ORDINANCE NO. A-545

AN ORDINANCE AMENDING SECTIONS 6 AND 7
OF ORDINANCE NO. A-442 ADOPTED BY THE
CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS
ON OCTOBER 25, 1966; DECLARING AN EMERGENCY,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

SECTION 1. That Section 6 of Ordinance No. A-442, adopted by
the City Council of the City of Conway, Arkansas on October 25, 1966
is hereby mended to read as follows, to-wit:

SECTION 6. IMPOUNDING OF DOGS, DESTROYING OF DOGS. The
Animal Control workers of the City of Conway shall take into
custody any dog found at large within the City of Conway, and
shall impound the dog in the City Animal Shelter or such other
place as such Animal Control workers may designate for purpose
of impounding. Such impounded dog shall be held for a period
of five (5) days, including as the first day of such period, the
day on which the dog is taken into custody, at the end of which
time the dog shall be destroyed unless custody of the dog is
released prior thereto under the following conditions. During
the first three (3) days of such impoundment the Animal Control
workers of the City of Conway shall make diligent effort to
determine the owner of such dog and notify him of such impoundment.
If the owner of such dog fails, neglects or refuses to claim and
repossess such dog by the payment of the proper fee as prescribed
herein on or before 12:00 o'clock noon of the 5th day of such
impoundment then the Animal Control workers of the City may
deliver custody and possession thereof to any person other than
the owner, or any person for or on behalf of the owner, upon payment
of the sum of $5.00, if such dog is currently licensed as
required by law and has been vaccinated against rabies within 11
months immediately preceding delivery of possession of the dog.
Provided, if any person shall obtain possession and custody of
any dog for or on behalf of the owner thereof for the purpose of
avoiding payment of the fees and charges imposed upon the owner.
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by the provisions of this ordinance. Loth the owner of such
dog and the person or persons so obtaining possession and
custody of the dog for the owner shall be deemed to have violated
the terms of this ordinance and both such persons and such owner
shall be punished as is hereinafter provided.

SECTION 2. That Section 7 of Ordinance No. A-442, adopted by
the City Council of the City of Conway, Arkansas on October 25, 1966
is hereby amended to read as follows, to-wit:

SECTION 7. RECLAIMING DOGS: FEE FOR RECLAIMING. Any
person owning, possessing or keeping a dog which has been allowed
to run at large and which has been impounded may claim and re-
trieve such dog from the City Animal Shelter by payment of a
fee of $5.00 for the day on which the dog is taken into custody
plus an impoundment fee of $2.50 for each subsequent day or part
of a day that the dog remains in custody if the dog has been
vaccinated against rabies within 11 months immediately preceding
such impounding and is currently licensed as required by law,
but if the dog has not been vaccinated against rabies within the
immediately preceding 12 months and/or is not currently licensed
the dog may be retrieved by its owner when it has been so
vaccinated and/or is currently licensed, as applicable, and upon
payment of the aforesaid fees. The burden of proof as to
vaccination and licensing shall be upon the party attempting to
claim the dog from the Animal Control worker under this Ordinance.
Any person claiming unvaccinated and unlicensed dogs shall, after
the payment of the fee assessed herein, and prior to the release
of the dog, cause said dog to be vaccinated and licensed in
accordance with ordinances of said City then in force, and the
cost or expense of such vaccination and license fee shall be
paid by the party reclaiming such dog and shall be in addition
to the fees hereinafore set out. The Animal Control worker shall
keep complete and accurate records of all dogs impounded and
should a dog be impounded a second time and being then still owned,
possessed or kept by the same person, then in such event the
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Animal Control worker, prior to releasing said dog shall require a fee of $25.00 to be paid by such owner, possessor or keeper of said dog in lieu of the fees hereinabove set out. Upon each subsequent impoundment of said dog the Animal Control worker shall not release said dog until the owner, possessor or keeper thereof shall have paid a fee of $25.00. And should a dog be impounded a second or subsequent time when said dog is not currently licensed as required by the ordinances of the City and has not been vaccinated within one year next preceding such impoundment, then in such event the Animal Control worker shall not release said dog until a fee of $100.00 has been paid.

SECTION 3. This ordinance being necessary for the public safety and welfare, an emergency is hereby declared to exist and this ordinance shall be in force and shall take effect from and after its passage and publication.

PASSED THE 25th day of April, 1972.

APPROVED: [Signature]
Mayor

ATTEST: [Signature]
City Clerk
EXHIBIT A

TO THE LEASE AGREEMENT BY AND BETWEEN THE CITY OF CONWAY, ARKANSAS, AND VALLEY INDUSTRIES, INC.

The following described real estate situated in Faulkner County, Arkansas, to-wit: