

ORDINANCE NO. 2023- 11

AN ORDINANCE AMENDING TITLE 6, SECTION 6.04 OF THE HEBER SPRINGS MUNICIPAL CODE, AND FOR OTHER PURPOSES.

WHEREAS, the City of Heber Springs has reviewed its current regulations pertaining to animal control and has found that certain revisions to the Heber Springs Municipal Code, Title six, section 6.04 are necessary to protect the health, safety, and welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Heber Springs, Arkansas, as follows:

SECTION 1: The Heber Springs Municipal Code, Title six, section 6.04.19 is hereby amended, as it pertains to animals at large in the city limits of Heber Springs, Cleburne County, Arkansas, and shall read as follows:

A. Definitions:

1) Control: An animal SHALL be considered under control if:

(a) It is on the premises of its owner, and is under the direct supervision of a responsible person having an interest in the animal, and the animal remains on the premises without becoming a threat to other persons or animals proximal to the property; or

(b) It is confined to the premises of its owner by a physical structure, such as within a house, garage, fence, other building, or enclosure, or

(c) It is secured by a leash/lead of sufficient strength to prevent it from escaping, or

(d) When away from the premises of the owner, it is confined in an automobile with proper ventilation.

2) At Large: An animal is at large when the animal is:

(a) Off the premises of the owner without restraint by leash or other like device attached to the animal's collar, held by a person competent to control said animal, or

(b) On the premises of the owner/keeper, without restraint by leash or other like device attached to the animal's collar and not under the control of a responsible person.

B. Nuisance: Any person owning, possessing, supervising, or keeping a dog/s shall control said animal/s in such a manner as to keep the animal/s from constituting either a private nuisance to the adjoining property owners or to the public in general.

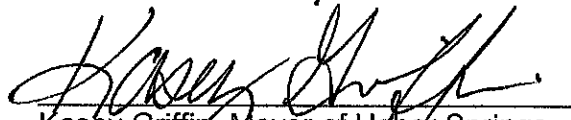
C. No person shall permit any dog which they own, possess, are supervising or keeping, to be at large within the city as set forth in this Ordinance.

D. Penalty: Failure to comply with the provisions of this section shall constitute a violation and will subject the person or persons to fines as follows: First offense: \$110.00, Second offense: \$160.00, Third and subsequent offenses: \$210.00.


SECTION II. SEVERABILITY: That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION III. CONFLICTS: That all ordinances in conflict herewith are repealed to the extent of such conflict.

PASSED AND APPROVED this 20th day of April, 2023.


Kasey Griffin, Mayor of Heber Springs

ATTEST:


Vickie McPherson, City Clerk