

RUSSELLVILLE  
AMENDMENT TO ANIMAL CONTROL CODE  
(ADOPTED BY ORDINANCE NO. 1676)

ANIMAL CONTROL CODE

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ARTICLE I. IN GENERAL

1-1-1. Short title.

This ordinance may be cited as the "Russellville Animal Control Code." This Code was adopted by reference in accordance with A.C.A. §14-55-207. (Ord. No. \_\_\_\_\_)

1-1-2. Definitions.

The following words and phrases have the following meanings for the purpose of this Code:

Animal: Any description of vertebrate, excluding Homo sapiens.

Animal Control Department: The officers and employees of the Russellville Animal Control Department.

Animal establishment: Any kennel, grooming shop, auction, performing animal exhibition, or other facility engaged in the handling of animals, excluding licensed veterinarians and veterinary clinics and hospitals.

All commercial animal establishments must be located in commercial or industrial zones.

Animal Shelter: Any facility designated by the City for the purpose of impounding and caring for animals held under the authority of this Code.

At large: Any animal is at large when off the premises of the owner and not under the control of a responsible person.

Code: As used herein, "Code" refers to the Russellville Animal Control Code.

Control: Any animal shall be considered under control if it is confined to the premises of its owner or is secured by a leash or lead of sufficient strength to prevent it from escaping, or is confined in an automobile when away from the premises of the owner.

Cruelty to animals: A person commits the offense of cruelty to animals if, except as authorized by law, he knowingly:

- (a) Abandons any animal;
- (b) Subjects any animal to cruel treatment;
- (c) Subjects any animal in his custody to cruel neglect; or
- (d) Kills or injures any animal belonging to another without legal privilege or consent of the owner.
- (e) As used in this section, "knowingly" shall mean the following:

A person acts knowingly with respect to his or her conduct or the attendant circumstances when he or she is aware that his or her conduct is of that nature or that such circumstances exist. A person acts knowingly with respect to the result of his or her conduct when he or she is aware that it is practically certain that his or her conduct will cause such a result.

Health officer: The designated official of the state Department of Health or any local health official whose duties may involve conditions or investigations relevant to animal control.

Humane manner: Care of an animal to include, but not limited to, adequate heat, ventilation and sanitary shelter, and wholesome food and water, consistent with the normal requirements and breeding habits of the animal's size, species and breed. Fresh clean water shall be available at all times. It is the duty of the animal caretaker or owner to provide a water container that the animal cannot knock over.

Kennel: Any person or business that engages in the business of boarding, breeding, buying, letting for hire, training for a fee, or selling animals.

Livestock: Animals kept or raised for use or pleasure, especially farm animals. Livestock does not include "Wild Animals" as defined in the Russellville Animal Control Code but does include, but is not limited to the following:

Domestic horses;  
Asses/donkeys;  
Cattle;  
Sheep;  
Goats;  
Swine;  
Poultry;  
Rabbits;  
Ducks, doves, and pigeons.

Licensing authority: The Animal Control Department and any other agency or department of the city, or any designated representative thereof, including licensed (State of Arkansas) veterinarians, charged with administering the issuance and/or revocation of certificates and licenses under the provisions of this Code.

Neutered: Incapable of sexual reproduction.

Nuisance: An animal shall be considered a nuisance if it damages, soils, defiles, or defecates on private property other than the owner's or public walks and recreation areas; causes unsanitary, dangerous, or offensive conditions; causes a disturbance by excessive barking or other noise making; molests, attacks, or interferes with persons in the public right-of-way; or chases vehicles or attacks domestic animals.

Owner: Any person having a right of property or custody of an animal or who keeps or harbors an animal or knowingly permits an animal to remain on or about any premises occupied by the person, or over which that person has substantial control.

Pens and Enclosures: For purposes of Article XI hereof, pens(s) and enclosure(s) shall mean any area, regardless of size, confining or intended to confine or shelter animals. Pens and enclosures shall include, but are not limited to, fenced pastures and fields, corrals, paddocks, yards, cages, pens, coops, hutches, stables, stalls, chicken houses, barns, sheds and similar facilities or areas where animals are kept.

Person: Any individual, corporation, partnership, association, organization or institution commonly recognized by law as a unit.

Pet shop: Any person engaged in the business of buying or selling two (2) or more species of live animals with the intent that they be kept as pets. Must be in a commercial zone.

Private kennel: Any person or business, excluding kennels, pet shops and veterinary clinics and hospitals, who keeps, harbors or knowingly permits to remain on or about his premises, more than four (4) dogs or four (4) cats, over three (3) months of age.

Restraint: An animal is under restraint if it is controlled by a leash or within a vehicle being driven or parked on a street, or confined on the property of its owner or keeper.

Veterinary clinic or hospital: A clinic or hospital operated by a licensed (State of Arkansas) veterinarian.

Vicious animal: Any animal that attacks or bites humans or other domestic animals, or otherwise jeopardizes the well-being of humans or other domestic animals.

Wild animal: "Wild animal" means any living member of the kingdom Animalia, including those born or raised in captivity, except the following:

1. Human beings;
2. Domestic dogs, including hybrids with wolves;
3. Domestic cats, excluding hybrids with ocelots or margays;
4. Domestic horses;
5. Asses/donkeys;
6. Cattle;
7. Sheep;
8. Goats;
9. Swine;
10. Poultry;
11. Domesticated rats or mice, sugar gliders, hamsters, gerbids, guinea pigs;
12. Ferrets, hedge hogs;
13. Rabbits;
14. Non-poisonous snakes, non-poisonous lizards, non-poisonous frogs, caimans, tarantula;
15. All parrots, parakeets, ducks, finches, doves, and doves and pigeons;
16. Fish, hermit crabs, turtles