

PART I. DOGS AND CATS

Sec. 14:200. Requirements for possession.

No person shall own, keep, or harbor any dog, cat or ferret over the age of three (3) months within East Baton Rouge Parish without having:

(1) The dog, cat or ferret vaccinated against rabies by a licensed veterinarian at three (3) months of age initially, revaccinated one (1) year later and then on an annual or triennial basis thereafter, except in case of injury or any other medical condition that would preclude proper vaccination of the dog or cat or endanger the health of the animal and only upon receipt by the animal control center of a letter signed by a licensed veterinarian requesting an exception until the medical condition is resolved to the point that vaccination is no longer a threat to the health of the dog or cat.

(2) Registered the dog, cat or ferret with the animal control center upon presentation of a certificate of such rabies vaccination, as hereinafter specified.

(3) Tagged the dog or cat as hereinafter specified.

(Ord. No. 9634 § 1, 5-26-93; Ord. No. 13791, § 1, 10-25-06)

Sec. 14:201. Registration.

(a) It shall be the duty of the owner of every dog, cat or ferret to register same with the animal control center, to pay all pertinent fees and to obtain and to retain at all times the certificate of registration, giving the name and address of the owner, a description of the dog, cat or ferret by sex, color, date of birth or estimated approximate age and weight; and the breed of the dog or cat if known; and the animal control center shall record all such information. The tag referred to in section 14:200 shall be securely fastened at all times to a collar or harness which must be worn at all times by the dog or cat for which the tag was issued. Law enforcement dogs, hunting dogs and show dogs or cats while being worked and/or shown under the supervision of their owners or employees and ferrets are exempted from wearing the above-stated tag. Dogs or cats while under veterinary care or kept by institutions of higher learning are also exempted.

(b) The annual fee for registration and issuance of tags is six dollars (\$6.00) for a spayed or neutered dog or cat or dog or cat less than six (6) months of age and twelve dollars (\$12.00) for a nonspayed or nonneutered dog or cat.

(c) The registration renewal date shall be one (1) year from the date of vaccination and initial registration, on an annual basis, for both the one-year and the triennial vaccination option. A licensed veterinarian will perform the registration upon proof of rabies vaccination. New residents must make application for registration and license within thirty (30) days of establishing residence in the city-parish.

(d) The requirements imposed by sections 14:200(2) and subsection (b) of this section shall not apply to dogs or cats kept by regularly chartered medical colleges, veterinary schools or other educational or scientific institutions and used for scientific purposes; or veterinary hospitals or public animal control centers or private animal welfare societies; or dogs used for law enforcement purposes by law enforcement agencies; or registered dogs used by the blind, deaf or disabled.

(e) Persons failing to obtain a registration certificate within the yearly period specified in this section will be subjected to a fine of fifty dollars (\$50.00)

(f) A thirty-day grace period shall apply to owners who have failed to fulfill the requirements of section 14:200 after their registration due date has expired. If the owner fulfills the requirements

of that section, the fifty dollar (\$50.00) fine shall be waived; however, all other fees shall still apply.

(g) All ferrets shall be registered and vaccinated against rabies using USDA-approved vaccine at three (3) months of age initially, then at one (1) year of age and on an annual or triennial basis thereafter. A registration certificate shall be used by the administering veterinarian to prove vaccination.

(h) All veterinary hospitals, clinics, animal feed stores, pet supply facilities, animal establishments and any establishment, where animal vaccines are sold shall post a sign, supplied by the animal control center, in a conspicuous location stating:

"TITLE 14 (CITY-PARISH CODE OF ORDINANCES) REQUIRES ALL DOGS, CATS AND FERRETS TO BE:

1. Vaccinated against rabies by a LICENSED VETERINARIAN at three (3) months of age initially, revaccinated one (1) year later and vaccinated either annually or triennially thereafter.
2. Registered with Animal Control Center on an annual basis.
3. Tagged (with the rabies license tag) on a collar or harness with the current registration tag. Exception: Ferrets shall be exempt from wearing tags.
4. Prevented from running at large and/or causing a nuisance.

For your convenience, your veterinarian collects the registration fees. These fees fund the Animal Control Center's public health and safety function by administering the rabies program, investigating cruelty, dog-fighting and dangerous animal cases and conducting animal rescues, stray animal, leash law and nuisance animal investigations involving domestic, exotic, wildlife and livestock animals.

VIOLATION: FINES UP TO FIVE HUNDRED DOLLARS (\$500.00) AND/OR SIX (6) MONTHS IMPRISONMENT UPON CONVICTION."

(Ord. No. 9634 § 1, 5-26-93; Ord. No. 11724, § 1, 4-26-00; Ord. No. 13791, § 2, 10-25-06)

Sec. 14:202. Registration tags.

(a) It shall be the duty of the animal control center to furnish veterinarians with tags containing the registration number and the year for which such tag is issued. The color and shape of such tags shall be changed each year. Each registration and the tag issued pursuant thereto shall be valid from that date for a period of one (1) year.

(b) Any person who attaches the tag to any dog or cat other than the dog or cat for which it was issued shall be subject to the penalties provided in section 14:218.

(c) For the purpose of compensating veterinarians who account for and remit rabies license fees, an amount equal to two (2) percent of the amount of the fees due shall be allowed as a deduction when remitting such fees to the city/parish.

(d) The animal control center shall recognize tags issued by legal licensing authorities of other parishes of this state and counties of another state, provided the animal owner is able to produce a certificate of registration as defined in section 14:201 which has been issued within the preceding year by such licensing authority of another parish of this state or county of another state, as the case may be.

(Ord. No. 9634 § 1, 5-26-93)

Sec. 14:203. Minimum requirements for dog and cat pens and yards.

(a) *Minimum Requirements for Dog and Cat Pens:* Dog and cat pens shall meet the following minimum requirements:

- (1) Pen floors shall be constructed of concrete or other impervious material and shall be constructed so as to prevent animal escape.
 - (2) Dogs housed in any primary enclosure shall be provided, as a minimum, floor space equal to the mathematical square of the sum of the length of the dog in inches as measured from the tip of the nose to the base of its tail plus six (6) inches, expressed in square feet. Cats housed in a primary enclosure shall be provided a minimum of two and one-half (2 1/2) square feet of floor space.
 - (3) Dog pens shall be sloped to a drain connected to a sanitary sewer or an approved individual sewerage system. This requirement shall not apply to dog pens containing less than two (2) dogs.
 - (4) Dog pens shall be equipped with a curb at least three (3) inches high around the perimeter. The top of the curb shall be at such elevation that the surrounding surface water cannot drain into the pen.
 - (5) Dog pens shall be provided with a hose bib and water under pressure.
 - (6) a. All dog pens shall be hosed down, thoroughly cleaned and disinfected as often as needed and in no case less than once a day.
b. It shall be unlawful for any person keeping or harboring animals to fail to keep the dog or cat pen where such animals are kept free from offensive odors to the extent that such odors are disturbing to any person residing within reasonable proximity of said premises.
c. It shall be unlawful to allow animals or pens where animals are kept to become infested with ticks or fleas or other animal-related parasites, by failing to diligently and systematically apply accepted methods of insect/parasite control as indicated.
 - (7) Dog pens shall be located a minimum of ten (10) feet from the nearest property line and a minimum of fifty (50) feet from any residence other than that of the owner.
 - (8) The pen must meet all subdivision restrictions or zoning laws or ordinances.
 - (9) The above requirements shall only apply to pens located in recognized subdivisions in the parish.
 - (10) Pens located outside of a recognized subdivision shall meet the specifications as set forth in (2), (6), (7), and (8) of this subsection.
 - (11) Town houses, apartments or condominiums need only comply with paragraphs (2), (6)b and c of this section.
 - (12) The animal control center shall be empowered to order all animals removed from affected pens until the owner comes into compliance with this section. The animal control center shall be entitled to charge a reasonable boarding fee for animals so held.
 - (13) Animal establishments are exempt from the requirements of this section.
 - (14) This section shall only take effect upon receipt by the director of the animal control center, of a written complaint stating what the problem is and the name, address, and phone number of the complainant.
- (b) *Minimum Requirements for Dog and Cat Yards:*
- (1) It shall be unlawful for any person keeping or harboring animals to fail to keep the premises or dog or cat yard where such animals are kept, free from offensive odors to the extent that such odors are disturbing to any person residing within reasonable proximity of said premises.
 - (2) It shall be unlawful to allow the premises or dog or cat yards where animals are kept to become unclean and a threat to the public health or comfort by failing to diligently and systematically remove all animal waste and fecal material from the premises.

(3) It shall be unlawful to allow dogs or cats or premises where dogs or cats are kept to become infested with ticks, fleas, flies or other animal-related parasites, by failing to diligently and systematically apply accepted methods of insect/parasite control as indicated.

(4) Dog yards shall be fenced in such a manner as to prevent escape of the animal.

(5) Proper invisible fencing shall have warning signs posted on all sides of the dog yard warning persons that a dog is present. Signs shall be plainly marked and visible. Dogs in estrus and dangerous dogs or dogs that have escaped in the past and threatened or bitten a human or other animal are banned from utilizing this system. Electric fences are illegal. Animals that escape more than once may not be allowed to utilize this system at the discretion of the director of the animal control center.

(6) Tethers used to restrict the animal to the confines of its owner's property shall be minimum length of five (5) times the length of the animal, as measured from the nostrils to the base of the tail. Tethers shall restrict the animal to its owner's property. The area shall be kept free of obstructions to prevent entanglement. No tethered animal shall be allowed to endanger the health, safety or welfare of others.

(7) The animal control center shall be empowered to order all animals removed from the affected premises and dog and cat yards until the owner comes into compliance with this section. The animal control center shall be entitled to charge a reasonable boarding fee for animals so held.

(8) This section shall only take effect upon receipt by the director of animal control center of a written complaint stating what the problem is and the name, address, and phone number of the complainant.

(Ord. No. 9634 § 1, 5-26-93; Ord. No. 9766, § 3, 11-24-93)

Sec. 14:204. Owner's responsibility.

(a) *Threats to public health and safety.* The owner or possessor of any dog shall be held responsible and liable for any and all actions taken by said dog, including but not limited to:

(1) Confining his dog in such a manner so as to prevent escape. All dogs shall be kept, at all times, from running at large.

(2) Preventing his dog, while at large, from threatening, attacking, biting, mauling, or disfiguring any person or animal conducting himself lawfully.

(3) Situations that cause the animal control center or another law enforcement agency to resort to using drastic measures to seize and impound a dog that is an imminent threat to public health and safety or to the safety of another animal whether at large on or off the owner's property. An owner who displays an interest in reclaiming said dog may have his dog classified as potentially dangerous, dangerous or vicious, as the case may be, and the owner shall have to abide by section 14:208. Any other applicable fees or fines shall also apply.

(4) Situations where his dog, unprovoked, constitutes a serious and imminent threat to a person conducting himself lawfully, and said dog is not at large, but is inadequately confined to an owner's property while the owner is not present, and that has previously escaped or has the propensity and capacity to effect an escape from said property and cause grievous bodily harm. The animal control center will respond to situations as set forth in (4) above in the following manner:

a. The animal control center or another law enforcement agency will have probable cause to investigate if a complaint is received from a citizen so affected and in the immediate proximity of said dog. Upon investigation, and after consultation with another law enforcement agency on

scene, should the dog be considered to constitute a serious and imminent threat due to its propensity and/or capacity to escape, then it may be impounded.

b. The animal control center will leave notification of impoundment, setting forth the manner in which the dog may be reclaimed. The owner will be given sufficient time to repair or replace inadequacies required to prevent the dog from escaping, should that be all that is necessary to resolve the situation.

c. Said dog may be declared potentially dangerous, dangerous or vicious if evidence is collected from the complainant, by observation by the animal control center, or any other law enforcement agency. The owner shall have all appeal rights as set forth in section 14-208(b)(6).

(5) Any dog that is used as a weapon to threaten or intimidate persons conducting themselves peacefully and lawfully or that severely bites, mauls or disfigures a person or animal when not at large and while in compliance with this section, including but not limited to being on a leash no longer than six (6) feet, may be cause for the owner to be issued a misdemeanor summons requiring their presence in court. The owner may have his dog declared potentially dangerous, dangerous or vicious, as the facts of the case may determine.

(b) *Other provisions.* The owner or possessor of any dog or cat shall be held responsible and liable for any and all actions taken by said dog or cat, including but not limited to ensuring that:

(1) All cats shall be kept, at all times, from running at large.

(2) Female dogs or cats in estrus shall be secured in such a manner so as to prevent contact with a non-neutered adult male of the same species except for planned breeding.

(3) No dog or cat shall cause a nuisance. The owner or possessor of a dog or cat shall be held responsible for any behavior of the dog or cat that is deemed a nuisance.

(4) The owner of a dog or cat shall be held responsible for any veterinary bills incurred by the animal control center as a result of veterinary care rendered to that animal.

(5) No dog shall cause any excessive noise making or excessive barking. The animal control center will respond to excessive noise making and excessive barking dog complaints in the following manner:

a. A complaint shall be logged into the dispatcher's log book, giving the owner's or possessor's address and the complainant's name, address and phone number.

b. The complainant shall then write a letter to the animal control center with the owner's or possessor's address and stating what the problem is and how it is affecting the complainant.

c. Upon receipt of complainant's letter, the animal control center may dispatch an officer to the owner's or possessor's address, advising the owner or possessor of the complaint and requesting that the nuisance be abated. A warning notice will be left as documentation.

d. If the complainant makes another complaint which is received by the animal control center within fifteen (15) days of the previously issued warning notice, an animal control officer will then be dispatched to the owner's or possessor's house to issue a summons regarding a violation of this part.

(Ord. No. 9634 § 1, 5-26-93; Ord. No. 14203, § 2, 10-24-07)

Sec. 14:205. Impounding procedure.

(a) It shall be the duty of the animal control center through its director and agents to seize and impound any dog or cat which is not inoculated, not licensed, not currently tagged, or is running at large as noted below:

(1) Upon a park, school ground or into a public building, airport or bus terminals, hotels, restaurants, public conveyances, or places of like character, unless the dog is held by a leash not

longer than six (6) feet in the case of a dog or in the case of a cat in the physical possession of its owner.

(2) No dog or cat, whether licensed, registered or otherwise, shall be permitted to run or be at large on any street, road or other public place within the city-parish.

(3) The animal control center through its agents, upon call, complaint or otherwise, shall answer complaints and patrol the streets, roads, private or public places of the city-parish with proper and suitable equipment and shall have the authority to perform all such acts that may be deemed necessary to catch and impound all dogs or cats which are found running at large in the streets or roads or public or private property in the city-parish.

(b) *General Provisions:*

(1) The animal control center shall charge a reasonable fee to be set by the director for a copy of any departmental complaint or impoundment record or other records, and a receipt shall be given to the person requesting said information.

(2) A complainant's name, address or phone number can not be given out over the telephone.

(3) Cruelty or dangerous animal complaints can be processed based on an anonymous complainant. All other complaints shall require the complainant's name, address and phone number.

(4) Any animal control officer in hot pursuit of any animal may follow said animal onto private property to seize such animal if said animal is, in the judgment of said officer, deemed a nuisance or a threat to public health or safety.

(5) If any animal deemed a threat to public health or safety is seized by the owner and put inside a place of residence to prevent impoundment, the following course of action may be undertaken:

a. A search and seizure warrant may be obtained from a judge empowering a law enforcement officer to accompany an animal control center officer to seize such animal.

b. A warning notice notifying the owner of the above procedures can be left at the door, giving the owner forty-eight (48) hours to turn said animal over to the animal control center.

(6) No animal shall be left unattended in a vehicle if it subjects the animal to cruel conditions. An animal control center officer, upon a complaint of this nature and in the presence of at least one (1) witness, shall be permitted to use all reasonable means, including breaking a window, in order to free a suffering animal in the following circumstances, all of which must be met:

a. The animal shows physical signs of heat exhaustion, convulsions, or other symptoms which require immediate action by the animal control center officer in order to save the animal's life.

b. Any such action by the animal control center officer will require prior approval from a supervisor; provided that a supervisor is readily available and obtaining prior approval will not seriously impede the rescue of the animal. Prior approval is not necessary if, in the judgment of the animal control center officer, the delay in obtaining such approval would jeopardize the life of the animal.

c. Reasonable effort to contact the owner or driver of the vehicle has been attempted and unsuccessful.

d. If all of the above circumstances are met, the animal control center officer, animal control center supervisor, the animal control center and the city-parish of will be immune from liability for any property damage as a result of such action taken so long as the intent was to save the animal from suffering and the damage to the personal property was limited to what was reasonably necessary.

(Ord. No. 9634 § 1, 5-26-93)

Sec. 14:206. Notification of owner.

Whenever an animal has been impounded and the owner thereof is known or can be ascertained from the registration tag or identifying collar, or any other means such as a tattoo or brand, the animal control center must, within a reasonable period of time, advise the owner of the conditions upon which the animal may be released.

(Ord. No. 9634 § 1, 5-26-93)

Sec. 14:207. Redemption of impounded animals.

(a) All redemptions shall be payable in cash, cashier's check or money order.

(b) Impounded dogs and cats may be released to the owner or keeper upon payment of all relevant fees and fines as set forth:

(1) Board, per day or part of a day . . . \$ 8.00

(2) First infraction by owner requiring impoundment of any animal for running at large

Infertile . . . 30.00

Fertile . . . 40.00

(3) Second infraction within a two-year period

Infertile . . . 60.00

Fertile . . . 80.00

(4) Third infraction within a two-year period

Infertile . . . 120.00

Fertile . . . 160.00

(5) Each subsequent infraction within a two (2) year period . . . 160.00

(6) Failure to license or vaccinate for rabies . . . 50.00

(7) Euthanasia and disposal . . . 20.00

(8) Litter pickup . . . 15.00

(9) Adult animal pickup . . . 15.00

(10) Impoundment of animals other than dogs, cats, livestock, wildlife or exotics . . . 15.00

(11) Animals dropped off from other parishes . . . 25.00

(12) Fee for license, fertile dog, cat, or ferret . . . 12.00

(13) Fee for license, spayed/neutered dog, cat, or ferret . . . 6.00

(14) Fee for vaccination . . . 6.00

(15) Impoundment fee for potentially dangerous or dangerous dogs or dogs that threaten, bite, or attack a human or animal:

TABLE INSET:

		Spayed or neutered	Unaltered
a.	First offense, per animal	\$ 50.00	\$ 75.00
b.	Second offense, per animal	250.00	300.00
c.	Per day, per dog boarding at animal control center	25.00	

(c) Owners of dogs and cats impounded at the animal control center who cannot produce proof of rabies vaccination and licenses will be required to pay the fees as established by state law and/or the animal control center.

- (d) Upon proof of current rabies inoculation from other parishes or states, the animal control center will apply only those requirements as stated in section 14:201.
- (e) Any animals that are seized, except dogs and cats, livestock or wildlife and exotics, may be released to the owner upon payment of a thirty dollar (\$30.00) fine.
- (f) All other animals, except dogs and cats and livestock, may be held for a period of time as determined by the director of animal control center before disposing of said animal.
- (g) The director of the animal control center may reduce the adoption cost of animals for special events in which the animal control center is involved, as long as the licensing, vaccination and spay/neuter requirements are met.
- (h) Any animal which has been held for six (6) days in the case of a dog or four (4) days in the case of a cat, inclusive of the day of impoundment, and which is not reclaimed, redeemed and physically removed after payment of fees or fines by the owner or keeper, is considered abandoned and shall be forfeited and disposed of by the animal control center. Holidays are not included in the calculation of this holding period.
- (i) Any animal impounded by the animal control center which is not weaned and has no mother at the time of impoundment and is considered stray or abandoned may be cause for the animal control center to humanely dispose of such animal as soon as possible after impoundment.
- (j) A stray, seriously injured, diseased or terminally ill animal impounded by the animal control center shall be cause for the animal control center to waive the six- or four-day holding period, as the case may be, and euthanize said animal in a humane manner as soon as possible. Euthanasia shall only be performed after a decision by the impounding animal control officer and either a supervisor or the director.
- (k) The animal control center is empowered to euthanize severely injured, terminally ill, stray or untagged animals whose owners are unknown and which animals are suffering severe pain without having to hold said animal for the required four- or six-day period. Euthanasia shall only be performed after a decision is made by the impounding officer and a supervisor or director if in the shelter, or by the impounding officer solely if in the field.
- (l) The animal control center shall not be required to accept or hold animals from other parishes. Animals from other parishes may be accepted for a charge of fifteen dollars (\$15.00) per animal.
- (m) Any stray dog that has been impounded, has no identification and presents a clear and present threat to the life and/or limb of employees or other animals in the animal control center, may be cause for the animal to be humanely euthanized as soon as possible after impoundment.
- (n) Euthanasia may only be considered after consultation among the animal caretaker supervisor, an animal control officer and either the animal control field supervisor or the director.
- (o) A photograph of the dog shall be taken and held as evidence with other official records of the case.
- (Ord. No. 9634 § 1, 5-26-93; Ord. No. 9766, § 4, 11-24-93; Ord. No. 11627, § 1, 12- 8-99; Ord. No. 11920, §§ 2, 3, 12-13-00; Ord. No. 13097, §§ 1, 2, 10-27-04; Ord. No. 13791, § 3, 10-25-06; Ord. No. 14203, §§ 3, 4, 10-24-07)

Sec. 14:207.1. Adoptions.

- (a) All animals to be adopted from the animal control center shall be spayed or neutered prior to leaving the animal control center. This shall be the responsibility of the veterinarian under contract with the animal control center. The fee for adoption shall be sixty dollars (\$60.00) for domestic animals and fifteen dollars (\$15.00) for nondomestic animals.

(b) The owner must have the adopted animal examined, licensed, and vaccinated against rabies by a private veterinarian within the time period established by the animal control center veterinarian within the adoption contract, but in no event shall this time period exceed twenty-one (21) days after the date of adoption. Failure to do so may result in the seizing of the animal by the animal control center and/or legal action being taken in a court of competent jurisdiction.

(c) Within fourteen (14) days of adoption, the owner may return the adopted animal for exchange or refund if the animal becomes sick or dies due to any reason other than traumatic injury, nonmedical problems, the owner's negligence, or owner's lack of knowledge of general pet care.

(Ord. No. 11920, § 4, 12-13-00; Ord. No. 13097, § 3, 10-27-04)

Sec. 14:208. Potentially dangerous dog, dangerous dog, vicious dog.

(a) *Level 1 - Potentially Dangerous Dog:*

(1) A dog may be classified as "potentially dangerous" if such dog constitutes a menace to public health or safety. In order for a dog to be classified as "potentially dangerous," one (1) of the following incidents shall occur:

a. Said dog has killed or injured a domestic animal without provocation while such dog is at large.

b. Any dog's behavior, while on or off the dog owner's property, which constitutes a substantial threat of bodily harm to a person when such person is conducting himself peacefully and lawfully.

c. An attack occurs which results in injury to a person or a dog bites a person when such person is conducting himself or herself peacefully and lawfully.

d. A dog which on two (2) separate occasions within a twelve-month period has been observed at large, on or off the owner's property, or has been impounded at least one (1) prior occasion for being at large.

e. An animal that, in the opinion of the animal control center, constitutes a threat to public health or safety.

f. An employee of the animal control center or a law enforcement officer recommends declaration as "potentially dangerous."

(2) A dog will not be classified as "potentially dangerous" if the threat, injury or damage was sustained by a person who, at the time, was unlawfully on the property with the intent to commit a crime or tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or if the dog was defending or protecting its owner from unjustified attack or assault, or was protecting or defending its young or other animals from harm or attack.

(3) The animal control center may investigate reported incidents involving dogs that may be "potentially dangerous." Upon such investigation, if the animal control center finds the dog to constitute a menace to public health or safety, such dog shall then be classified as "potentially dangerous." The owner shall receive written notification of the animal control center's classification of the animal. The classification of "potentially dangerous" shall be added to registration records of the dog.

(4) The owner of a dog that has been classified as "potentially dangerous" shall take whatever measures are necessary to confine or restrain such animal to prevent any future incidents from occurring that constitute a menace to public health or safety.

(5) A citation may be issued to the owner of any potentially dangerous dog alleged to be in violation of this part. The investigating officer may issue such citation upon the receipt of one (1)

sworn affidavit of complaint. Said affidavit shall specify the address or location of the alleged violation, the nature, time and date(s) of the act, the name and address of the owner, if known, and a description of the animal.

(6) Any dog that has been declared "potentially dangerous" shall be micro-chipped at the owner's sole expense. Any dog already tattooed prior to the enactment of the micro-chip requirement of this section need not have a micro-chip implanted or be re-tattooed if the existing tattoo is legible and can properly identify the dog. The micro-chip or tattoo number shall be reported to the animal control center for entry into the owner's record within fourteen (14) days of the dog being declared "potentially dangerous."

(b) *Level 2 - Dangerous Dog:*

(1) A dog may be classified as "Dangerous" under any of the following circumstances:

- a. If the dog has attacked, caused serious injury or otherwise endangered the safety of human beings, or has a known propensity, tendency, or disposition to attack, to cause serious injury or to otherwise endanger the safety of a person who is conducting himself or herself peacefully and lawfully.
- b. If the dog has attacked, caused serious injury or death to a domestic animal.
- c. If the dog has previously been classified as "Potentially Dangerous," and one (1) additional but separate incident has occurred as set forth in subsection (a), level 1.
- d. If the dog has been owned or kept primarily or in part for the purpose of dog fighting.
- e. If the dog has upon recommendation by a law enforcement agency or an employee of the animal control center.

(2) A dog will not be classified as "Dangerous" if the threat, injury or damage was sustained by a person who, at the time, was unlawfully on the property with the intent to commit a crime or tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or if the dog was defending or protecting its owner from unjustified attack or assault, or was protecting or defending its young or other animals from harm or attack.

(3) The animal control center may investigate reported incidents involving dogs that may be "dangerous." Upon such investigation, if the animal control center finds the dog to constitute a "dangerous dog" as defined in this section, said dog shall be impounded and so classified. The owner shall receive written notification of the animal control center's classification of the dog. Said notification shall include the procedure for appeal. The classification of "dangerous" shall be added to the registration records of the dog.

(4) The owner of a dog that has been classified as dangerous shall abide by the following mandates within thirty (30) days after the dog has been so classified:

- a. A "dangerous" dog tag supplied by the animal control center shall be purchased annually and affixed to the dog's collar to be worn at all times.
- b. A micro-chip shall be obtained at the owner's expense for each dog that has been classified as "dangerous."
- c. The owner shall immediately notify the animal control center when a "dangerous" dog:
 1. Is loose or unconfined;
 2. Has bitten a human being or attacked another animal;
 3. Was sold, given away, or died; or
 4. Has moved to another address.

Prior to a dangerous dog being sold or given away, the owner shall provide the name, address, and phone number of the new owner to the animal control center. Each owner shall execute a document to be supplied by the animal control center, acknowledging that said owner is aware of

the "Dangerous" dog classification, and that said owner shall comply with the requirements of this title.

d. A dangerous dog must be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the dog from coming into contact with either a human being other than the owner or any other animal, and designed to prevent the animal from escaping. The pen or structure must have minimum dimensions of four (4) feet by ten (10) feet. Such pen shall have secure sides and a secure top to prevent the dog from escaping over, under, or through the structure. The enclosures shall provide a humane existence for the dog and protection from the elements. The pen shall meet all of the requirements of a dog pen and the pen sides shall be embedded securely in concrete.

e. The owner shall prominently display a sign to be provided by the animal control center at the owner's expense on his premises at all entry points warning that there is a dangerous dog on the property.

f. A dangerous dog may be off the owner's premises or out of its enclosure only if it is muzzled and restrained by a substantial chain or leash not exceeding four (4) feet in length and under the control of an able-bodied person. The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.

g. The animal control center, in its discretion, may require a dangerous dog to be spayed or neutered.

h. The animal control center, in the exercise of its discretion, shall have the authority to make whatever inspections are deemed necessary to ensure that the provisions recited herein are complied with.

i. A dangerous dog shall not be used as a guard dog.

j. An owner of a dangerous dog shall have the option to have said dog humanely euthanized at his expense by the animal control center or licensed veterinarian if said owner is unable to comply with the requirements recited herein.

k. It shall be unlawful for any person to keep, harbor or possess a dangerous animal on a porch, patio or in any part of a house or building that would allow the animal to exit or escape on its own volition. Screened windows or screened doors alone are considered inadequate.

l. The animal control center shall have the right to inspect the premises of dangerous animals' enclosures to ensure compliance with this part.

m. The owner or keeper shall sign a hold-harmless and indemnification clause in favor of the city-parish.

n. The owning, keeping or harboring of a dangerous animal in violation of this title is deemed a public nuisance.

o. If the animal control center reasonably believes that an owner cannot or will not abide by the above requirements, a seizure warrant may be requested, pending final disposition of the case.

(5) A "dangerous dog" that is impounded for any violation of this section, may be reclassified as a "vicious dog."

(6) *Appeal process:*

a. The owner of a dog that has been classified as "dangerous" may appeal this classification to the animal classification appeals committee within the ten-day period after the animal control center so classifies said dog. A notice of appeal must be filed with the director of the animal control center within ten (10) days of the receipt of notice of classification. The director shall then notify the animal classification appeals committee.

b. The appeal must be heard by the animal classification appeals committee within thirty (30) days after the owner has submitted a notice of appeal.

c. The classification of a dog as "dangerous" shall be revoked only by a majority vote of the animal classification appeals committee.

d. All decisions by the animal classifications committee shall be final and binding, unless an appeal is made to a court of competent jurisdiction. Notification of said appeal must be received by the animal control center within ten (10) days of the animal classifications appeal committee upholding the decision to classify the dog as "dangerous".

Should an injunction be received within the ten-day period, then the owner will be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal at the animal control center through the court appeal process.

e. All decisions by the animal classification appeals committee shall be final and binding.

(c) *Level 3 - Vicious Dog:*

(1) A dog may be classified as "vicious" if said dog has:

a. Attacked and caused severe and gross injuries or death to a human being; or

b. Previously been classified as "dangerous" or "potentially dangerous" and an incident has occurred as set forth in subsection (a), or (b).

(2) A dog will not be classified as "vicious" if the threat, injury or damage was sustained by a person who, at the time, was unlawfully on the property with the intent to commit a crime or tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or if the dog was defending or protecting its owner from unjustified attack or assault, or was protecting or defending its young or other animals from harm or attack.

(3) The animal control center may investigate reported incidents involving dogs that may be vicious. Upon such investigation, if the animal control center finds the dog to constitute a vicious dog as defined in this title, said dog shall be so classified. The owner shall receive written notification of the animal control center's classification of the animal. Said notification shall include the procedure for appeal. The classification of "vicious" shall be added to the registration records of the dog.

(4) Any dog that has been classified as "vicious" shall be impounded by the animal control center. The animal will be kept at the animal control center and placed in rabies quarantine, if necessary, for the proper length of time, or held for ten (10) days after the owner's receipt of notification, and then shall be euthanized unless the owner initiates an appeal procedure within this ten-day period.

(5) *Appeal process:*

a. The owner of a dog that has been classified as "vicious" may appeal this classification to the animal classification appeals committee within the ten-day period after the animal control center impounds such dog.

b. The animal will remain impounded at the animal control center until such time as the animal review committee hears and decides the appeal of the owner. The appeal must be heard by the animal classification appeals committee within ten (10) days after the owner has submitted a notice of appeal.

c. The classification of a dog as "vicious" shall be revoked only by a majority vote of the animal classification appeals committee. If the committee does not revoke the "vicious dog" classification, the dog will be kept an additional ten (10) days and then be humanely euthanized at the expense of the owner by the animal control center. If the committee revokes the "vicious" dog classification, such dog shall then be classified as "dangerous"; and its owner shall be

required to comply with subsection (b) of this section. The committee shall provide the owner with written notice of its decision by mailing same to the dog's owner at his last known address.

d. The owner will be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal at the animal control center through the appeals process.

e. Written notice is prescribed in paragraph c above in order to give the owner of a dog classified as "vicious" time to apply to a court of competent jurisdiction for any remedies which may be available. Should the owner of a dog that has been classified as "vicious" wish to appeal the decision of the animal classification appeals committee to uphold the "vicious" classification, then a court injunction must be obtained within ten (10) days of said decision in order to delay the euthanasia of such dog. Should an injunction be obtained, the owner will be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal at the animal control center through the court appeal process. Applicable fees shall be paid in advance.

(Ord. No. 9634 § 1, 5-26-93; Ord. No. 14203, §§ 5--7, 10-24-07)

Sec. 14:209. Animal classification appeals committee.

(a) The city-parish metropolitan council shall appoint a three-member animal classification appeals committee which in its judgment shall fairly represent the animal control center, animal owners, and citizens of the parish. The committee shall make decisions relating to appeals that have been initiated concerning dangerous dogs and vicious dogs.

(b) The animal classification appeals committee shall be appointed from nominations submitted to the city-parish metropolitan council. One (1) member shall be a licensed Louisiana veterinarian, one (1) member shall be a commissioned law enforcement officer, and one (1) member shall be a member of a private animal welfare society. All members must be residents of the parish.

(Ord. No. 9634 § 1, 5-26-93)

Sec. 14:210. Liability insurance, liability bond, property surety bond for dangerous dogs.

(a) The owner or keeper shall present to the director of the animal control center proof that the owner or keeper has procured liability insurance in the amount of at least one hundred thousand dollars (\$100,000.00), covering any damage or injury which may be caused by such dangerous dog during the twelve-month period for which licensing is sought, which policy shall contain a provision requiring the city-parish to be named as an additional insured and the city-parish shall be notified by the owner or keeper of any cancellation, termination or expiration of the liability insurance policy. In lieu of the above insurance requirement, the owner or keeper may procure a dangerous dog liability bond as defined by subsection (b) hereof, or property surety bond as set forth in subsection (c).

(b) *Dangerous dog liability bond* means a bond conditioned:

(1) That the obligor shall, within thirty (30) days after the rendition thereof, satisfy:

a. (i) All judgments rendered against him or against any person responsible for actions of the dog in actions to recover damages for property damage or for bodily injuries, including death at any time resulting therefrom; and

(ii) Judgments rendered as aforesaid for consequential damages consisting of expenses incurred by a husband, wife, parent, or tutor for medical, nursing, hospital, or surgical services in

connection with or on account of such bodily injuries or death sustained during the term of the bond by any person; and

b. Arising out of the ownership, control or use of said dangerous dog.

(2) To the amount of not less than one hundred thousand dollars (\$100,000.00) for damages to the property of others and/or on account of injury to or death of any person.

(c) In the discretion of the animal control center, if an owner can adequately demonstrate current equitable value or ownership of property of at least one hundred thousand dollars (\$100,000.00), then a surety bond may serve in lieu of liability insurance.

(Ord. No. 9634 § 1, 5-26-93; Ord. No. 14203, §§ 8, 9, 10-24-07)

Sec. 14:211. Guard dogs.

Guard dogs must be kept within a structure or a fenced enclosure at all times, and any guard dog found at large may be processed as a "potentially dangerous" or "dangerous" dog pursuant to the provisions of this title. Any premises guarded by a guard dog shall be prominently posted with a sign containing the wording "guard dog" or words of similar import. It shall be the owner's responsibility to immediately notify the animal control center when a guard dog has escaped and is running at large.

(Ord. No. 9634 § 1, 5-26-93)

Sec. 14:212. Dog and cat bite cases.

(a) *Dog and Cat Bite Case in General:*

(1) The breaking of the skin of a human being by a dog or cat shall be considered a bite case; except that if a dog or cat which is currently vaccinated and licensed scratches a human being, that animal shall not be required to be held for observation. All unvaccinated dog or cat scratch cases shall be held for observation. Stray dogs or cats may be sacrificed for testing or held for ten (10) days' observation.

(2) All bite cases shall be reported to the animal control center or to the Baton Rouge Police Department or East Baton Rouge Parish Sheriff's Office as soon as possible and in no case more than twenty-four (24) hours after such bite. It shall be the responsibility of the owner of the animal and/or the person bitten to report such fact to the proper authorities as stated above.

(3) Any dog or cat that has bitten a human shall be impounded at the animal control center or licensed veterinarian of the owner's choice in the for a period of not less than ten (10) days from the date of the bite.

(4) Any dog or cat which is suspected of being rabid may be destroyed and its head shall be submitted for proper testing at a suitable facility or may be held for ten (10) days rabies observation at a licensed veterinarian or at the animal control center.

(5) No animal shall be held for ten (10) days' rabies observation outside of the without the prior approval of the director of the animal control center.

(6) Any dog or cat in violation of this title at the time of the bite shall be cause for said animal to be impounded and taken to the animal control center. After any applicable fees or fines are paid in cash, the animal may then be transferred to a veterinarian by an agent of the animal control center for the remainder of the ten-day period.

(7) In the event of extenuating circumstances, an animal control officer may permit the owner to produce proof, within twenty-four (24) hours of the bite, that the animal was currently licensed and vaccinated and not at large at the time of the bite, before requiring that the animal be delivered to a licensed veterinarian in the parish.

(8) No animal shall be returned to the owner prior to the expiration of the ten-day observation period.

(9) The day of the bite shall be considered day one (1) of the observation period.

(10) All animals shall be released by a licensed veterinarian after the ten-day observation period, either at the animal control center or within twenty-four (24) hours after being redeemed by the owner. Results of the post-rabies observation examination and the name and location of the attending veterinarian shall be reported to the animal control center within twenty-four (24) hours after redemption, or the end of the ten-day rabies observation period.

(11) Animals shall be redeemed by the owner within twenty-four (24) hours after the ten-day observation period is finished. Failure to redeem animals within this time period shall be cause for the animal control center to dispose of said animal as they would then be considered abandoned and shall be property of the animal control center.

(12) Stray animals shall be disposed of after the expiration of the ten-day observation period or may be sacrificed for testing at the discretion of the animal control center.

(13) All animals which have broken the skin of a human being and are found dead are to be immediately impounded and their heads sent to the parish health agency or appropriate facility for rabies examination.

(14) When an animal, not otherwise in violation of this title and upon being provoked, breaks the skin of a human being, there will be no fees applicable if the animal is held for observation at the animal control center.

(b) *In-Home Rabies Observation:*

(1) The animal control center may consider in-home ten (10) days' rabies observation only if the following criteria are met:

a. The owner of the animal agrees to the in-home observation and signs a form recognizing such agreement.

b. The animal was in full compliance with the requirements under sections 14:200 and 14:201 at the time of the bite.

c. The animal was not at large at the time of the bite.

d. The owner signs an indemnity clause holding the animal control center and city-parish harmless from any and all liability which might arise while the animal is undergoing in-home observation.

e. The animal control center may inspect the facilities at any time to determine compliance.

f. The animal is secured on the property at all times during observation in a room, pen, or other structure to prevent escape and contact with other animals or humans other than the owner.

g. Animals shall be examined by a licensed veterinarian within twenty-four (24) hours after the end of the observation period, and the animal control center shall be notified of release within twenty-four (24) hours thereof.

h. The animal control center shall be notified within twenty-four (24) hours if the animal dies, escapes or becomes ill during the observation period.

i. If the animal control center observes any violation of this exception, the animal shall then be seized and taken to the animal control center or a licensed veterinary facility; and the owner may be issued a summons for violation of this part.

(2) All law enforcement agencies are exempt from this requirement. Vaccination status of all K-9 or enforcement dogs shall be retained by the agency involved.

(Ord. No. 9634 § 1, 5-26-93; Ord. No. 9766, §§ 5, 6, 11-24-93)