

Minute Book Text Detail

Book 0236 Page 174 ADOPT NEW ANIMAL CONTROL ORDINANCE AND

Date 9/ 5/2023 PUBLISH

ORDER TO ADOPT NEW ANIMAL CONTROL ORDINANCE AND
AUTHORIZE TO BE PUBLISHED TO BECOME EFFECTIVE 30
DAYS AFTER PUBLICATION

There came on this day to be considered by the Board of Supervisors of Pearl River County, Mississippi, the matter to adopt new Animal Control Ordinance for Pearl River County.

Upon motion made by Malcolm Perry and seconded by Jason Spence, the following order was adopted, to-wit:

Be It Ordered by the Pearl River County Board of Supervisors to adopt attached new Animal Control Ordinance for Pearl River County and authorize to be published to become effective 30 days after publication.

Ordered and adopted, this the 5th day of September, 2023.

Voting AYE: Donald Hart, Malcolm Perry, Hudson Holliday,
Jason Spence, and Sandy Kane Smith

Voting NAY: None

ORDINANCE NO. _____
OF THE COUNTY OF PEARL RIVER, MISSISSIPPI
ORDINANCE ENACTING ANIMAL CONTROL PROCEDURE

WHEREAS, the citizenry of the county of Pearl River, has recently been plagued with dogs and other animals not being kept restrained and running at large within the County so as to constitute a public nuisance, and further, there has been abuse in the establishment and operation of commercial animal business providing for the sale of domestic or exotic animals within the County of Pearl River; and

WHEREAS, the Board of Supervisors of the County of Pearl River now believe that due to the aforesated circumstances, good cause exists for their passage of an Animal Control Ordinance to become effective immediately in order to preserve and assure the public peace, health and safety of the citizenry of the County of Pearl River;

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF PEARL RIVER, MISSISSIPPI, AS FOLLOWS:

ARTICLE 1 - DEFINITIONS

SECTION 1: As used in this Ordinance, the following words shall have the meaning herein ascribed to them.

- (1) **Animal:** Any living, vertebrate creature, domestic or wild, including both the male and female sex, except for livestock and fish.
- (2) **Altered Animal:** any animal that has been operated on, so as to prevent it from reproducing.
- (3) **At Large:** Any animal shall be deemed to be at large, when off the premises of the owner and not under the control of a person.
- (4) **Cat:** A domesticated member of the feline family, other than a lion, tiger, bobcat, jaguar, leopard, cougar, or other prohibited animals.
 - (A) **Community Cat:** any domestic cat, with no indication of ownership, that lives primarily outside.
 - (B) **Community cat caretaker** means any person who provides care to a community cat, while not being considered the owner, custodian, possessor or keeper of a community cat under this ordinance. Community cat caretaker shall not be subject to provisions of this ordinance directed towards owners and owned animals.
- (5) **Commercial Animal Establishment:** Any pet shop, grooming shop, auction, public animal sale, riding school or stable, zoological park, circus, performing animal exhibition, or kennel.
- (6) **Dog:** A domesticated member of the canine family, other than a wolf, jackal, fox, dingo, coyote, or other prohibited animals.
- (7) **Dangerous Animal or Vicious Animal:** An animal shall be presumed to be dangerous or vicious when it attacks or bites any person or other animal; attempts to attack any person or other animal; chase or attempts to catch any person; constitutes a physical threat to human beings or other animal; or trespasses upon the premises of any person, doing damage to said premises.

- (8) **Feral Animal:** An animal that has escaped from domestication and become wild, dangerous or untamed.
- (9) **Fowl:** Any live bird.
- (10) **Inhumane Treatment:** Shall mean any treatment to any animal which deprives the animal of necessary sustenance, including food, water, and protection from weather, or any treatment of any animal, such as overloading, overworking, tormenting, beating, mutilation, teasing, poisoning or other abnormal treatment.
- (11) **Kennel:** Any premises wherein any person, partnership or corporation engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs or cats; or where there are regularly kept six (6) or more adult dogs and cats, or any combination thereof.
- (12) **Law Enforcement Officer:** Sheriff, Deputy Sheriff, Constable or Animal Control Officer.
- (13) **Licensed Veterinarian:** A veterinarian licensed by the Mississippi Board of Veterinary Examiners.
- (14) **Owner:** Any person, partnership or corporation controlling, possessing, keeping or harboring one (1) or more animals.
- (15) **Public Nuisance:** Any animal which:
- (A) Molests a passerby or passing vehicles; or
 - (B) Attacks a human being or other animal; or
 - (C) Trespasses on school grounds, or in any parks; or
 - (D) Is repeatedly at large.
 - (E) No community cat shall be declared a nuisance solely for running at-large.
- (16) **Restraint:** Any animal securely caged or secured by a leash or lead and under the effective control of a responsible person or within the confines of the real property limits of its owner's home or yard which is fully enclosed by a good, secure and substantial fence. Invisible fencing, incorporating the use of electrical charges, coupled with an appropriate collar, as a means of restraint of an animal within a yard-like perimeter, may only be used as a means of restraint if the fencing and collar are charged and fully functional in a manner that effectively restrains the animal.
- (17) **Wild or Exotic Animal:** Any live monkey, raccoon, bear, skunk, fox, snake, lizard, alligator, leopard, panther, turtle, tiger, lion, lynx, any poisonous creature, or any other animal which can normally be found in the wild state and is not ordinarily domesticated by man, whether raised in captivity or in the wild.
- (18) **Livestock** shall mean horses, cattle, swine or sheep.
- (19) **Shelter:** Adequate shelter from the elements as required to prevent unnecessary or unjustifiable suffering by the animal. In the case of a pet or companion animal that is kept outdoors, a shelter must have a minimum of three sides, a waterproof roof and a dry floor. Such shelter shall provide proper protection for the sun, rain, cold, heat and the wind. Housing for animal shall be structurally sound and maintained in good repair. Housing for the animal shall allow, as a minimum, enough room for the animal to stand, sit and turn around comfortably. Proper housing shall always remain easily accessible to the animal at all times.

ARTICLE II - GENERAL PROVISIONS

SECTION 2: Compliance

It is unlawful and shall be a misdemeanor for any owner to do any act forbidden or fail to do any act required in this Ordinance. Unless specifically required herein, no mental element need to present to constitute an offense under this Ordinance. Unless stated otherwise, the minimum penalty shall be a fine of \$25.00 and the maximum penalty shall be a fine of \$1,000.00 and/or 6 months in jail.

SECTION 3: Compliance with Sanitation Standards Required for keeping Animals.

- (1) The owner of any animal within the County of Pearl River, as authorized in this ordinance, shall comply with the standards of sanitation established by this ordinance or any other regulation;
- (2) It shall be unlawful to keep or harbor any animal or fowl in such a manner as to constitute a public nuisance by reason of odor or unsanitary conditions to persons residing in the vicinity thereof.

SECTION 4: Inspection of Animals and Premises.

Animals and premises whereon animals are kept or maintained shall be subject to inspection by a Law Enforcement Officer at any reasonable hour, or at any hour in cases of emergency, upon receiving a complaint from a citizen in which a violation of this Ordinance or State Law is being or believed to be violated or upon the observation or establishment of probable cause by any Law Enforcement Officer.

SECTION 5: Abatement.

Whenever any premises where animals are kept are in an unsanitary condition, or the facilities are not in keeping with the provisions of this Ordinance, or any other regulations herein, or if any health Ordinance or law is not observed, any Law Enforcement Officer may by written notice to the owner or person responsible for, using or controlling the premises, order the abatement of the conditions which are not in accordance with this Ordinance or other regulations, or conditions which constitute a nuisance. Failure to comply with such order shall, in addition to any criminal proceeding, be grounds for and entitle the County of Pearl River to obtain relief by injunction. All cost of any legal or equitable proceeding under this ordinance whether civil or criminal shall be paid by the violator of this ordinance including, but not limited to, attorney's fees, cost of court and damages.

SECTION 6: Public Nuisance.

- (1) Any animal that engages in any of the conduct defined in SECTION 1(15) and/or SECTION 15, shall be deemed a public nuisance.
- (2) Any citizen may file an affidavit with the Pearl River County Justice Court, charging the owner of such animal with the violation of this section.
- (3) Law Enforcement Officers may take appropriate action immediately upon personal observation of an animal creating a public nuisance, which shall include, but is not limited

to, impounding of the offending animal, issuance of a citation, swearing of an affidavit, or the physical arrest of the owner.

- (4) Any person or owner keeping an animal which is determined to be a public nuisance by the Justice Court, shall be guilty of committing a misdemeanor and if the violation is continuing, each day violated, shall be deemed a separate offense.

SECTION 7: Community Cat Program

- (1) A community cat that has been impounded which has already been ear-tipped shall be returned immediately to the location at which it was found, unless veterinary care is required. Community cats shall not be impounded under other circumstances.
- (2) Community cats shall not be exempt from the provisions of statute or this ordinance applicable to the prohibition on cruelty to animals; provided however, the return of a community cat to the location at which it was found or humanely trapped, subsequent to sterilization, vaccination and ear-tipping, shall not be considered abandonment under any statute or other provision of this ordinance.
- (3) Community cats, being unowned as defined herein, shall not be subject to provisions of this ordinance applicable to owned animals, including but not limited to, licensing, at large provisions, and being counted toward the number of animals permitted to be under the care of a community cat caretaker under any statute or other provision of this ordinance.
- (4) Community cats shall be eligible for return to the location at which they were found prior to any stray hold provisions impounded by statute or other provision of this ordinance, so long as the community cat is sterilized, ear-tipped and vaccinated for rabies to return to that location.

ARTICLE III - ANIMAL AND RABIES CONTROL

SECTION 8: Pursuit of Animals

For purposes of discharging the duties imposed by the provisions of this Ordinance, or other applicable laws, and to enforce the same, any Law Enforcement Officer, may enter upon the private property to the full extent permitted by law, which shall include, but not be limited to, entry upon private property, when in pursuit of any animals which he has reason to believe is subject to impoundment under this Ordinance or other applicable laws.

SECTION 9: Restraint

- (1) It shall be unlawful for the owner of any animal to fail to keep such animal under restraint or permit it to run at large at any time within the unincorporated areas of the County of Pearl River.
- (2) Owners shall exercise proper care and control of their animals to prevent them from becoming public nuisances.
- (3) Every vicious/dangerous animal, as determined by any law enforcement officer or court of law in any jurisdiction, shall be confined by the owner within a building or secure enclosure. Said animal shall be securely muzzled or caged whenever off the premises of its owner.

- (4) All female dog(s) shall, during their mating season, be kept in confinement within pens so constructed as to bar access to any other dog(s) and it shall be unlawful for an owner of any female dog(s) to permit such dog(s) to run at large under any circumstances during its mating season.

SECTION 10: Impoundment

- (1) Animals may be impounded by any Law Enforcement Officer in any of the following circumstances:
- (A) Any animal not kept under restraint as required by this Ordinance.
 - (B) Any dog not having affixed to its collar a valid rabies tag.
 - (C) Any animal which constitutes a public nuisance.
 - (D) Any animal that a person could reasonably suspect as having any infectious or contagious disease and being in the custody of a keeper who fails or refuses to make arrangements satisfactory to any Law Enforcement Officer concerning the proper treatment of such dog or other animal.
 - (E) Every animal that has rabies or symptoms thereof, or that a person could reasonably suspect as having rabies or symptoms thereof, or every animal that has been bitten or scratched or otherwise attacks another animal or other person within the unincorporated areas of the County of Pearl River.
 - (F) Any animal not kept by the owner in conformity with this Ordinance, State or Federal Law.
- (2) Impounded animals, other than those impounded for observation for rabies, shall be subject to immediate redemptions. Such animals may be redeemed by anyone entitled to possession thereof after paying the appropriate fees to be determined by the Pearl River County Sheriff's Department and/or Animal Control Officer; and/or meeting any other requirements imposed by this Ordinance. These fees are exclusive of any fines, cost of court or attorneys' fees which may result from any violation and conviction under any section of this Ordinance.
- (3) In case any animal impounded sought to be redeemed is suffering from any disease or ailment, it shall not be released until the Sheriff's Department is satisfied that arrangements concerning its proper treatment are assured.
- (4) If by tag or other means, the owner of an impounded animal can be identified by the Law Enforcement Officer, said officer shall notify the owner by telephone or other reasonable means.
- (5) Notice will be posted at the Pearl River County SPCA and/or the place of impoundment, five (5) days prior to the elimination of any animal.
- (6) Any animal not reclaimed by its owner within five (5) working days shall become the property of the County of Pearl River, and may be humanely euthanized.
- (7) The five (5) day waiting period is waived for vicious, dangerous or feral animals, or for any animal suffering from disease or injury.
- (8) In addition to, or in lieu of, impounding an animal, any Law Enforcement Officer may issue to the owner of such animal a Citation, summoning the owner to appear before the Justice Court Judge to answer violations of this Ordinance, State, or Federal law.

SECTION 11: Elimination of Animals

- (1) When an animal is determined by any Law Enforcement Officer or any court of law, both in and out of this jurisdiction, to be vicious, dangerous, or feral, that animal may be destroyed by the Officer provided the following requirements are met:
 - (A) The animal is running at large; and
 - (B) Attempts to peacefully capture the animal have been made and proven unsuccessful.
- (2) A Law Enforcement Officer is authorized to discharge a firearm to mercifully end the life of an animal suffering from injury, disease or which is deemed to be a health hazard; or with the written consent of the owner, or caretaker.

SECTION 12: Vaccination of Dogs against Rabies.

- (1) Any person owning, keeping, harboring, or having custody of any dog(s) three (3) months of age or older within the county unincorporated areas of Pearl River shall have that animal annually vaccinated against rabies by a licensed veterinarian or other competent person granted a permit to administer virus by the State Board of Health. It shall be unlawful for any person to own, keep, harbor or have in his possession any dog(s) not so vaccinated.
- (2) The owner of any dog shall see that the animal wears a securely bradded metal tag, approved by the State Board of Health, with the serial number of the vaccination and the year in which the animal was inoculated stamped thereon, and shall see that the collar and tag are worn by the animal at all times. Any such tag shall not be transferable to any dog other than the animal to which it was issued.
- (3) Every owner shall be required to obtain a certificate of rabies vaccination for each dog.

SECTION 13: Animals, Biting, Attacking or with Rabies Symptoms and Dangerous Dog(s)

- (1) Bite Quarantine: Any animal who inflicts an unprovoked attack, bite, or injury to any person within the unincorporated areas of Pearl River County, shall be quarantined for a period of not fewer than ten (10) days nor more than fourteen (14) days.
 - (A) During this quarantine the animal shall be observed for signs and symptoms of rabies and any illness exhibited during this ten-day period shall be reported immediately to the local health department, if signs suggestive of rabies develop, the animal shall be humanely euthanized, per the Rules and Regulations of the Mississippi State Department of Health.
 - (B) A rabies vaccine shall not be administered to the animal during this ten-day observation period, per the Rules and Regulations of the Mississippi State Health Department.
 - (C) Home Confinement shall be allowed if the following conditions are met:
 1. The animal is current on rabies vaccination with proper documentation.
 2. Approval of the Animal Control or Law Enforcement Officer.
 3. At the first sign of illness during the confinement period the owner shall immediately report the changes to both the Animal Control or Law Enforcement Officer and the local health department, and the animal is immediately submitted for evaluation with a licensed veterinarian for

processing per the Rules and Regulations of the Mississippi State Department of Health.

4. Owner agrees to present the animal for inspection upon request at any time during the observation period.
 - (D) Any person who refuses to surrender such animal on demand, such act of refusal shall constitute a misdemeanor and upon conviction the owner shall be punished by a fine of not less than two hundred fifty (\$250.00) dollars and not more than one thousand (\$1,000.00) dollars, and/or one hundred eighty (180) days imprisonment.
- (2) **Non-Bite Elimination:** In the event an animal is suffering from rabies, or is reasonably suspected of having rabies, and is allowed to run at large, such animal may be killed by any law enforcement officer without such officer being required to catch or impound such animal.
- (3) **Dangerous Dog:** An animal control officer or other Law Enforcement Officer shall conduct an investigation into reported incidents involving dogs that may be dangerous and, if possible, interview the owner and shall require sworn affidavits from individuals desiring to have a dog classified as dangerous.
 - (A) After the investigation, the animal control officer or other Law Enforcement Officer shall make an initial determination as to whether there is sufficient cause to classify the dog as dangerous. Written notification of the initial determination that the dog should be classified as a dangerous dog shall be sent to the owner by registered mail. The owner may, within five calendar days from his receipt of the notification of initial determination, file in the office of the clerk of the judicial court, a written request for hearing before the judicial court. If request for such hearing is timely filed, such hearing shall be conducted as soon as possible, but not more than 21 nor less than five calendar days after filing of the request for hearing by the owner. If the owner fails to timely file his request for hearing, the court may consider the initial determination of the officer and the basis therefor and make final determination as to whether or not such dog should be classified as a dangerous dog at any time after the expiration of the time for filing such request for hearing.
 - (B) During the period of the investigation, the dog shall be confined in a proper enclosure for a dangerous dog, to prevent escape, pending a resolution of the investigation, or must be surrendered to an animal control officer for immediate impoundment in the animal shelter, where it will be held in a separate kennel. All costs of housing the dog, together with all expenses of medical treatment of the dog provided during such impoundment, shall be paid by the owner before the dog will be released.
 - (C) No dog that is the subject of a dangerous dog investigation may be relocated in or out of the unincorporated areas of the county, nor shall its ownership be transferred pending the outcome of the investigation unless the relocation or ownership transfer is for the purpose of placing the dog in a proper enclosure for dangerous dogs. Animal control shall be notified in the event that such dog is relocated.
 - (D) A dog shall not be declared dangerous if the threat, injury, or damage was sustained by a person, who, at the time, was unlawfully on the property, or was

tormenting, abusing, or assaulting the dog or its owner or a family member. No dog may be declared dangerous if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

- (E) If any law enforcement officer or animal control officer or any judicial court determines that the dog should be classified as a dangerous dog, the owner must:
1. Keep the dog in a proper enclosure for a dangerous dog to prevent escape;
 2. Post the property with clearly visible warning signs at all entry points and on the dog's enclosure that informs both children and adults of the presence of a dangerous dog on the property;
 3. Place a permanent identification on the dog, such as an electronic chip;
 4. Walk the dog only if muzzled and restrained on a non-retractable leash rated to withstand the weight and strength of the dog, and only if under the control of a competent adult physically capable of controlling the dog. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration. The owner may exercise the dog without a muzzle or leash in an area that is securely fenced, that does not have a top, if the dog remains within his sight and only when persons in his immediate household or persons 18 years of age or older are allowed in the enclosure when the dog is present;
 5. When transporting a dangerous dog, carefully restrain the dog within the vehicle and post warning signs in or on the vehicle; and
 6. Immediately notify the law enforcement if the dog:
 - i. Is loose or unconfined;
 - ii. Has bitten a human being or attacked another animal; or
 - iii. Is sold, given away, dies, or is moved to another address. If sold or given away, the new owner shall be given a copy of this chapter and a copy of the final determination that the dog is a dangerous dog, and such new owner shall comply with all the requirements of this section.
- (F) It shall be unlawful for the owner of a dog that has been declared dangerous to allow such dog to attack or cause severe injury to or death of a human being, and if a dog that has been declared dangerous, without provocation, attacks and causes severe injury to or death of a human being, the owner of the dog shall be prosecuted as provided by state law and, upon conviction, shall be punished by imprisonment, or required to pay a fine, or both.
- (G) It shall be unlawful for the owner of a dog that has been declared dangerous to allow such dog to attack or cause severe injury to or death of another animal, and if a dog that has been declared dangerous, without provocation, attacks and causes severe injury to or death of another animal, the owner of the dog shall be guilty of a misdemeanor, and upon conviction, shall be punished by imprisonment in the county jail for not more than 60 days, or required to pay a fine in the amount of not less than \$500.00 nor more than \$1,000.00, or both.
- (H) If a dog that has been declared dangerous, without provocation, attacks and causes severe injury to or death of a human being, the dog shall be immediately confiscated by any law enforcement or the animal control officer, held for ten

- business days, and thereafter euthanized in an expeditious manner.
- (l) During the ten business days, the owner may appeal to the justice court of Pearl River County the decision of the animal control or law enforcement officer to euthanize the dog, which appeal shall be perfected by filing written notice of appeal in the office of the clerk of said court said five business days and by posting bond in an amount to be determined by the court to be sufficient to pay all costs associated with impounding the dog subject of the appeal from the date of its seizure through the date final decision is rendered. The hearing shall be held not more than 14 days nor less than five days after the request for hearing is filed. A decision shall be rendered not more than 14 days after the request for hearing is filed. Said animal shall remain impounded until the court makes a final determination.

ARTICLE IV: CARE AND KEEPING OF ANIMALS

SECTION 14: Animal Care - It shall be unlawful to violate the following provisions for animal care:

- (1) No owner shall fail to provide his animals with a sufficient quantity of good and wholesome food and water, proper and necessary shelter, protection from the weather, veterinary care when needed, and/or with humane care, supervision or treatment.
- (2) No person shall confine or allow his/her animals to remain outside without access to appropriate shelter from the elements.
- (3) No person shall beat, cruelly treat, torment overload, seriously overwork, or otherwise abuse an animal, or cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between animals or between animals and humans.
- (4) Animals that must be tied or hitched to restrain them, must wear a properly fitted collar or harness. The tying device shall be attached the animal's collar or harness. The length of the tying device shall not be less than five (5) times the length of the animal, as measured from the tip of its nose to the base of its tail.
- (5) No owner of an animal shall abandon or neglect such animal. Returning a community cat to its location after sterilization, vaccination, and ear-tipping shall not be considered abandonment.
- (6) No person, except a licensed veterinarian, shall crop a dog's ears or perform any other major or minor surgical procedures.
- (7) Enclosures used to confine animals shall be maintained in a clean and sanitary condition at all times. Owners shall make certain that no offensive odors emanate from areas where animals are confined.
- (8) Any person who, as the operator of a motor vehicle, strikes a domestic animal, within the unincorporated area of the County of Pearl River, shall at once report the accident to the Pearl River County Sheriff's Department.
- (9) No person shall expose any known poisonous substance, whether mixed with food or not, so that the same may be eaten by any animal; provided that it shall not be unlawful to expose on his/her own property common pest-control poisons.
- (10) All equipment used on a performing animal shall fit properly and be in good working condition.

- (11) It shall be unlawful to leave an animal unattended inside a motor vehicle. Law Enforcement Officers shall have the authority to remove an animal from such a vehicle.
- (12) It shall be unlawful to rob a bird nest or wild fowl nest.
- (13) No person shall carry, or cause to be carried, by hand or in or upon any vehicle or other conveyance, any live animal in a cruel or inhumane manner.

SECTION 15: Keeping of Certain Animals Prohibited.

- (1) No person, partnership or corporation shall keep or permit to be kept on his/her or its premises, or in any roadside zoo or pet store, any vicious, wild or exotic animal for display or exhibition purposes without the necessary County, state and/or Federal permits.
- (2) No person shall keep or permit to be kept any wild or exotic animals as a pet without necessary County, State or Federal permits.
- (3) Any Law Enforcement Officer shall have the power to release, order the release, or seize any wild animal being kept as a pet in violation of this ordinance.
- (4) Any fowl, rabbit, or combination thereof numbering six (6) or more shall be kept in a secure pen.
- (5) It shall be unlawful for any owner to permit livestock to run at large within the unincorporated areas of Pear River County. Any livestock found at large shall be captured and impounded by the Sheriff's Department. The rightful owner may redeem the livestock by payment of all impounded fees incurred. If the livestock is not claimed within ten (10) days then the same shall be sold upon sealed bids to the highest and best bidder in satisfaction of all fees and expenses incurred.

SECTION 16: Animal Waste.

- (1) The owner of every animal shall be responsible for the removal of any feces deposited by such owner's animals on public roads, public walks, public property, recreation areas or private property of other persons.
- (2) Feces deposited by an animal upon public property or upon the private property of any person other than such animal's owner shall be collected and removed at once by such animal's owner. Animal feces deposited upon any other property shall be collected and removed daily.
- (3) Collection and removal of animal feces shall be in a container of such type, when closed, is rat-proof and fly-tight until disposed of in a lawful manner.
- (4) It shall be unlawful for the owner of any property to allow unsanitary, unsightly, or malodorous conditions to develop on his property due to keeping, maintaining, owning or harboring of animals.

SECTION 17: Burial of Animals

Animals kept on an owner's premises may be buried there only at a depth sufficient to prevent offensive odors, fly breeding and unearthing by other animals, covered with lime, and under at least two (2) feet of compacted earth.

SECTION 18: Interfering with or Striking Police Dogs

It shall be unlawful to interfere with, molest, poison or strike any dog used by any City, County, State, or Federal Agency, in the performance of the functions or the duties of such department. Violation of this section shall result in a fine of not less than two hundred (\$200.00) dollars nor more than one thousand (\$1,000.00) dollars and/or one hundred eighty (180) days imprisonment.

SECTION 19: Ordinance Cumulative.

This ordinance shall be cumulative and in addition to any other laws in force.

SECTION 20: Relation to other Rights, Remedies, Duties, and Penalties

The rights, remedies, duties, and penalties created by this ordinance are in addition to and supplemental to the rights, remedies, duties, and penalties created by sections 97-41-1 et. Seq., 69-13-1 et. Seq., 41-53-1 et. Seq., 69-13-301 et. Seq., MS code of 1972 as annotated and amended.

SECTION 21: Severability.

If, for any reason, any section, paragraph, subdivision, clause, phrase, word, sentence or provision of this shall be held invalid or unconstitutional by a court of competent jurisdiction, it shall not affect any remainder.

SECTION 22: Effective Date.

This Ordinance shall be published as required by law and shall become effective 30 days after its publication.

SECTION 23: Repealer.

All ordinances and amendments prior hereto establishing guidelines and regulations for the enforcement of animal control within Pearl River County, Mississippi are repealed by the enacting of this ordinance.

Publisher's Certificate of Publication

STATE OF MISSISSIPPI COUNTY OF PEARL RIVER

Kevin Warren, being duly sworn, on oath says he is and during all times herein stated has been an employee of Picayune Newsmedia, LLC publisher and printer of the Picayune Item (the "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

10/18/23, 10/25/23, 11/01/23

2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney.



Kevin Warren, publisher

Subscribed and sworn to before me this
1st Day of November, 2023



Cindy Woods, Notary Public
State of Mississippi, County of Pearl River
My commission expires 05-11-2025



Account # 203119
Ad # 1723560

PEARL RIVER COUNTY BOARD OF SUPERVISORS
P.O. BOX 569
POPLARVILLE MS 39470

PUBLIC NOTICE

ORDINANCE NO. _____ OF THE COUNTY OF PEARL RIVER, MISSISSIPPI ORDINANCE ENACTING ANIMAL CONTROL PROCEDURE

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WHEREAS, the Board of Supervisors of the County of Pearl River now believe that due to the aforesaid circumstances, good cause exists for their passage of an Animal Control Ordinance to become effective immediately in order to preserve and assure the public peace, health and safety of the citizenry of the County of Pearl River;
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(5) Commercial Animal Establishment: Any pet shop, grooming shop, auction, public animal sale, riding school or stable, zoological park, circus, performing animal exhibition, or kennel.

(6) Dog: A domesticated member of the canine family, other than a wolf, jackal, fox, dingo, coyote, or other prohibited animals.

(7) Dangerous Animal or Vicious Animal: An animal shall be presumed to be dangerous or vicious when it attacks or bites any person or other animal; attempts to attack any person or other animal; chase or attempts to catch any person; constitutes a physical threat to human beings or other animal; or trespasses upon the premises of any person, doing damage to said premises.

(8) Feral Animal: An animal that has escaped from domestication and become wild, dangerous or untamed.

(9) Fowl: Any live bird.

(10) Inhumane Treatment: Shall mean any treatment to any animal which deprives the animal of necessary sustenance, including food, water, and protection from weather, or any treatment of any animal, such as overloading, overworking, tormenting, beating, mutilation, teasing, poisoning or other abnormal treatment.

(11) Kennel: Any premises wherein any person, partnership or corporation engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling dogs or cats; or where there are regularly kept six (6) or more adult dogs and cats, or any combination thereof.

(12) Law Enforcement Officer: Sheriff, Deputy Sheriff, Constable or Animal Control Officer.

(13) Licensed Veterinarian: A veterinarian licensed by the Mississippi Board of Veterinary Examiners.

(14) Owner: Any person, partnership or corporation controlling, possessing, keeping or harboring one (1) or more animals.

(15) Public Nuisance: Any animal which:

(A) Molests a passerby or passing vehicles; or

(B) Attacks a human being or other animal; or

(C) Trespasses on school grounds, or in any parks; or

(D) Is repeatedly at large.

(E) No community cat shall be declared a nuisance solely for running at-large.

(16) Restraint: Any animal securely caged or secured by a leash or lead and under the effective control of a responsible person or within the confines of the real property limits of its owner's home or yard which is fully enclosed by a good, secure and substantial fence. Invisible fencing, incorporating the use of electrical charges, coupled with an appropriate collar, as a means of restraint of an animal within a yard-like perimeter, may only be used as a means of restraint if the fencing and collar

are charged and fully functional in a manner that effectively restrains the animal.

(17) **Wild or Exotic Animal:** Any live monkey, raccoon, bear, skunk, fox, snake, lizard, alligator, leopard, panther, turtle, tiger, lion, lynx, any poisonous creature, or any other animal which can normally be found in the wild state and is not ordinarily domesticated by man, whether raised in captivity or in the wild.

(18) **Livestock** shall mean horses, cattle, swine or sheep.

(19) **Shelter:** Adequate shelter from the elements as required to prevent unnecessary or unjustifiable suffering by the animal. In the case of a pet or companion animal that is kept outdoors, a shelter must have a minimum of three sides, a waterproof roof and a dry floor. Such shelter shall provide proper protection for the sun, rain, cold, heat and the wind. Housing for animal shall be structurally sound and maintained in good repair. Housing for the animal shall allow, as a minimum, enough room for the animal to stand, sit and turn around comfortably. Proper housing shall always remain easily accessible to the animal at all times.

ARTICLE II - GENERAL PROVISIONS

SECTION 2: Compliance

It is unlawful and shall be a misdemeanor for any owner to do any act forbidden or fail to do any act required in this Ordinance. Unless specifically required herein, no mental element need to present to constitute an offense under this Ordinance. Unless stated otherwise, the minimum penalty shall be a fine of \$25.00 and the maximum penalty shall be a fine of \$1,000.00 and/or 6 months in jail.

SECTION 3: Compliance with Sanitation Standards Required for Keeping Animals.

(1) The owner of any animal within the County of Pearl River, as authorized in this ordinance, shall comply with the standards of sanitation established by this ordinance or any other regulation;

(2) It shall be unlawful to keep or harbor any animal or fowl in such a manner as to constitute a public nuisance by reason of odor or unsanitary conditions to persons residing in the vicinity thereof.

SECTION 4: Inspection of Animals and Premises.

Animals and premises whereon animals are kept or maintained shall be subject to inspection by a Law Enforcement Officer at any reasonable hour, or at any hour in cases of emergency, upon receiving a complaint from a citizen in which a violation of this Ordinance or State Law is being or believed to be violated or upon the observation or establishment of probable cause by any Law Enforcement Officer.

SECTION 5: Abatement.

Whenever any premises where

animals are kept are in an unsanitary condition, or the facilities are not in keeping with the provisions of this Ordinance, or any other regulations herein, or if any health Ordinance or law is not observed, any Law Enforcement Officer may by written notice to the owner or person responsible for, using or controlling the premises, order the abatement of the conditions which are not in accordance with this Ordinance or other regulations, or conditions which constitute a nuisance. Failure to comply with such order shall, in addition to any criminal proceeding, be grounds for and entitle the County of Pearl River to obtain relief by injunction. All cost of any legal or equitable proceeding under this ordinance whether civil or criminal shall be paid by the violator of this ordinance including, but not limited to, attorney's fees, cost of court and damages.

SECTION 6: Public Nuisance.

(1) Any animal that engages in any of the conduct defined in SECTION 1(15) and/or SECTION 15, shall be deemed a public nuisance.

(2) Any citizen may file an affidavit with the Pearl River County Justice Court, charging the owner of such animal with the violation of this section.

(3) Law Enforcement Officers may take appropriate action immediately upon personal observation of an animal creating a public nuisance, which shall include, but is not limited to, impounding of the offending animal, issuance of a citation, swearing of an affidavit, or the physical arrest of the owner.

(4) Any person or owner keeping an animal which is determined to be a public nuisance by the Justice Court, shall be guilty of committing a misdemeanor and if the violation is continuing, each day violated, shall be deemed a separate offense.

SECTION 7: Community Cat Program

(1) A community cat that has been impounded which has already been ear-tipped shall be returned immediately to the location at which it was found, unless veterinary care is required. Community cats shall not be impounded under other circumstances.

(2) Community cats shall not be exempt from the provisions of statute or this ordinance applicable to animals; provided however, the return of a community cat to the location at which it was found or humanely trapped, subsequent to sterilization, vaccination and ear-tipping, shall not be considered abandonment under any statute or other provision of this ordinance.

(3) Community cats, being unowned as defined herein, shall not be subject to provisions of this ordinance applicable to owned animals, including but not limited to, licensing, at large provisions, and being counted

toward the number of animals permitted to be under the care of a community cat caretaker under any statute or other provision of this ordinance.

(4) Community cats shall be eligible for return to the location at which they were found prior to any stray hold provisions impounded by statute or other provision of this ordinance, so long as the community cat is sterilized, ear-tipped and vaccinated for rabies to return to that location.

ARTICLE III - ANIMAL AND RABIES CONTROL

SECTION 8: Pursuit of Animals

For purposes of discharging the duties imposed by the provisions of this Ordinance, or other applicable laws, and to enforce the same, any Law Enforcement Officer, may enter upon the private property to the full extent permitted by law, which shall include, but not be limited to, entry upon private property, when in pursuit of any animals which he has reason to believe is subject to impoundment under this Ordinance or other applicable laws.

SECTION 9: Restraint

(1) It shall be unlawful for the owner of any animal to fail to keep such animal under restraint or permit it to run at large at any time within the unincorporated areas of the County of Pearl River.

(2) Owners shall exercise proper care and control of their animals to prevent them from becoming public nuisances.

(3) Every vicious/dangerous animal, as determined by any law enforcement officer or court of law in any jurisdiction, shall be confined by the owner within a building or secure enclosure. Said animal shall be securely muzzled or caged whenever off the premises of its owner.

(4) All female dog(s) shall, during their mating season, be kept in confinement within pens so constructed as to bar access to any other dog(s) and it shall be unlawful for an owner of any female dog(s) to permit such dog(s) to run at large under any circumstances during its mating season.

SECTION 10: Impoundment

(1) Animals may be impounded by any Law Enforcement Officer in any of the following circumstances:

(A) Any animal not kept under restraint as required by this Ordinance.

(B) Any dog not having affixed to its collar a valid rabies tag.

(C) Any animal which constitutes a public nuisance.

(D) Any animal that a person could reasonably suspect as having any infectious or contagious disease and being in the custody of a keeper who fails or refuses to make arrangements satisfactory to any Law Enforcement Officer concerning the proper treatment of such dog or other animal.

(E) Every animal that has rabies or symptoms thereof, or that a person could reason-

ably suspect as having rabies or symptoms thereof, or every animal that has been bitten or scratched or otherwise attacks another animal or other person within the unincorporated areas of the County of Pearl River.

(F) Any animal not kept by the owner in conformity with this Ordinance, State or Federal Law.

(2) Impounded animals, other than those impounded for observation for rabies, shall be subject to immediate redemptions. Such animals may be redeemed by anyone entitled to possession thereof after paying the appropriate fees to be determined by the Pearl River County Sheriff's Department and/or Animal Control Officer; and/or meeting any other requirements imposed by this Ordinance. These fees are exclusive of any fines, cost of court or attorneys' fees which may result from any violation and conviction under any section of this Ordinance.

(3) In case any animal impounded sought to be redeemed is suffering from any disease or ailment, it shall not be released until the Sheriff's Department is satisfied that arrangements concerning its proper treatment are assured.

(4) If by tag or other means, the owner of an impounded animal can be identified by the Law Enforcement Officer, said officer shall notify the owner by telephone or other reasonable means.

(5) Notice will be posted at the Pearl River County SPCA and/or the place of impoundment, five (5) days prior to the elimination of any animal.

(6) Any animal not reclaimed by its owner within five (5) working days shall become the property of the County of Pearl River, and may be humanely euthanized.

(7) The five (5) day waiting period is waived for vicious, dangerous or feral animals, or for any animal suffering from disease or injury.

(8) In addition to, or in lieu of, impounding an animal, any Law Enforcement Officer may issue to the owner of such animal a Citation, summoning the owner to appear before the Justice Court Judge to answer violations of this Ordinance, State, or Federal law.

SECTION 11: Elimination of Animals

(1) When an animal is determined by any Law Enforcement Officer or any court of law, both in and out of this jurisdiction, to be vicious, dangerous, or feral, that animal may be destroyed by the Officer provided the following requirements are met:

(A) The animal is running at large; and

(B) Attempts to peacefully capture the animal have been made and proven unsuccessful.

(2) A Law Enforcement Officer is authorized to discharge a firearm to mercifully end the life of an animal suffering from injury, disease or which is deemed to be a health hazard; or with the

written consent of the owner, or caretaker.

SECTION 12: Vaccination of Dogs against Rabies.

(1) Any person owning, keeping, harboring, or having custody of any dog(s) three (3) months of age or older within the county unincorporated areas of Pearl River shall have that animal annually vaccinated against rabies by a licensed veterinarian or other competent person granted a permit to administer virus by the State Board of Health. It shall be unlawful for any person to own, keep, harbor or have in his possession any dog(s) not so vaccinated.

(2) The owner of any dog shall see that the animal wears a securely bradded metal tag, approved by the State Board of Health, with the serial number of the vaccination and the year in which the animal was inoculated stamped thereon, and shall see that the collar and tag are worn by the animal at all times. Any such tag shall not be transferable to any dog other than the animal to which it was issued.

(3) Every owner shall be required to obtain a certificate of rabies vaccination for each dog.

SECTION 13: Animals, Biting, Attacking or with Rabies Symptoms and Dangerous Dog(s)

(1) Bite Quarantine: Any animal who inflicts an unprovoked attack, bite, or injury to any person within the unincorporated areas of Pearl River County, shall be quarantined for a period of not fewer than ten (10) days nor more than fourteen (14) days.

(A) During this quarantine the animal shall be observed for signs and symptoms of rabies and any illness exhibited during this ten-day period shall be reported immediately to the local health department, if signs suggestive of rabies develop, the animal shall be humanely euthanized, per the Rules and Regulations of the Mississippi State Department of Health.

(B) A rabies vaccine shall not be administered to the animal during this ten-day observation period, per the Rules and Regulations of the Mississippi State Health Department.

(C) Home Confinement shall be allowed if the following conditions are met:

1. The animal is current on rabies vaccination with proper documentation.
2. Approval of the Animal Control or Law Enforcement Officer.
3. At the first sign of illness during the confinement period the owner shall immediately report the changes to both the Animal Control or Law Enforcement Officer and the local health department, and the animal is immediately submitted for evaluation with a licensed veterinarian for processing per the Rules and Regulations of the Mississippi State Department of Health.
4. Owner agrees to present the animal for inspection upon

request at any time during the observation period.

(D) Any person who refuses to surrender such animal on demand, such act of refusal shall constitute a misdemeanor and upon conviction the owner shall be punished by a fine of not less than two hundred fifty (\$250.00) dollars and not more than one thousand (\$1,000.00) dollars, and/or one hundred eighty (180) days imprisonment.

(2) Non-Bite Elimination: In the event an animal is suffering from rabies, or is reasonably suspected of having rabies, and is allowed to run at large, such animal may be killed by any law enforcement officer without such officer being required to catch or impound such animal.

(3) Dangerous Dog: An animal control officer or other Law Enforcement Officer shall conduct an investigation into reported incidents involving dogs that may be dangerous and, if possible, interview the owner and shall require sworn affidavits from individuals desiring to have a dog classified as dangerous.

(A) After the investigation, the animal control officer or other Law Enforcement Officer shall make an initial determination as to whether there is sufficient cause to classify the dog as dangerous. Written notification of the initial determination that the dog should be classified as a dangerous dog shall be sent to the owner by registered mail. The owner may, within five calendar days from his receipt of the notification of initial determination, file in the office of the clerk of the judicial court, a written request for hearing before the judicial court. If request for such hearing is timely filed, such hearing shall be conducted as soon as possible, but not more than 21 nor less than five calendar days after filing of the request for hearing by the owner. If the owner fails to timely file his request for hearing, the court may consider the initial determination of the officer and the basis therefor and make final determination as to whether or not such dog should be classified as a dangerous dog at any time after the expiration of the time for filing such request for hearing.

(B) During the period of the investigation, the dog shall be confined in a proper enclosure for a dangerous dog, to prevent escape, pending a resolution of the investigation, or must be surrendered to an animal control officer for immediate impoundment in the animal shelter, where it will be held in a separate kennel. All costs of housing the dog, together with all expenses of medical treatment of the dog provided during such impoundment, shall be paid by the owner before the dog will be released.

(C) No dog that is the subject of a dangerous dog investigation may be relocated in or out of the unincorporated areas of the county, nor shall its owner-

ship be transferred pending the outcome of the investigation unless the relocation or ownership transfer is for the purpose of placing the dog in a proper enclosure for dangerous dogs. Animal control shall be notified in the event that such dog is relocated.

(D) A dog shall not be declared dangerous if the threat, injury, or damage was sustained by a person, who, at the time, was unlawfully on the property, or was tormenting, abusing, or assaulting the dog or its owner or a family member. No dog may be declared dangerous if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

(E) If any law enforcement officer or animal control officer or any judicial court determines that the dog should be classified as a dangerous dog, the owner must:

1. Keep the dog in a proper enclosure for a dangerous dog to prevent escape;
2. Post the property with clearly visible warning signs at all entry points and on the dog's enclosure that informs both children and adults of the presence of a dangerous dog on the property;
3. Place a permanent identification on the dog, such as an electronic chip;
4. Walk the dog only if muzzled and restrained on a non-retractable leash rated to withstand the weight and strength of the dog, and only if under the control of a competent adult physically capable of controlling the dog. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration. The owner may exercise the dog without a muzzle or leash in an area that is securely fenced, that does not have a top, if the dog remains within his sight and only when persons in his immediate household or persons 18 years of age or older are allowed in the enclosure when the dog is present;
5. When transporting a dangerous dog, carefully restrain the dog within the vehicle and post warning signs in or on the vehicle; and
6. Immediately notify the law enforcement if the dog:
 - i. Is loose or unconfined;
 - ii. Has bitten a human being or attacked another animal; or
 - iii. Is sold, given away, dies, or is moved to another address. If sold or given away, the new owner shall be given a copy of this chapter and a copy of the final determination that the dog is a dangerous dog, and such new owner shall comply with all the requirements of this section.

(F) It shall be unlawful for the owner of a dog that has been declared dangerous to allow such dog to attack or cause severe injury to or death of a human being, and if a dog that has been declared dangerous, without provocation, attacks and causes severe injury to or death

of a human being, the owner of the dog shall be prosecuted as provided by state law and, upon conviction, shall be punished by imprisonment, or required to pay a fine, or both.

(G) It shall be unlawful for the owner of a dog that has been declared dangerous to allow such dog to attack or cause severe injury to or death of another animal, and if a dog that has been declared dangerous, without provocation, attacks and causes severe injury to or death of another animal, the owner of the dog shall be guilty of a misdemeanor, and upon conviction, shall be punished by imprisonment in the county jail for not more than 60 days, or required to pay a fine in the amount of not less than \$500.00 nor more than \$1,000.00, or both.

(H) If a dog that has been declared dangerous, without provocation, attacks and causes severe injury to or death of a human being, the dog shall be immediately confiscated by any law enforcement or the animal control officer, held for ten business days, and thereafter euthanized in an expeditious manner.

(I) During the ten business days, the owner may appeal to the justice court of Pearl River County the decision of the animal control or law enforcement officer to euthanize the dog, which appeal shall be perfected by filing written notice of appeal in the office of the clerk of said court said five business days and by posting bond in an amount to be determined by the court to be sufficient to pay all costs associated with impounding the dog subject of the appeal from the date of its seizure through the date final decision is rendered. The hearing shall be held not more than 14 days nor less than five days after the request for hearing is filed. A decision shall be rendered not more than 14 days after the request for hearing is filed. Said animal shall remain impounded until the court makes a final determination.

ARTICLE IV: CARE AND KEEPING OF ANIMALS

SECTION 14: Animal Care - It shall be unlawful to violate the following provisions for animal care:

(1) No owner shall fail to provide his animals with a sufficient quantity of good and wholesome food and water, proper and necessary shelter, protection from the weather, veterinary care when needed, and/or with humane care, supervision or treatment.

(2) No person shall confine or allow his/her animals to remain outside without access to appropriate shelter from the elements.

(3) No person shall beat, cruelly treat, torment overload, seriously overwork, or otherwise abuse an animal, or cause, instigate, or permit any dogfight, cockfight, bullfight, or other combat between animals or between

animals and humans.

(4) Animals that must be tied or hitched to restrain them, must wear a properly fitted collar or harness. The tying device shall be attached to the animal's collar or harness. The length of the tying device shall not be less than five (5) times the length of the animal, as measured from the tip of its nose to the base of its tail.

(5) No owner of an animal shall abandon or neglect such animal. Returning a community cat to its location after sterilization, vaccination, and ear-tipping shall not be considered abandonment.

(6) No person, except a licensed veterinarian, shall crop a dog's ears or perform any other major or minor surgical procedures.

(7) Enclosures used to confine animals shall be maintained in a clean and sanitary condition at all times. Owners shall make certain that no offensive odors emanate from areas where animals are confined.

(8) Any person who, as the operator of a motor vehicle, strikes a domestic animal, within the unincorporated area of the County of Pearl River, shall at once report the accident to the Pearl River County Sheriff's Department.

(9) No person shall expose any known poisonous substance, whether mixed with food or not, so that the same may be eaten by any animal; provided that it shall not be unlawful to expose on his/her own property common pest-control poisons.

(10) All equipment used on a performing animal shall fit properly and be in good working condition.

(11) It shall be unlawful to leave an animal unattended inside a motor vehicle. Law Enforcement Officers shall have the authority to remove an animal from such a vehicle.

(12) It shall be unlawful to rob a bird nest or wild fowl nest.

(13) No person shall carry, or cause to be carried, by hand or in or upon any vehicle or other conveyance, any live animal in a cruel or inhumane manner.

SECTION 15: Keeping of Certain Animals Prohibited.

(1) No person, partnership or corporation shall keep or permit to be kept on his/her or its premises, or in any roadside zoo or pet store, any vicious, wild or exotic animal for display or exhibition purposes without the necessary County, state and/or Federal permits.

(2) No person shall keep or permit to be kept any wild or exotic animals as a pet without necessary County, State or Federal permits.

(3) Any Law Enforcement Officer shall have the power to release, order the release, or seize any wild animal being kept as a pet in violation of this ordinance.

(3) Any fowl, rabbit, or combination thereof numbering six (6) or more shall be kept in a secure pen.

(5) It shall be unlawful for any

owner to permit livestock to run at large within the unincorporated areas of Pear River County. Any livestock found at large shall be captured and impounded by the Sheriff's Department. The rightful owner may redeem the livestock by payment of all impounded fees incurred. If the livestock is not claimed within ten (10) days then the same shall be sold upon sealed bids to the highest and best bidder in satisfaction of all fees and expenses incurred.

SECTION 16: Animal Waste.

(1) The owner of every animal shall be responsible for the removal of any feces deposited by such owner's animals on public roads, public walks, public property, recreation areas or private property of other persons.

(2) Feces deposited by an animal upon public property or upon the private property of any person other than such animal's owner shall be collected and removed at once by such animal's owner. Animal feces deposited upon any other property shall be collected and removed daily.

(3) Collection and removal of animal feces shall be in a container of such type, when closed, is rat-proof and fly-tight until disposed of in a lawful manner.

(4) It shall be unlawful for the owner of any property to allow unsanitary, unsightly, or malodorous conditions to develop on his property due to keeping, maintaining, owning or harboring of animals.

SECTION 17: Burial of Animals

Animals kept on an owner's premises may be buried there only at a depth sufficient to prevent offensive odors, fly breeding and unearthing by other animals, covered with lime, and under at least two (2) feet of compacted earth.

SECTION 18: Interfering with or Striking Police Dogs

It shall be unlawful to interfere with, molest, poison or strike any dog used by any City, County, State, or Federal Agency, in the performance of the functions or the duties of such department. Violation of this section shall result in a fine of not less than two hundred (\$200.00) dollars nor more than one thousand (\$1,000.00) dollars and/or one hundred eighty (180) days imprisonment.

SECTION 19: Ordinance Cumulative.

This ordinance shall be cumulative and in addition to any other laws in force.

SECTION 20: Relation to other Rights, Remedies, Duties, and Penalties

The rights, remedies, duties, and penalties created by this ordinance are in addition to and supplemental to the rights, remedies, duties, and penalties created by sections 97-41-1 et. Seq., 69-13-1 et. Seq., 41-53-1 et. Seq., 69-13-301 et. Seq., MS code of 1972 as annotated and amended.

SECTION 21: Severability.

If, for any reason, any section, paragraph, subdivision, clause,

phrase, word, sentence or provision of this shall be held invalid or unconstitutional by a court of competent jurisdiction, it shall not affect any remainder.

SECTION 22: Effective Date.

This Ordinance shall be published as required by law and shall become effective 30 days after its publication.

SECTION 23: Repealer.

All ordinances and amendments prior hereto establishing guidelines and regulations for the enforcement of animal control within Pearl River County, Mississippi are repealed by the enacting of this ordinance.

Picayune Item:

Oct. 18, 25 and Nov. 1, 2023

ORDINANCE