

**ORDINANCE OF THE CITY OF WAYNESBORO
PROHIBITING DOGS FROM RUNNING
AT LARGE, REQUIRING RABIES VACCINATION,
REGULATING KENNELS AND RELATED MATTERS,
AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

Be it ordained and enacted by the Mayor and Board of Aldermen of the City of Waynesboro, State of Mississippi, as follows:

Section 1: DOGS AT LARGE. No person shall permit any dog to run at large in the City of Waynesboro, Mississippi, at any time. Dogs are considered as running at large when the animal is on any public street, alley, park or other public grounds, or when off the premises of the owner or person who has custody of said dog, and not constrained by a leash or under the immediate control of the owner or the person who has custody of said dog.

Section 2: DOG BITES. Whenever any dog bites a person, the owner of said dog shall immediately notify the chief of police who shall order the dog held on the owner's premises for a period of two weeks at owner's expense. The dog shall be examined immediately after it has bitten anyone and again at the end of the two-week period. If at the end of two weeks a veterinarian is convinced that the dog is then free from rabies the dog shall be released from quarantine. If the dog dies in the meanwhile its head shall be sent to the Mississippi State Board of Health for examination for rabies. All expenses incurred for compliance with this section shall be paid by the dog's owner.

Section 3: RABIES VACCINATION. It shall be unlawful to keep or harbor any dog over the age of three months in the city unless such dog has been vaccinated against rabies by a licensed veterinarian or other person granted a permit by the Mississippi State Board of Health within the preceding year.

Section 4: DANGEROUS DOGS. No vicious, dangerous, ferocious dog, or dog sick with or liable to communicate hydrophobia or other contagious or infectious disease shall be permitted to be kept within the municipal limits of the city. The members of the police department in the city, are authorized to kill any dangerous dogs of any kind when it is necessary for the protection of any person or property.

Section 5: LOCATION OF DOGHOUSES, PENS, AND KENNELS. No dog pen or kennel shall be maintained closer than 40 feet to any apartment house, residential condominium, hotel, restaurant, boarding house, retail food store, building used for school, religious or hospital purposes.

Section 6: KENNELS. Any individual who operates a kennel for business or profit within the City of Waynesboro shall first obtain a license from the Wayne County Health Department. The license shall be obtained from the health department after an inspection and approval by the health officer and determination that: (a) the kennel shall be maintained in a clean and sanitary condition, devoid of all rodents, vermin and objectionable odors; (b) the interior walls, ceilings, floors, partitions, and appurtenances of all such structures shall be painted annually or more often if the health officer finds that more frequent painting is necessary; (c) the kennel is not a health hazard or nuisance; (d) the kennel complies with all applicable zoning laws; and (e) the kennel is not a hazard to the public safety or general welfare. The health officer upon complaint of any individual shall inspect the kennel and issue any such order as may be necessary to carry out the provisions of this section.

Section 7: PENALTY, ENFORCEMENT. Any person, firm or corporation violating any provision of this ordinance shall upon conviction be fined not less than fifty dollars nor more than five hundred dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Before issuing a citation for a violation of this ordinance, any police officer of the city may give an oral warning, or issue a written warning citation. If the person or persons receiving the oral warning or warning citation do not discontinue the violation, a citation for ordinance violation shall be issued to the violator. If it appears necessary to make an arrest to preserve the public peace or safety, a police officer may make an arrest for violation of this ordinance, with or without a pervious oral warning or warning citation.

Section 8: SEVERABILITY. The provisions of this ordinance are severable, and if any sentence, section or other part of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

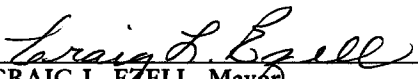
Section 9: REPEALER. From and after the effective date hereof, existing Ordinance No. 21 of the City of Waynesboro entitled "An Ordinance Against Dogs Running at Large on the Streets of Waynesboro", adopted August 1, 1933, shall stand repealed.

BE IT FURTHER ORDAINED that this Ordinance be published one time in The Wayne County News with said Ordinance to take effect and be enforced from and after its passage and publication according to law.

The above Ordinance was first reduced to writing and read and considered by Sections at the regular April 5, 1994, public meeting of the Mayor and Board of Aldermen and on motion duly made by Alderman Robert Hicks for the adoption of said Ordinance and seconded by Alderman Joe Grimley, a vote was taken as follows:

Alderman Joe Barnett	Aye
Alderman Johnny Gray	Aye
Alderman Joe Grimley	Aye
Alderman Robert Hicks	Aye
Alderman Rhonda McGill	Aye

Thereupon the Mayor declared the Ordinance duly adopted this the 5th day of April, 1994, and declared same to be in full force and effect according to law.


CRAIG L. EZELL, Mayor

ATTEST:


ALLENE RIGNEY, CITY CLERK