

STATE OF GEORGIA
COUNTY OF CLAYTON

ORDINANCE NO. 2008 – 158

AN ORDINANCE TO MODIFY THE CODE OF CLAYTON COUNTY, GEORGIA, AS AMENDED, SPECIFICALLY, CODE OF CLAYTON COUNTY, GEORGIA, PART II, CHAPTER 14, ANIMALS, ARTICLE V, RESTRAINT, BY DELETING THE EXISTING CODE SECTION 14-114 "CONFINEMENT OF ANIMALS GENERALLY, VICIOUS ANIMALS, ETC." AND SUBSTITUTING IN LIEU THEREOF A NEW CODE SECTION 14-114 "CONFINEMENT OF ANIMALS GENERALLY, VICIOUS ANIMALS, ETC."; TO REPEAL CONFLICTING LAWS, ORDINANCES, AND RESOLUTIONS; TO PROVIDE SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY AND IT IS HEREBY ORDAINED:

Section 1. The CODE OF CLAYTON COUNTY, GEORGIA, as amended, is hereby further amended by modifying, CODE OF CLAYTON COUNTY, GEORGIA, Part II, Chapter 14, Animals, Article VI, Restraint, by deleting the existing Code Section 14-114 "Confinement of animals generally, vicious animals, etc." and subsections thereunder and substituting in lieu thereof a new Code Section 14-114 "Confinement of animals generally, vicious animals, etc." and subsections which shall read as follows:

"Sec. 14-114. Confinement of animals generally, vicious animals, etc.

(a) Confinement of dogs generally. An owner of a dog shall confine such dog (i) within an adequate fence or enclosure of sufficient height and construction to prevent the dog from escaping by jumping, digging or any other means, provided such fence or enclosure shall be at least twice as high as the dog measured from the ground to the top of the dog's head when standing on all paws but not more than six feet in height, (ii) within a house, garage or other building, or (iii) by a chain, cable or leash affixed to the dog's collar and attached to some substantial stationary object adequate to prevent the dog from running at large.

(b) Control of dogs when off owner's premises. When a dog is off the premises of the owner, the dog must be controlled by means of a leash. The leash shall not be more than six feet in length and the dog shall be under the immediate control of a competent person of

sufficient size and strength to maintain control of the dog.

(c) Preventing dogs or cats from becoming a danger or from trespassing. An owner of a dog or cat, whether vaccinated or not vaccinated, shall prevent such dog or cat from becoming a danger to persons or property at any location, or trespassing upon another person's property.

(d) Preventing dog from running at large. An owner of a dog, whether vaccinated or not vaccinated, shall prevent such dog from running at large upon the streets, sidewalks, alleys, parks or public places in the county or on the property of another.

(e) Impoundment/confinement of animals which attack without provocation. An animal, whether vaccinated or not vaccinated, not under control as provided in this chapter which attacks or attempts to attack, without provocation, a human being or domestic animal is hereby declared a public nuisance and may be impounded pursuant to the provisions of this chapter and/or ordered confined by the animal control unit for a period of up to 30 days; provided that if an action is brought in any court of competent jurisdiction concerning the attack or attempt to attack by such animal, the period of confinement may be extended until the entry of a final order of disposition in such action.

(f) Confinement of vicious animals. An owner of a vicious animal, whether vaccinated or not vaccinated, shall confine it within a building or secure enclosure and not release it therefrom unless it is securely muzzled and under restraint approved by the animal control unit. Any vicious animal not under control as provided in this chapter is hereby declared a nuisance and may be impounded pursuant to the provisions of this chapter and/or confined by the animal control unit for a period of up to 30 days; provided that if an action is brought in any court of competent jurisdiction concerning the attack or attempt to attack by such animal, the period of confinement may be extended until the entry of a final order of disposition in such action.

(g) Confinement of female dogs or cats in heat. Every female dog or cat in heat shall be kept confined in a building or secure enclosure or in a veterinary clinic or hospital or in a kennel in such a manner that such female dog or cat cannot come into contact with another dog or cat, except for intentional breeding purposes.

(h) Entrance into food establishment prohibited; exception. It shall be unlawful for any owner to allow such owner's dog or cat to enter any food store, restaurant or place where food is exhibited for sale except those animals trained for the blind, hearing impaired, handicapped and law enforcement.

(i) Fowl, livestock, etc., prohibited from running at large. It shall be unlawful for any owner of any chicken, duck, horse, cow, goat, pig or any other type of animal, livestock or other fowl within the county to permit such animal to run at large or be a menace or nuisance to such person's neighbors or the public in general."

Section 2. All laws, ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed.

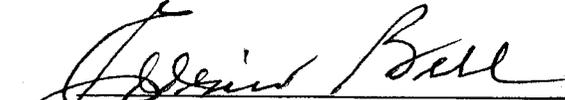
Section 3. If any part of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remainder of this enactment, and such remainder shall remain in full

force and effect.

Section 4. This Ordinance shall become effective upon its approval by the Board of Commissioners.

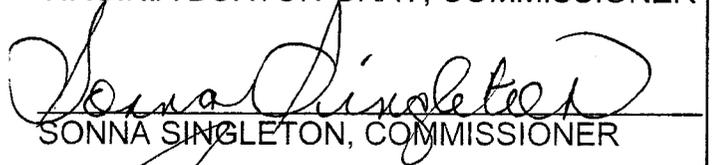
SO ORDAINED, this the 16th day of September, 2008.

CLAYTON COUNTY BOARD OF COMMISSIONERS


ELDRIN BELL, CHAIRMAN


WOLE RALPH, VICE CHAIRMAN

(Absent)
VIRGINIA BURTON GRAY, COMMISSIONER


SONNA SINGLETON, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK