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City of Conway, Arkansas
Ordinance No. O-09-82

AN ORDINANCE AMENDING TITLE 6 OF THE CONWAY MUNICIPAL CODE; REPEALING ANY ORDINANCES IN CONFLICT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and City Council desire to amend Title 6 of the Conway Municipal Code;

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

SECTION 1. Title 6 shall be amended to read as follows:

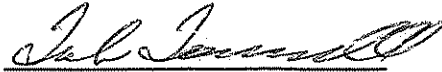
- (a) **6.04.05.A:** Any person owning, possessing or keeping an animal which has been impounded may claim and retrieve such animal from the Animal Welfare Unit by payment of a fee of Ten Dollars (\$10.00) per day that the animal remains in custody; owner of such impounded animal shall be responsible for all costs incurred. If a dog or cat has not been vaccinated against rabies within the immediately preceding twelve months and/or is not currently licensed, as applicable, said animal shall be reclaimed only after payment of the appropriate fees. The burden of proof as to vaccination and licensing shall be upon the party attempting to claim the dog or cat from the Animal Welfare Officer under this ordinance.
- (b) **6.04.16.I.** A person commits the offense of Animal Mistreatment if he or she owns, keeps, or harbors any animal in violation of the provisions of this section.
- (c) **6.04.16.J.** Animal Welfare Officers have the authority to remove any animal subject to Animal Mistreatment and impound such animal. The animal shall be impounded and not released unless:
 - 1. The owner of the animal, who wasn't charged, claims the animal from the animal shelter; when the animal impounded was in custody and care of someone other than the owner (s)or
 - 2. The owner of the animal, who was charged is found not guilty, claims the animal from the Animal Welfare Unit.
- (d) **6.04.16.K.** If any owner of such impounded animal pleads guilty, *nolo contendere*, or is found guilty of Animal Mistreatment, the animal shall become the property of the Conway Animal Welfare Unit and be available to the public for adoption, unless such abuse and neglect has rendered the animal unfit for adoption at the discretion of the Animal Welfare Supervisor. Owner of such impounded animal shall be responsible for all costs incurred.
- (e) **6.04.16.L.** Any person violating or permitting the violation of any provisions of this section shall upon conviction in District Court be fined in a sum of not less than One Hundred Fifty Dollars (\$150.00) nor more than Three Hundred Dollars (\$300.00).

SECTION 2. That all ordinances in conflict herewith are repealed to the extent of the conflict.

SECTION 3. That this ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED this 14th day of June, 2009.

APPROVED:



Mayor Tab Townsell

ATTEST:



Michael O. Garrett
City Clerk/Treasurer