTRODUCED 11/17/15
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RECORDATION 5
AMENDED BY ORDINANCE # 6
DATE AMENDED 6

ADOPTION

INTRODUCTION

CITY OF COVINGTON
STATE OF LOUISIANA

ORDINANCE NUMBER 2015- 25

AN ORDINANCE OF THE CITY OF COVINGTON
AMENDING THE FOLLOWING PROVISIONS OF THE
COVINGTON CODE OF ORDINANCES: CHAPTER 14
ANIMALS, ARTICLE I. IN GENERAL, SECTION 14-8.
DANGEROUS AND VICIOUS ANIMALS, SUBSECTION
14-8(b) CONTROL OF DANGEROUS ANIMALS AND
SUBSECTION 14-8(c) VICIOUS ANIMALS

WHEREAS, certain amendments have been suggested to the sections of the Code addressing the appeal mechanism regarding the determination of dangerous and vicious animals; and

WHEREAS, the Covington City Council deems these amendments appropriate to protect the health, safety and welfare of the citizens of Covington; and

WHEREAS, the City Council has held its public hearing in accordance with law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Covington, at its regular session convened, that Chapter 14 Animals, Article I. In General, Sec. 14-8. Dangerous and vicious animals, Subsections 14-8(b) Control of dangerous animals, and 14-8(c) Vicious animals, shall be amended to read as follows:

Sec. 14-8. - Dangerous and vicious animals.

(b) *Control of dangerous animals:*

(1) All dangerous animals shall be confined in an enclosure which meets requirements set forth under the provisions of this section if the animal is kept outside of the owner and/or keepers dwelling. It shall be unlawful for any owner and/or keeper to maintain a dangerous animal upon any premises which does not have such a locked enclosure if the animal is kept outside of the owner's or keeper's dwelling.

(2) It shall be unlawful for any owner and/or keeper to allow any dangerous animal to be outside of the dwelling of the owner and/or keeper, or outside of the herein above defined enclosure, unless it is necessary for the owner and/or keeper to exercise the animal or to move the animal. Whenever the said animal is allowed outside the owner and/or keeper's dwelling or outside of its enclosure, the animal shall be restrained on a leash and collar having a minimum tensile strength of 300 pounds and not exceeding six feet in length. The animal shall be kept under the direct control and supervision of its owner and/or keeper at all times. Further, it shall be unlawful to exercise a dangerous animal upon the public streets, sidewalks, rights-of-way, parks and property of the city.

1 (3) The requirements of this section for the maintenance of physical control over the
2 animal shall not be satisfied by the mere chaining, roping, leashing, or similar restraining of
3 the animal to inanimate objects such as stakes, trees, posts, or buildings.

4 (4) The owner and/or keeper of any dangerous animal shall:

5 a. Upon designation of the animal being dangerous by the Covington Police Department
6 as a result of complaint or by other means, the owner and/or keeper will surrender said animal
7 to the department of animal services to be impounded at the parish animal shelter until the
8 owner and/or keeper provides an enclosure for the animal as defined in section 14-1 or for a
9 maximum period of 30 days.

10 b. After the 30-day period set forth above, if the owner and/or keeper does not provide for
11 the proper enclosure required by section 14-1, then said dangerous animal may be destroyed.

12 c. Within 15 days of issuance of a permit, the owner/keeper shall:

13 1. Display the warning signs required under the provisions of subsection (a)(3)c. of this
14 section.

15 2. Sign the sworn statement required under the provisions of subsection (a)(3)c. of this
16 section.

17 3. Submit to the parish department of animal services the photographs of the animal
18 required under the provisions of subsection (a)(3)c. of this section

19 4. Show proof of micro-chip identification tag required under the provisions of
20 subsection (a)(3)c. of this section, or submit the animal to the department of animal services
21 for micro-chip tagging.

22 d. Within ten business days of the declaration that the animal is a dangerous animal, the
23 owner must procure and maintain in effect liability insurance, including coverage of claims
24 arising from the conduct of the owner's animal, in an amount not less than \$100,000.00 or
25 adequate financial assurance acceptable to St. Tammany Parish.

26 e. The animal shall be spayed or neutered, at the owner's expense.

27 f. The owner and the animal must complete a course of animal obedience training
28 approved by the department of animal services.

29 *Applicability:* The provisions of this section shall not apply to proprietors of animal hospitals, to
30 veterinarians, or to search and rescue organizations and law enforcement agencies who keep or
31 maintain dangerous animals on their professional premises in the usual and normal course of
32 business, or to zoological gardens, theatrical exhibits, or circus provided that such animal
33 hospital, veterinarian, zoological garden, theatrical exhibit, or circus possesses all permits
34 required by the laws of this parish and state and complies with all other regulations concerning
35 the keeping and maintenance of such animals.

36 *Penalty:* Any person found guilty of violating any of the provisions of this section shall be
37 punished as provided in section 1-8 of this Code.

38 *Appeal mechanism:* In the event that an animal is deemed dangerous by the Covington Police
39 Department, the owner and/or keeper of said animal can appeal that determination to the animal
40 shelter advisory board, which shall convene and make a recommendation to be ratified by the
41 city council. Covington Mayor's Court. The appeal shall be in writing and submitted to the
42 Covington Police Department.

43 (c) *Vicious animals:*

44 *Animal determined as vicious:* Any animal previously classified as dangerous which
45 subsequently violates any section of this article, or whose owner/keeper subsequently violates
46 any requirements established for the harboring of dangerous animals by this article, may be
47 deemed vicious by the Covington Police Department.

48 *Removal from parish:* Any animal determined to be vicious shall be subject to immediate
49 impoundment. The owner or keeper of the animal shall have ten days following the date of
50 impoundment to provide a verifiable plan for removal of the animal from the parish. If after ten
51 days, the owner or keeper has not provided an appropriate plan to the satisfaction of the
52 department of animal services, the animal may be euthanized. An impounded animal for which
53 no owner or keeper can be located within three days of impoundment, may be euthanized or
54 otherwise removed from the parish at the discretion of the department of animal services.

55 *Appeal mechanism:* In the event that an animal is deemed vicious by the Covington Police
56 Department, the owner and/or keeper of said animal can appeal that determination to the animal

1 ~~shelter advisory board, which shall convene and make a recommendation to be ratified by the~~
2 ~~city council.~~ Covington Mayor's Court. The appeal shall be in writing and submitted to the
3 Covington Police Department.

4
5 **BE IT FURTHER ORDAINED** that all other sections of Chapter 14
6 Animals shall remain the same and in full force.

7 **BE IT FURTHER ORDAINED** that if any provision of this ordinance
8 shall be held to be invalid, such invalidity shall not affect other provisions herein
9 which can be given effect without the invalid provision and to this end the
10 provisions of this ordinance are hereby declared to be severable.

11 **WHEREUPON**, this ordinance having been submitted in writing, having
12 been read by title and adopted at a public meeting of the City Council of the City
13 of Covington, State of Louisiana, was then submitted to an official vote as a whole,
14 the vote thereon being as follows:

15 **MOVED FOR ADOPTION** by O'KEEFE, seconded by CONER.

16 **YEAS:** 7 **ABSENT:** 0
17 **NAYS:** 0 **ABSTAIN:** 0

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19 **PASSED AND ADOPTED** this 15th day of December, 2015.

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23 _____
24 LEE S. ALEXIUS
25 COUNCIL PRESIDENT

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30 BONNIE D. CHAMPAGNE
31 COUNCIL CLERK

32 Presented to the Mayor this 16th day of December, 2015, at 12:25 o'clock
33 P.M.

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38 BONNIE D. CHAMPAGNE
39 COUNCIL CLERK

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41 Approved or Vetoed by the Mayor on this 16th day of December, 2015.

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47 MICHAEL B. COOPER
MAYOR

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Received from the Mayor on the 16th day of December, 2015, at 1:55 o'clock
P.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
COUNCIL CLERK