

AN ORDINANCE

AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF HAMPTON TO PROVIDE THAT ALL DOGS BE INOCULATED AND TAGGED, TO REQUIRE OWNER TO KEEP DOG UNDER PROPER RESTRAINT; TO PROVIDE FOR THE KILLING OF RABID AND VICIOUS DOGS; TO PROVIDE FOR ENFORCEMENT OF THIS ARTICLE; TO PROVIDE FOR THE IMPOUNDMENT AND DISPOSAL OF DOGS KEPT IN VIOLATION OF THIS ORDINANCE; TO PROVIDE FOR THE DISPOSAL OF DEAD DOGS; TO PROVIDE FOR PENALTIES AND FEES; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HAMPTON, AND IT IS HEREBY ORDAINED BY AUTHORITY OF THE SAME AS FOLLOWS:

DOG CONTROL ORDINANCE

SECTION I DEFINITIONS. The following definitions shall apply in the interpretation and enforcement of this Ordinance and the following words shall have the following meanings, to wit:

DOG. The word "dog" shall mean dog, animal, or all canines of either sex, whether vaccinated against rabies or not vaccinated.

RABIES CERTIFICATE. The words "Rabies certificate" shall mean a certificate signed by a licensed veterinarian bearing a license number, ownership, name, address, breed, color and sex of dog, which shall be issued for each dog vaccinated. The date of last vaccination of such dog shall be clearly stated on such certificate.

VACCINATION AND LICENSE TAG. The words "vaccination and license tag" shall mean a metal tag issued by authority of the City of Hampton and also a license or serial number to show that such dog has been vaccinated as required by this article.

VACCINATE OR INNOCULATE. The words "vaccinate or inoculate" shall mean the injection of not less than 5cc of antirabies

vaccine into the body of a dog using a vaccine which has a U.S. government license number approval stamped on label of vaccine container and which has been approved by the health department. Vaccine used for vaccination of dogs against rabies shall have been refrigerated and kept under proper conditions, showing no signs of spoilage or otherwise being unfit for producing immunity against rabies.

VETERINARIAN. The word "veterinarian" shall mean any person who holds license to practice the profession of veterinary medicine in the state, the number of the license shall be the same as that recorded by the state board of veterinary examiners.

PUBLIC NUISANCE ANIMALS: Any animal which

- (a) is repeatedly found at large;
- (b) damages the property of anyone other than its owner;
- (c) is vicious;
- (d) causes unsanitary conditions of enclosures or surroundings;
- (e) by virtue or number of types of animals maintained are offensive or dangerous to the public health, safety or welfare;
- (f) attacks without provocation other domesticated animals, wild birds, or their eggs;
- (g) molests passersby or passing vehicles;
- (h) has been designated by the Chief of Police to be public nuisance animal by virtue of being a menace to the public health, welfare, or safety.

VICIOUS ANIMAL. Any animal which constitutes a physical threat to human beings or other animals by virtue of one or more attacks of such severity as to cause property damage or physical injury. An animal also is considered to be vicious and considered not under restraint if it makes an unprovoked attack on other animals

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been refrigerated and kept under proper conditions, showing no
signs of spoilage or otherwise being unfit for producing im-

unity against rabies.

Veterinary. The word "veterinary" shall mean any person
who holds a license to practice the profession of veterinary medi-
cine in the state, the number of the license and the name
as that recorded by the state board of veterinary examiners.

WILD ANIMAL. Any animal which

- (a) is reported to be a feral;
- (b) carries the property of any animal other than a dog;
- (c) is wild;
- (d) carries any contagious condition of infectious or sur-
vival nature;
- (e) by virtue of number of types of animals maintained
and offensive or dangerous to the public health,
safety or welfare;
- (f) attacks without provocation other domesticated animals,
wild birds, or their eggs;
- (g) molest passengers on public vehicles;
- (h) has been declared by the State Police to be a public
nuisance animal by virtue of being a menace to the
public health, welfare, or safety.

WOUND ANIMAL. Any animal which constitutes a physical threat
to human beings or other animals by virtue of one or more of the
of a character which causes property damage or physical injury.

An animal also is considered to be vicious and considered not
under restraint if it has an unprovoked attack on other animals

who are under restraint or on human beings or on physical property.

SECTION II-INOCULATION. All dogs within the city shall be inoculated between March first, and April first of each year with standard and recognized antirabic virus, administered to prevent rabies or hydrophobia.

SECTION III. PROCEDURE FOR INOCULATION. The inoculation of dogs will be done by a licensed and practicing veterinarian or physician.

SECTION IV. TAGGING OF DOGS. After such inoculation by a veterinarian or physician, the dog shall be tagged with a metal tag of the kind hereinafter prescribed, which will be provided by the city upon presentation of of a certificate of inoculation to the city clerk and upon payment of one dollar (\$1.00) for the tag.

SECTION V. FORM, TYPE OF TAG. Dog tags shall have indented and impressed thereon their respective numbers and the year in which issued, and in addition thereto the words "City of Hampton," and shall be so contrived as to permit their being hung securely around the dogs neck.

SECTION VI. RECORD OF TAGS. A complete record of dog tags issued shall be kept by the city, which record shall show when, for what particular dog, and to whom the same was issued, and if the owner and keeper of the dog are different persons, then both names shall be entered.

SECTION VII, MISUSE OF TAG. It shall be unlawful for any person to remove any tag from a dog tagged under this article, or to place a tag upon any dog which the same is not issued, or to procure a tag from the city by misrepresentation, or to disfigure

a tag, or to alter the figures or words upon a tag.

SECTION VIII. RESTRAINT OF DOGS. The owner or keeper of each dog within the city shall be responsible for keeping it from becoming a nuisance or from endangering or injuring any other person.

SECTION IX. KILLING RABID OR VICIOUS DOGS. The city authorities are authorized to kill, without notice to the owner, any rabid or vicious dog found running at large within the city.

SECTION X. IMPOUNDMENT AUTHORIZED. All dogs not properly inoculated and tagged as hereinbefore provided, and all dogs not being kept and maintained in accordanced with Section VIII above, shall be subject to impoudment by the city. Owners of dogs not properly innoculated shall have fourteen (14) days after release from impoundment to obtain the vaccination and tag and rabies certified a required by this ordinance, after which a summons shall be issued by Chief of Police requiring the owner of such dog to appear before the Judge Recorder's Court of the City of Hampton and stand trial for violation of this ordinance.

SECTION XI. NOTICE OF IMPOUNDING. Notice of the impounding of a dog shall be given to the owner of such dog, if known.

SECTION XII. CONTENTS OF NOTICE OF IMPOUNDING. The notice of impounding shall contain a general description of the dog impounded, with the kind, color and sex thereof. If owner is unknown, same description shall be posted on the bulletin board in front of the City Hall for five (5) days.


SECTION XIII. DISPOSAL OF DOG IF NOT CLAIMED. Any impounded dog may be disposed of on the fifth day after giving of notice to the owner or after ten (10) days in a case where the owner is not known, unless before such time the owner shall have claimed the animal and paid a fee to the City of Five (\$5.00) for impoundment, plus one dollar (\$1.00) per day for feeding the animal.

SECTION XIV. City employees shall have the right to go on any private property as is reasonably necessary to enforce the provisions of this ordinance.


SECTION XV. If any dead dog is found upon public right of way, the City shall remove and dispose of the same and shall charge the owner thereof a fee of Three (\$3.00) dollars.

SECTION XVI. PENALTIES. The keeping of any dog in violation of the foregoing provisions of this Ordinance shall be an offence against the City. Any person violating this Ordinance may be punished by a fine not to exceed Fifty (\$50.00) Dollars or by imprisonment not to exceed Ten (10) Days, or by both such fine and imprisonment.

SECTION XVII. All Ordinances or parts of ordinances in conflict herewith are hereby repealed.


Glenn Mitchell, Mayor

ATTEST


Cary H. Hall, City Clerk