

**ORDINANCE AMENDING CERTAIN SECTIONS OF THE  
CODE OF THE CITY OF RIDGELAND, MISSISSIPPI**

WHEREAS, the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi have adopted a Code for the City of Ridgeland, Mississippi; and

WHEREAS, Chapter 14 of said Code, as amended deals with the regulation of animals, both domestic and wild, located within the limits of the City of Ridgeland, Mississippi; and

WHEREAS, the Mayor and Board of Aldermen have determined that it would be appropriate to amend the language in certain of those sections found in Chapter 14, deleting certain portions and amending definitions and reorganizing the Chapter; and

WHEREAS, the Mayor and Board of Aldermen having considered proposed changes and the comments that have been made and have determined that the following amendments are proper.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Board of Aldermen of the City of Ridgeland, Mississippi as follows:

**SECTION 1**

That all of Chapter 14-ANIMALS, as found in the Code of the City of Ridgeland, Mississippi, is hereby deleted.

**SECTION 2**

That Chapter 14-ANIMALS of the Code of the City of Ridgeland, Mississippi shall hereinafter read as follow:

**Chapter 14-ANIMALS**

**ARTICLE I. IN GENERAL**

**Sec. 14-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Animal* means a live, vertebrate creature, domestic or wild.

*Animal control officer* means a person designated by the city as a law enforcement officer or the animal control officer, who is qualified to perform such duties under the state law.

*Animal shelter* means a facility operated by an animal rescue agency or municipal agency, or its authorized agents, for the purpose of impounding or caring for animals held under the authority of this chapter or state law.

*Caretaker* means the person owning, possessing, harboring or having the care, custody or control of an animal.

*Dangerous dog* means any dog:

- (1) When unprovoked, approaches, in a dangerous or terrorizing manner, any person in an apparent attitude of attack, upon the streets, sidewalks or any public grounds or places within the city;
- (2) With a propensity, tendency or disposition to attack, when unprovoked, human beings or domestic animals;
- (3) Which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal, without provocation, on public or private property; or
- (4) Owned or harbored primarily or in part for the purpose of a dog fight or any dog trained for dog fighting.

*Domesticated* means an animal that has been tamed and is accustomed to living with or near people, a farm animal or pet.

*Feral cat* means a cat that is not domesticated.

*Feral dog* means a dog that is not domesticated.

*Harbored*, when applied to an animal, means fed or sheltered.

*Livestock* means domesticated farm animals.

*Menacing* means the display by a dog of a disposition, determination or intent to attack a human or another domestic animal.

*Performing-animal exhibition* means a spectacle, display, act or event, other than a circus, in which performing animals are used.

*Pet* means an animal kept for pleasure rather than utility.

*Public nuisance* means an animal which:

- (1) Molests passersby or passing vehicles;

- (2) Attacks other animals;
- (3) Trespasses on school grounds or in city parks;
- (4) Is repeatedly at-large;
- (5) Damages private or public property;
- (6) Barks, whines or howls in an excessive, continuous or untimely fashion;
- (7) Is allowed by its caretaker to become a nuisance to people or other animals; or
- (8) Is kept under conditions which are malodorous.

*Restraint* means when an animal is secured by a leash or lead of less than six feet, or is within the fenced real property limits of its caretaker, or is tethered in such a way that the animal is within the real property limits of its caretaker.

*Running at-large* means an animal not under restraint.

*Secure Enclosure* means a fenced enclosure or building located no closer than ten feet (10') from the boundary lines of the caretaker's property which is covered and constructed in such a manner to prevent a dog or animal from escaping, including adequate provisions to prevent dogs from digging out or escaping under the fence.

*Severe Injury* means any physical injury to a human being that results in muscle tears or disfiguring lacerations or requires multiple procedures or corrective or cosmetic surgery.

*Unprovoked* means that the animal was not hit, kicked or struck by a person with an object or part of a person's body, nor was any part of the animal's body pulled, pinched or squeezed by a person.

*Veterinary hospital* means an establishment maintained and operated by a licensed veterinarian for surgery, diagnosis and treatment of diseases and injuries of animals.

*Vicious animal* means an animal that constitutes a physical threat to human beings or other animals.

*Wild animal* means a live monkey (nonhuman primate), raccoon, bear, skunk, fox, poisonous snake, leopard, panther, tiger, lion, lynx or any other

warm-blooded 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.

**Sec. 14-2. Exemptions.**

Except where otherwise provided in this chapter, the provisions of this chapter shall not apply to any federal, state or city law enforcement agency.

**Sec. 14-3. Enforcement; interference.**

(a) Officers of the police department, veterinarians, the animal control officer and any person designated by the Mayor shall be empowered to enforce the provisions of this chapter or any rule or regulation promulgated under this chapter.

(b) It shall be a violation of this chapter to interfere with the animal control officer or police officer in the performance of his duties.

**Sec. 14-4. Construction.**

The provisions of this chapter shall not be construed to prohibit the American Society for the Prevention of Cruelty to Animals or any law enforcement officer from enforcing any other law, rule or regulation regarding the humane treatment of animals.

**Sec. 14-5. Cruelty to animals.**

It shall be unlawful for any person to overload, overwork, torture, torment, unjustifiably injure, deprive of necessary sustenance, food or drink, or cruelly beat or ill-treat or needlessly mutilate or otherwise abuse any animal within the corporate limits of the city, or to cause or permit such abuse to be done, or to cause, instigate or permit any fight or other combat between animals or between animals and humans.

**Sec. 14-6. Exposing to poisons.**

No person shall expose any known poisonous substance, whether mixed with food or not, so that the poisonous substance shall be liable to be eaten by any animal, provided that it shall not be unlawful for a person to expose, on his own property, common pest control poison mixed only with vegetable substances.

**Sec. 14-7. Animals Inside Motor Vehicles**

(a) No person shall leave an animal unattended inside a motor vehicle when such action is potentially harmful to the animal. A police officer or

animal control officer shall have the authority to remove an animal from an unattended vehicle to prevent harm to the animal.

- (b) Nothing in this section shall be deemed to prohibit the transportation of horses, cattle, or poultry or other agricultural livestock in trailers or vehicles designed and constructed for such purpose.

**Sec. 14-8. Operator of vehicle striking animal to report accident.**

The operator of a motor vehicle, who strikes a domestic animal within the city, shall report the accident at once to the police department.

**Sec. 14-9. Giving away as prizes, inducements to trade.**

No person within the city shall give away live animals, fish, reptiles or birds as a prize for, or as an inducement to enter, any contest, game or other competition, or as an inducement to enter a place of amusement; or offer such vertebrate as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade.

**Sec. 14-10. Selling or dyeing chickens or ducklings less than eight weeks of age.**

Chickens or ducklings younger than eight weeks of age shall not be sold in quantities of less than ten to a single purchaser within the city, nor shall any such animals be dyed.

**Sec. 14-11. Pet stores.**

Stores that deal in live pets shall be subject to inspection at reasonable times, on demand, by the animal control officer.

**Sec. 14-12. Performing animal exhibitions or circuses.**

(a) No performing animal exhibition or circus shall be permitted within the city in which animals are induced or encouraged to perform through the use of chemical, mechanical, electrical or manual devices in a manner which will cause, or is likely to cause, physical injury or suffering to the animal.

(b) All equipment used on a performing animal shall fit properly and be in good working condition. The animal control officer shall be authorized to inspect the premises at any reasonable time, on demand.

**Sec. 14-13. Elimination of animals.**

(a) *Vicious animals, dangerous or feral dogs or feral cats.* When an animal is determined by the animal control officer to be a vicious animal, dangerous or

feral dog or feral cat, such animal may be destroyed by the animal control officer or his designee, provided each of the following requirements is met:

- (1) The animal is running at-large.
- (2) There is no vaccination tag around the animal's neck.
- (3) Attempts to peacefully capture the animal have been made and proven to be unsuccessful.

(b) *Incurably injured or diseased animals.* The Police shall be allowed to discharge a firearm in order to mercifully end the life of an animal suffering from an incurable injury or disease, or as the sole effective means of controlling a public nuisance or health hazard, including, but not limited to, pigeons, rabbits, squirrels, snakes, feral cats, and feral dogs.

**Sec. 14-14. Certification of personnel authorized to discharge firearms.**

Personnel empowered by this chapter to discharge firearms within the city limits shall qualify with the police range officer once every three months, and may not discharge any firearms within the scope of their employment unless and until the police range officer has issued or re-newed the appropriate certification. Such certification shall be issued based on the following considerations:

- (1) Thorough instruction in operation of the type of firearms issued to the division of animal control.
- (2) Thorough knowledge of all appropriate safety procedures.
- (3) Competent performance on the firing range.
- (4) Such other tests or qualifications as the police range officer, in his discretion, deems appropriate.

In issuing the required certification, the police range officer shall take into consideration all of the requirements in keeping with good police practice, and shall at all times bear in mind the safety of the citizens of the city, and shall require the same degree of competence from personnel authorized under this section as is required of police officers discharging firearms within the city limits.

**Secs. 14-15 - 14-45. Reserved.**

**ARTICLE II. KEEPING ANIMALS****Sec. 14-46. Livestock.**

(a) No person within the city shall keep livestock closer than 150 feet from any property line of the property on which the livestock is kept, provided that each animal defined in section 14-1 as livestock shall be kept within a fenced area which is 4,500 square feet or greater.

(b) A special revocable permit to keep livestock within the city shall be granted without regard to the provision set forth in subsection (a) of this section if the caretaker or occupant of a premise shall affirmatively establish the following:

- (1) The livestock will be kept in a manner so that a health hazard will not be created.
- (2) There is no occupied residence within 300 feet of the area where the livestock is kept, or that the caretakers of each occupied residence within 300 feet of the area where the livestock is kept have given written consent to the keeping of such livestock.

Any such permit shall be revoked on a showing that a condition has developed which would constitute a health hazard.

**Sec. 14-47. Pigeons.**

The keeping, raising or housing of pigeons at-large within the city shall be prohibited. Any pigeons found to be uncaged or not penned, shall be presumed to be at-large, and may be seized by any reasonable and humane method by a police officer or the animal control officer.

**Sec. 14-48. Wild animals.**

(a) No person within the city shall keep or permit to be kept any wild animal for display or exhibition purposes, whether gratuitously or for a fee. This subsection shall not be construed to apply to zoological parks, performing animal exhibitions or circuses.

(b) No person within the city shall keep or permit to be kept any wild animal as a pet.

(c) The animal control officer shall have the power to release or seize any wild animal being kept in violation of this chapter, federal law or state statute.

**Sec. 14-49. Vicious animals.**

(a) *Confining, muzzling required.* Every vicious animal, as determined by the animal control officer, shall be confined by the caretaker of such animal within a building or secure enclosure, and such animal shall be securely muzzled or caged whenever it is off the premises of its caretaker.

(b) *Displaying or exhibiting.* No person shall keep or permit to be kept any vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This subsection shall not be construed to apply to zoological parks, performing animal exhibitions or circuses.

**Sec. 14-50. Breeding.**

It shall be unlawful to keep and maintain animals for breeding purposes within the incorporated limits of the city in violation of chapter 126.

**Sec. 14-51. Responsibility of caretaker.**

No caretaker of an animal within the city shall fail to exercise proper care and control of his animal in order to prevent such animals from becoming a public nuisance.

**Sec. 14-52. Care and treatment.**

No caretaker of an animal within the city shall fail to provide his animal with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and humane care and treatment.

**Sec. 14-53. Removal of animal wastes.**

(a) An animal defecating on any public property, or upon any private property without permission of the occupant of said private property, is prohibited unless:

(1) The caretaker of such animal immediately removes all fecal matter deposited by a sanitary method. The caretaker shall possess a container sufficient to collect and remove said fecal matter.

(2) The fecal matter shall be disposed of in a sanitary method.

(3) The caretaker of any animal shall eliminate the accumulation of fecal matter on the caretaker's property and shall not allow the property to become unsanitary, unsightly, or malodorous due to the keeping, maintaining or harboring of animals.

(4) Fecal matter shall not be disposed of in storm-water drains.

**Sec. 14-54. Abandonment.**

The caretaker of an animal within the city shall not abandon such animal.

**Secs. 14-55 - 14-85. Reserved.**

**ARTICLE III. DOGS**

**Sec. 14-86. Number permissible.**

(a) No more than three dogs above the age of six weeks shall be kept at a residential dwelling or lot in any residential area within the city, except upon permit to do so issued by the mayor and board of aldermen upon a showing that the keeping of such dogs is mayoral without creating a health problem or nuisance within the neighborhood. The possessor of the lot, inhabitant of the residential dwelling or caretaker of the dogs shall be presumed to be the person in violation of this provision when more than three dogs above the age of six weeks are found to be kept at a residential dwelling or lot in any residential area within the city. No banned breed of dog or dangerous dog may be kept at a residential dwelling, unless all requirements of this ordinance are met.

(b) All pens or structures designed or used for the purpose of housing or enclosing dogs shall be constructed and placed at least ten (10) feet from the property line of a lot in any residential area of the city.

(c) It shall be the duty of the animal control officer, or police officers, to enforce the provisions of this section. Such person has the authority to enter upon the premises and to inform any adult occupant of the premises of the complaint and to visually examine the premises for the purpose of determining the number of dogs above the age of six weeks kept on such premises, and of determining the setback distances of pens and structures designed or used for the purpose of housing or enclosing dogs.

(d) Any person desiring to keep more than three dogs above the age of six weeks at a residential dwelling or on a lot in a residential area within the city may petition the mayor and board in writing for a permit to do so; and the mayor and

board may grant such permit upon a showing by such person that adequate provision can and will be made, and will continue in existence to prevent the creation of any situation which will result in a health hazard, offensive odors or nuisance in the form of excessive noise or otherwise. The Mayor and Board of Aldermen may impose additional requirements and restrictions it finds necessary to insure the health and safety of adjacent property caretakers.

**Sec. 14-87. Cropping dogs' ears, other surgical procedures.**

No person within the city, except a licensed veterinarian, shall crop a dog's ears, or perform any other major or minor surgical procedures upon a dog.

**Sec. 14-88. Dangerous dogs.**

*(a) Acquisition.*

(1) No person within the city shall train, torment, badger, bait or use any dog for the purpose of causing or encouraging such dog to attack human beings or domestic animals when unprovoked.

(2) No person shall sell, offer for sale, breed, buy or attempt to buy any dangerous dog within the city.

*(b) Humane destruction.* The animal control officer may order the humane destruction of any dog that kills or causes severe injury to a human being.

*(c) Determination of a dangerous dog.* The animal control officer shall have the authority to make a determination that a dog is dangerous, as defined in this ordinance upon the written complaint of any person, in a form approved by the animal control officer. The animal control officer shall make such determination after a hearing, written notice of which shall be given to the complainant and the caretaker of the dog, where the caretaker's address can be reasonably ascertained by the animal control officer. The hearing shall be held not less than ten days, not more than 20 days, after such notice is mailed to the caretaker of the dog. At such hearing, all interested persons shall have the opportunity to present evidence. If the dog in question has caused severe injury to any person, the animal control officer may impound the dog, at the caretaker's expense, pending the hearing and determination of the complaint. If the animal control officer determines that the dog is dangerous, he shall order the caretaker of such dog to comply with the following requirements:

- (1) *Registration.* The caretaker of a dangerous dog shall register such dog with the police department. The application for such registration shall contain the name and address of the caretaker, the breed, age, sex, color and any other identifying marks of the dog, the location where the dog is to be kept,