ORDINANCE # 2012-11
INTRODUCED BY O'Keefe
DATE INTRODUCED 5/1/12
ITEM NUMBER 2012-05-01
PUBLIC HEARING 6/5/12
ADOPTED/TABLED 6/5/12
EFFECTIVE 6/22/12
BOOK # PAGE #
RECORDATION #
AMENDED BY ORDINANCE #
DATE AMENDED

ADOPTION

INTRODUCTION

CITY OF COVINGTON
ORDINANCE NUMBER 2012-11

AN ORDINANCE OF THE CITY OF COVINGTON AMENDING THE FOLLOWING PROVISIONS OF THE COVINGTON CODE OF ORDINANCES: CHAPTER 14, ANIMALS, ARTICLE I. IN GENERAL, SEC. 14-10. PUBLIC NUISANCE AND CHAPTER 66, OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE IV. OFFENSES AFFECTING PUBLIC MORALS, SEC. 66-106. DISTURBING THE PEACE

WHEREAS, a certain amendment has been suggested to the sections of the Code addressing public nuisance and disturbing the peace; 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. 14-10. Public nuisance, shall be amended to read as follows:

Sec. 14-10. Public nuisance.

(a) Every owner ~~of~~ or keeper of animals shall exercise proper care and control of such animal so as to prevent them from creating or becoming a public nuisance. Excessive or untimely barking, howling or yelping so as to disturb the peace and quiet of a neighborhood or its residents or to disturb the health or repose of the residents; attacking or molesting ~~passerby~~ passersby or other animals; being repeatedly at large; chasing vehicles; scratching on or digging into or ~~urination~~ urinating or defecating upon lawns, shrubs, buildings or any property, either public or private, other than property of the owner or keeper of an animal, all shall be deemed to be the creation of a public nuisance and the owner or keeper of an animal causing such public nuisance shall be subject to penalties of section 1-8 of this Code. In the case of nuisance by defecation, the owner or keeper must remove all feces and dispose of them in a sanitary manner or be considered to be further in violation of the provisions of this article.

(b) Premises on which animals, including fowl, are kept shall be maintained so as to prevent disagreeable odors arising there from, or the presence or breeding of flies, mosquitoes and other pest. Provisions shall be made for the removal and disposal of animal food wastes, bedding, dead animals and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors and disease hazards.

(c) Upon receipt of a written and signed complaint or verbal notification from the Covington Police Department wherein it is alleged that an animal, or group of animals, is a public nuisance, the St. Tammany Parish Department of Animal Services shall investigate the complaint. If the parties refuse to cooperate, the St. Tammany Parish

Department of Animal Services has the right to initiate a complaint in a court of proper jurisdiction.

(d) In the event revocation of an animal's license or reduction in the number of animals kept is ordered by the St. Tammany Parish Department of Animal Services, the owner shall have 15 days to dispose of the animal or animals unless otherwise specified by the St. Tammany Parish Department of Animal Services. If the owner fails to take such action, then the St. Tammany Parish Department of Animal Services may take custody of the animal or animals.

BE IT FURTHER ORDAINED by the City Council of the City of Covington, at its regular session convened, that Chapter 66, Offenses and Miscellaneous Provisions, Article IV. Offenses Affecting Public Morals, Sec. 66-106. Disturbing the peace, shall be amended to add the following section under Sec. 66-106(a):

(8) Excessive or untimely barking, howling or yelping so as to disturb the peace and quiet of a neighborhood or its residents or to disturb the health or repose of the residents; attacking or molesting passersby or other animals; being repeatedly at large; chasing vehicles; 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 of an animal, all shall be deemed to be the creation of a public nuisance and the owner or keeper of an animal causing such public nuisance shall be subject to penalties of section 1-8 of this Code.

BE IT FURTHER ORDAINED that all other sections of Chapter 14, Animals, and Chapter 66, Offenses and Miscellaneous Provisions, shall remain the same and in full force.

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

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

MOVED FOR ADOPTION by O'Keefe, seconded by Coner.

YEAS: 7 **NAYS:** 0

ABSTAIN: 0 **ABSENT:** 0

PASSED AND ADOPTED this 5th day of June, 2012.

Lee S. Alexius

LEE S. ALEXIUS
COUNCIL PRESIDENT

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
CLERK TO THE COUNCIL

Presented to the Mayor this 7th day of June, 2012, at 9:50 o'clock A.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
CLERK TO THE COUNCIL

Approved ✓ or Vetoed ___ by the Mayor on this 7th day of June, 2012.

MICHAEL B. COOPER
MAYOR

Received from the Mayor on the 7th day of June, 2012, at 11:00 o'clock A.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
CLERK TO THE COUNCIL