

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5952

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. TANNER

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: MR. TOLEDANO

SECONDED BY: MR. BELLISARIO

ON THE 1 DAY OF MARCH , 2018

AN ORDINANCE TO AMEND THE PARISH CODE OF ORDINANCES CHAPTER 10 ANIMALS FOWLS AND REPTILES, ARTICLE IV ANIMAL CONTROL AND WELFARE, SECTION 10-650 SIMPLE CRUELTY TO ANIMALS; MINIMUM CARE STANDARDS, RELATIVE TO EXTREME WEATHER CONDITIONS.

WHEREAS, in order to provide for the safety and welfare of pets and domesticated animals it is necessary to amend the St. Tammany Parish Code of Ordinances relative to extreme weather conditions.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that Chapter 10 Animals Fowls and Reptiles, Article IV Animal Control and Welfare, Section 10-650 Simple Cruelty To Animals; Minimum Care Standards be amended as follows:

Sec. 10-650. - Simple cruelty to animals; minimum care standards.

Any person who intentionally or with criminal negligence commits any of the following acts or omissions shall be guilty of simple cruelty to animals:

(1) Overdrives, overloads, drives when overloaded, or overworks a living animal.

(2) Torments, cruelly beats or unjustifiably injures any living animal, whether belonging to himself or another.

(3) Having charge, custody, or possession of any animal, either as owner or otherwise, unjustifiably fails to provide it with proper food, proper drink, proper shelter, or proper veterinary care as set forth herein below:

a. Fresh water for drinking shall be available to all species at all times. Each animal shall be provided with daily supply of clean, fresh, potable water in a sanitary manner and in a sufficient quantity to prevent unnecessary or unjustifiable suffering by the animal. Containers shall remain clean, free of fecal matter, urine and other debris and shall always remain easily accessible to the animal.

b. All animals shall be provided with daily food of sufficient quality and quantity to prevent unnecessary or unjustifiable suffering by the animal. All animals shall be fed in clean containers, free from contamination, which shall be easily accessible to the animal.

c. All animals shall be provided with 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 from the sun, rain, cold and the wind. Housing for animals 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 to turn around comfortably. Proper housing shall always remain easily accessible to the animal at all times.

d. When outdoor temperatures reach freezing levels, all dogs and cats, except feral and community cats, must be moved indoors or to an area that provides shelter from the weather. All dogs and cats, except feral and community cats, must be moved indoors for their safety for the duration of an extreme weather advisory issued for a specific time period by the NOAA's National Weather Service including but not limited to: heat, tornado, flood, tropical storm, or hurricane. Animals must remain indoors and provided care for the duration of the advisory unless being walked on a leash by their owners, guardian or custodian.

~~d.~~ e. Every animal shall be provided with veterinary care sufficient to prevent unnecessary or unjustifiable physical pain or suffering by the animal. An animal exhibiting symptoms such as persistent vomiting or diarrhea should be afforded veterinary care. An animal shall be afforded veterinary care if known or suspected to have suffered an injury, accidental or deliberate, and exhibits such signs as shock, swelling, broken bones, open wounds, blistering, partial or total paralysis, bleeding or other such signs, or animals who are debilitated and weakened or those exhibiting symptoms of bloat or other life-threatening illnesses. An animal who has exhibited signs of severe parasitic infestation or disease such as infection, discharge, weight loss, abnormal skin condition or hair loss, tremors, inability to bear weight on a limb or lameness or any other such sign over a period of 24 hours or more must be afforded veterinary care within 24 hours. This does not apply to conditions that are chronic or permanent and that have previously been diagnosed and treated or are under veterinary care.

(4) Abandons any animal. A person shall not be considered to have abandoned an animal if he delivers the animal to an animal control center. Owners of unwanted animals may bring and release such animals to the parish animal services center at no cost to the owner to be made available for adoption or other disposition at the discretion of the parish department of animal services.

(5) Impounds, confines or causes to be impounded or confined in a pound or other place, a living animal and fails to supply it during such confinement with proper food, proper drink, proper shelter or proper veterinary care.

(6) Carries, or causes to be carried, a living animal in or upon a vehicle or otherwise, in a cruel or inhumane manner. No animal shall be left unattended in a vehicle under conditions which cause unnecessary and unjustifiable suffering by the animal.

(7) Unjustifiably administers any poisonous or noxious drug or substance to any domestic animal or unjustifiably exposes an animal to any such drug or substance, whether mixed with food or not, with intent that the same shall be taken or swallowed by any domestic animal.

(8) Unjustifiably injures any animal belonging to another person.

(9) Mistreats any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering, or death is caused to or permitted upon the animal.

(10) Causes or procures to be done by any person any act enumerated in this section.

(11) An animal found running at large and brought to the animal services center will be processed in accordance with section 10-647.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 5 DAY OF APRIL , 2018 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

S. MICHELE BLANCHARD, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: FEBRUARY 21 , 2018

Published Adoption: _____, 2018

Delivered to Parish President: _____, 2018 at _____

Returned to Council Clerk: _____, 2018 at _____