

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4646

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 1 DAY OF SEPTEMBER, 2011

ORDINANCE TO AMEND THE ST. TAMMANY PARISH CODE OF ORDINANCES, CHAPTER 4, ANIMALS, FOWL AND REPTILES, SECTION 4-121.00 DEFINITIONS, TO PRIVATE KENNELS IN RELATION TO THE REQUIREMENTS FOR ANIMAL ESTABLISHMENT PERMITS.

WHEREAS, a "Private kennel" is defined as "Any person who maintains, within or adjoining his residence, a kennel housing more than four (4) dogs or cats over four (4) months of age, which animals are for that person's recreational use or for exhibition in conformation shows, or field or obedience trials, and where the sale of offspring is not the primary purpose or function of the kennel. Private kennels must be in compliance with all applicable zoning, land use and permit regulations"; and

WHEREAS, the definition of "Private kennel" would include any individual that maintains more than four (4) hunting dogs for that person's recreational use or more than four (4) dogs for exhibition in conformation shows, or field or obedience trials, and where the sale of offspring is not the primary purpose or function of the kennel; and

WHEREAS, the current definition of an "Animal Establishment" includes any commercial or private kennel and, in accordance with SEC. 4-134.00 Animal Establishment Permits, an individual who maintains a "Private kennel" as currently defined by ordinance is required to pay the annual Animal Establishment permit fee of one-hundred (\$ 100.00) dollars; and

WHEREAS, considering the experience of the St. Tammany Parish Department of Animal Services that dogs maintained for hunting or show comply with the duty to care for said animals in a humane fashion and provide it with proper water, proper food, proper shelter, proper veterinary care and safe surroundings. Further, should the owner fail to comply with said duty, the owner remains subject to all other applicable regulations regarding the humane treatment of said animal. Therefore, the owners of more than four (4) hunting dogs or show dogs that are not engaged in the commercial breeding of dogs for sale individually or in litter lots, or in the boarding, training, sale or hire of dogs for compensation, should be exempt from the required Animal Establishment Permits.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinances, Chapter 4 Animals, Fowl and Reptiles, Section 4-121.00 Definitions, is hereby amended and reenacted to provide as follows:

CHAPTER 4 ANIMALS, FOWL AND REPTILES Chapter 4 Animals, Fowl and Reptiles

SECTION 4-121.00 DEFINITIONS

Private kennel: Any person who maintains, within or adjoining his residence, a kennel housing more than four (4) dogs or cats over four (4) months of age, which animals are for that person's recreational use or for exhibition in conformation shows, or field or obedience trials, and where the sale of offspring is not the primary purpose or function of the kennel. Private kennels must be in compliance with all applicable zoning, land use and permit regulations. The following shall not be considered to be a private kennel for purposes of requiring Animal Establishment Permits: An owner of more than four (4) hunting dogs over four (4) months of age for that person's hunting or recreational use or for exhibition in conformation shows, or field or obedience trials, or the owner of more than four (4) cats over four (4) months of age for exhibition in shows, provided that the primary purpose or function is not the sale of offspring nor is the owner engaged in the commercial breeding of such dogs or cats for sale individually or in litter lots, or in the boarding, training, sale or hire of dogs for compensation.

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 6 DAY OF OCTOBER, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: _____, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____