

- **Chapter 14 - ANIMALS AND FOWL¹¹**
- **ARTICLE I. - IN GENERAL**
- **Sec. 14-1. - Definitions for articles II and III.**

The following words, terms and phrases, when used in articles II and III, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any live or dead vertebrate creature, domestic or wild, not to include fish, birds or rodents bred and raised in captivity, or Homo sapiens.

Animal control center/agency means the parish animal control center, its superintendent, and its agents established by the parish as the animal shelter for the municipalities and parish, and is the entity which performs animal control functions.

Animal control superintendent means the animal control center superintendent, whose powers, duties and responsibilities shall be delegated to him by the parish president and who shall be responsible to the parish president in the discharge of such duties and responsibilities.

Animal control officers means the animal control center staff, whose powers, duties and responsibilities shall be delegated to them by the animal control superintendent and who shall be responsible to the animal control superintendent in the discharge of such duties and responsibilities.

Animal shelter means a facility operated by West Baton Rouge Parish Council and funded through a cooperative endeavor agreement entered into by and between the West Baton Rouge Parish Council, the Town of Addis, Town of Brusly and the City of Port Allen for the purpose of impounding, harboring, selling, placing or destroying seized, stray, distressed, homeless, abandoned or unwanted animals in compliance with this chapter.

At large or stray means any dog or cat that is not within the confines of its owner's home, dog yard, dog pen or fenced yard or other secured enclosure, nor on a leash no longer than six feet in the case of a dog, nor in the physical possession of its owner in the case of a cat. Hunting or stock dogs, show dogs and cats, or other animals while being worked or shown under the supervision of their owners or agents or employees of the owners are excepted from the provisions of this definition.

A reference to "dogs and/or cats" in this chapter shall include all animal not considered livestock or exotic animals.

Cat means any member of the Felidae (felid or feline) family unless defined by ordinance as an exotic animal.

Dangerous dog is defined by section 14-32 of article II of this chapter.

Dog means any member of the Canidae (canine) family.

Dog pen means any enclosure used for retaining a dog having an area of not less than 100 square feet per animal.

Impounded means taken into the custody of the parish animal control center where the dangerous or vicious dog is found or taken into custody or taken into custody for any other reason provided under this article.

Inoculate means the administration of an anti-rabies vaccine in accordance with the latest compendium of animal rabies vaccines and recommendations for immunizations published by the National Association of State Public Health Veterinarians.

Livestock means any quadruped livestock; i.e. horse, equine, pony, cow, bull, ox, mule, donkey, bovine, sheep, hog, pig, goat, llama, or alpaca. Livestock also means any barnyard fowl, i.e. chicken, guinea fowl, avian species, geese, bird, ducks, emu, turkey, or peacock.

Nuisance by any animal or any livestock means damaging, soiling, defiling or defacing property other than its owner's by any animal or livestock; excessive barking or noise making by any animal or livestock; molesting, threatening, attacking, biting a human being or interfering with persons on private or public property by any animal or livestock; chasing movables by any animal or livestock; animal or livestock depositing or leaving manure on property not owned or leased by the owner of the animal or livestock; animal or livestock attacking other domestic animals; and disturbing or turning over garbage containers by any animal or livestock; and any animal or livestock being kept, possessed and maintained in [a] manner that is grossly inadequate to sustain the health of the animal or livestock; or the animal or livestock is kept, possessed and maintained in such a manner that the odors emitted by the animal or livestock prevents the peaceable enjoyment of the adjoining land by its owner or tenant; or keeping, possessing or maintaining livestock in violation of the West Baton Rouge Parish Zoning ordinance; or keeping, possessing or maintaining a dog declared dangerous or vicious in violation of section 14-32.

Owner means any person having a right of property or custody of an animal or who keeps or harbors or finds and knowingly permits the animal to remain on or about his premises.

Parish means the Parish of West Baton Rouge.

Person means any individual, corporation, partnership, organization or institution commonly recognized by law as a unit.

President means the West Baton Rouge Parish President.

Secure enclosure means a fence or structure suitable to prevent the entry of young children, and which is suitable to confine a dangerous dog in conjunction with other measures which may be taken by the owner of the dog. The enclosure shall be designed in order to prevent the animal from escaping.

Serious bodily injury means bodily injury which involves unconsciousness, extreme physical pain or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

State means [the] state of Louisiana, the United States, the District of Columbia, Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, or any other territory or possession of the United States.

Tag means a metal disc when applied to a dog and a metal or an identifying collar when applied to a cat or microchip for identification purposes implanted under the skin of a dog, cat or other animal.

Veterinarian means any licensed veterinary practitioner.

Vicious dog is defined by section 14-32 of article II of this chapter.

(Ord. No. 5-2010, 4-8-2010)

- **Secs. 14-2—14-25. - Reserved.**
- **ARTICLE II. - DOGS AND CATS**
- **DIVISION 1. - GENERALLY**
- **Sec. 14-26. - Reserved.**

Editor's note— Ord. No. 5-2010, adopted Apr. 8, 2010, repealed § 14-26 in its entirety. Former § 14-26 pertained to definitions. See Code Comparative Table for derivation.

- **Sec. 14-27. - Requirements for possession.**

No person shall own, keep or harbor a dog or cat within the parish without having:

(1) The dog or cat inoculated for rabies annually or tri-annually by a licensed veterinarian;

(2) The dog or cat's information and description registered with a licensed veterinarian upon inoculation.

(3) Tagged, microchip implanted or licensed the dog or cat as hereinafter specified.

(Code 1973, § 5-2; Mo. of 10-10-1985; Ord. No. 17-2009, 3-26-2009; Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-28. – Rabies Certification (Tag).**

Duty of owner. It shall be the duty of the owner to obtain and to retain at all times proof of rabies inoculation and a tag issued by the animal control center from a licensed veterinarian. The proof of rabies inoculation shall give the name and address of the owner; a description of the dog or cat by sex, color, estimated approximate age and weight; and the breed of the dog or cat if known; and the animal control center shall record all such information, if available, upon impoundment. The rabies tag shall be securely fastened at all times to a collar or harness and worn at all times by the dog or cat for which the tag was issued. Hunting or stock dogs, show dogs and cats while being worked, conditioned and/or shown under the supervision of their owner or agents or employees of the owner are excepted from wearing the above-stated tag.

- A. *Annual tag fees.* The annual fee for a rabies tag, dangerous dog tag plus microchip, and implanted microchip shall be set by the parish president, the animal control superintendent, and a resolution ratified by the parish council.
- B. *Renewal period.* The renewal period for rabies inoculation shall be annually or tri-annually on the original month it was given. The renewal period for a rabies tag issued by the animal control center shall be yearly.
- C. *Time period for rabies inoculation/tag.* Residents acquiring dogs or cats that do not have current proof of inoculation (rabies tag), must obtain proof of inoculation and a rabies tag issued by the

animal control center from a licensed veterinarian within 30 days after acquiring the animal. New residents must obtain proof of rabies inoculation and a rabies tag issued by the animal control center from a licensed veterinarian within 30 days of establishing residence in the parish. Failure to obtain proof of rabies inoculation and a rabies tag issued by the animal control center from a licensed veterinarian as herein provided, is deemed to be no or out of date rabies certification.

- D. *Newborn dogs or cats.* Owners of newborn dogs or cats must obtain proof of inoculation and a rabies tag issued by the animal control center from a licensed veterinarian within four months from the date of birth. Failure to obtain proof of rabies inoculation and a rabies tag issued by the animal control center from a licensed veterinarian as herein provided, is deemed to be no or out of date rabies certification.
- E. *Dogs or cats kept by chartered medical colleges, etc.* The requirements imposed by section 14-27(2) and subsection (b) of this section shall not apply to dogs or cats kept by regularly chartered medical colleges, veterinary schools or other educational or scientific institutions to be used for scientific purposes; or veterinary hospitals or public control center; or dogs used for law enforcement; Seeing Eye, hearing or to assist handicapped, specially trained.
- F. *Tags.* The parish shall provide, for a cost, rabies tags and may also provide microchips to area veterinarians. The cost shall be determined by the parish president, the animal control superintendent, and a resolution ratified by the parish council.
- G. *Failure to inoculate a dog or cat.* Persons failing to obtain a rabies inoculation and a rabies tag issued by the animal control center from a licensed veterinarian for a dog or cat as specified in this section shall be subject to the fines, fees and penalties as established by sections 14-28, 14-36 and 14-57.

(Code 1973, § 5-3; Mo. of 10-10-1985; Mo. of 7-17-1986; Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-29. - Registration tags.**

(a) *Unlawful to use for animal other than one for which issued.* It shall be unlawful for any person to attach the tag issued to any dog or cat other than the dog or cat for which it was issued or to implant a microchip issued in any dog or cat other than the dog or cat for which it was issued.

(b) *Recognition of tags issued by other parishes.* The animal control center shall recognize tags or microchips issued by legal licensing authorities of other governmental agencies of this state, provided the animal owner is able to produce a certificate of registration and/or license which has been issued within one year by such legal licensing authority of another parish of this state.

(Code 1973, § 5-4; Mo. of 10-10-1985; Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-30. - Owner responsibility for dogs and cats.**

(a) *Running at large.* All dogs and cats shall be kept from running at large at all times. Failure of owners to prevent their dogs or cats from running at large shall constitute a misdemeanor.

(b) *Nuisances.* No dog or cat shall cause a nuisance.

(c) *Abandoning, leaving, etc.* It shall be unlawful for any person to abandon, leave, desert, or relinquish possession of a dog or cat within the parish when the said dog or cat does not meet the requirements of possession under section 14-27.

(d) *Female dogs and cats in heat.* Female dogs and cats in heat shall be secured in such a manner as to prevent contact with a male of the same species except for planned breeding.

(e) *Any behavior deemed nuisance.* The owner of any dog or cat shall be held responsible for any behavior of the dog or cat deemed a nuisance under the provisions of article II.

(Code 1973, § 5-5; Mo. of 10-10-1985; Ord. No. 5-03, 3-27-2003; Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-31. - Animal bite cases.**

The breaking of the skin of a human being by an animal biting or scratching a human being shall be considered a bite case. A bite by an animal that breaks of the skin of a human being is a nuisance under this article. If any person shall report to the municipal police department, sheriff's office, West Baton Rouge Health Unit or the animal control center that a dog or cat has bitten or scratched him or any other person, when such bite or scratch has broken the skin, the Animal Control Superintendent shall direct the owner of the dog or cat to confine it for a ten-day observation period in the kennels at the animal control center or, should the owner prefer, in an established veterinary hospital. The agency on its own authority or if ordered by the superintendent, may extend the length of the quarantine period. All bite cases must be reported to the animal control center, sheriff's office, West Baton Rouge Health Unit, or to a municipal police department as soon as possible, and in no case more than 24 hours after such bite. It shall be the responsibility of the owner of the animal and the person bitten to report such fact to the proper authorities as stated herein. Failure to do so shall constitute a misdemeanor.

a. All animals which have broken the skin of a human being and are found dead are to be immediately impounded and their heads sent to the department of health and human resources laboratory or other approved facility for examination for rabies.

b. All animal bite cases, except those as provided for in section (m), are to be impounded and transported to the animal control center or veterinarian of the owner's choice for quarantine only by officers of the animal control center or their agents. Because of extenuating circumstances, an animal control officer may permit the owner to transport his or her animal to a veterinarian; however, it shall be the animal control officers' responsibility to ensure that the animal in question be delivered to the appropriate designated veterinarian for observation within 12 hours after the bite or scratch.

c. When an owner chooses to confine his dog or cat within a veterinary hospital, the owner shall have twelve (12) hours from the time of the bite or scratch to do so. The animal must be confined at a veterinary facility within West Baton Rouge Parish or a bordering parish. The owner shall advise the

animal control center of which veterinary hospital the dog or cat will be confined in and shall advise the veterinarian that the dog or cat is to be placed under observation for biting or scratching. If the dog or cat is not confined within twelve (12) hours, the superintendent may contact local law enforcement to issue a citation to the owner or the dog or cat shall be apprehended and confined by the animal control center.

- d. Each veterinarian caring for a dog or cat quarantined for biting or scratching shall submit a report to animal control center as to the health status of the dog or cat observed by him at the end of the ten-day observation period.
- e. If any dog or cat dies during the ten-day observation period, whether at the veterinary hospital or at the animal control center, the superintendent shall have the head of such dog or cat submitted to the state department of health and human resources laboratory or other approved facility for examination for rabies.
- f. If any dog or cat placed under observation for biting or scratching has been injured or becomes sick, in such a state that its recovery is seriously in doubt, or if the sickness of such dog or cat endangers the health of other animals or persons, the superintendent shall have said dog or cat humanely euthanized and its head submitted to the department of health and human resources laboratory or other approved facility for examination for rabies.
- g. In cases where a bite wound or scratch, which has broken the skin, is on the head or neck of the victim, the superintendent may have the animal humanely euthanized to expedite test results to permit the rapid determination of the need for rabies post-exposure prophylaxis. The rabies vaccination status of the animal should be evaluated in making this decision. The superintendent may consult with the state public health veterinarian to authorize the humane euthanization of the animal prior to the expiration of the ten-day observation period.
- h. If a petition has been filed to declare an animal/dog dangerous or vicious under **section 14-32**, the animal/dog shall not be returned to the owner or humanely destroyed until a final and definitive adjudication under **section 14-32**. The return of the impounded animal/dog shall be determined by the final and definitive adjudication under **section 14-32**, if any. During the adjudication under **section 14-32** impoundment fees and charges shall apply.
- i. An animal which has bitten or scratched and has an out of date or no current rabies inoculation record (tag), will not be released to the owner until the animal has been inoculated for rabies by a licensed veterinarian after the quarantine period has ended.
- j. In order for an animal that is suspected of having bitten or scratched to remain impounded, the victim must have the bite or scratch verified and documented by a licensed medical doctor or animal control officer within 24 hours. Proof of any doctor visit for the resulting wound may be provided to the animal control center.
- k. Any doctor, hospital, clinic, or other medical facility within the parish that examines and or treats an animal bite of any nature must notify the animal control center.
- l. Any certified enforcement dog belonging to a law enforcement agency is exempt from this requirements of this section. The vaccination status of all enforcement dogs shall be retained by the agency involved.
- m. Home confinement for observation of a dog or cat involved in a bite or scratch may be allowed, at the discretion of the superintendent, if the following conditions are met:
 1. The dog or cat is currently licensed and vaccinated with an approved rabies vaccine from a licensed veterinarian.

2. The owner was in compliance with the applicable leash law or confinement requirements of this chapter at the time of the bite.
 3. The district attorney, the sheriff, or an officer of the animal control center choose to not file a petition to have the dog declared dangerous or vicious under **14-32**.
 4. The confinement and conditions thereof have specific approval of the bitten or scratched party, or his proper legal representative, as evidenced by a signed, written agreement, which agreement shall hold the superintendent and the parish harmless for any loss or damage whatsoever which may result from the allowance of such confinement.
 5. Immediately upon expiration of the ten-day observation period, a licensed veterinarian shall examine the dog or cat and certify to the animal control center the health and condition of the animal.
 6. If the superintendent determines that a dog or cat may be confined at the home of its owner, the owner shall notify the West Baton Rouge Health Unit's medical director or the animal control center immediately if the animal shows any symptoms of sickness or abnormal behavior or escapes or dies during confinement. Persons having custody shall surrender the carcass of the dog or cat which dies during confinement to the animal control center.
- n. Any animal which is severely injured, deemed feral, severely aggressive, or suffering from an obvious infectious / contagious disease at the time of impoundment may, at the discretion of the animal control superintendent and the lead CAET, be destroyed in a lawful and humane manner immediately and without waiting the prescribed holding period. This action may be taken, if, in the opinion of the animal control superintendent and the lead CAET, the animal's condition is such that imminent destruction is necessary as a humane gesture, and for the protection of other animals or humans with which the animal may come into contact with. Any animal so destroyed may be disposed of at the discretion of the animal control center.

(Code 1973, § 5-6; Mo. of 10-10-1985; Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-32. - Dangerous and vicious dogs.**

The parish hereby adopts and incorporates R.S. 14:102.12 through R.S. 14:102.18 and as hereafter amended by the state legislature, as the parish ordinance for the regulation, enforcement and determination of dangerous or vicious dogs.

(Ord. No. 5-2010, 4-8-2010)

Editor's note— Ord. No. 5-2010, adopted Apr. 8, 2010, repealed § 14-32 in its entirety and enacted new provisions to read as herein set out. Prior to amendment, § 14-32 pertained to animal control officer. See Code Comparative Table for derivation.

- **Sec. 14-33. - Dangerous dog tag and microchip.**

(a) A dangerous dog tag, supplied by the animal control center, shall be purchased annually and affixed to the dog's collar of all dogs declared dangerous under section 14-32 and shall be worn at all times.

(b) In addition to the dangerous dog tag for dogs declared dangerous under section 14-32, a microchip for identification purposes shall be implanted beneath the dog's skin to identify the said dog as

dangerous. Such microchip for identification purposes shall be implanted, at the owner's sole expense, by a licensed veterinarian or person trained to implant the microchip and authorized as such by any state, city or town. Any dangerous dog already implanted with a microchip for other purposes need not be re-implanted if the existing micro will serve the purpose and intent of this section and can properly identify that dog.

(Ord. No. 5-2010, 4-8-2010)

Editor's note— Ord. No. 5-2010, adopted Apr. 8, 2010, repealed § 14-33 in its entirety and enacted new provisions to read as herein set out. Prior to amendment, § 14-33 pertained to penalty. See Code Comparative Table for derivation.

- **Sec. 14-34. - Miscellaneous.**

(a) The animal control center, in the exercise of its discretion, shall have the authority to make whatever inspections are deemed necessary to ensure that the provisions R.S. 14:102.14 B, C, D and E are being complied with by the owner of a dog declared dangerous.

(b) An owner of a dangerous dog shall have the option to have said dog humanely euthanized at the owner's expense by the animal control center or licensed veterinarian if said owner is unable or unwilling to comply with the provisions R.S. 14:102.14 B, C, D and E or a dangerous dog may be humanely euthanized pursuant to R.S. 14:102.16 C.

(c) The owner or keeper shall sign a hold-harmless and indemnification clause in favor of the West Baton Rouge Parish, City of Port Allen and the Towns of Brusly and Addis upon the release of a dog declared dangerous.

(d) The owning, keeping or harboring of a dangerous dog in violation of this article is deemed a public nuisance.

(e) It shall be unlawful for any person to release any animal captured by or in a trap set by animal control center or its agents. Traps set by the West Baton Rouge Animal Control Center or its agents shall be clearly marked as traps of the West Baton Rouge Animal Control Center.

(f) It shall be unlawful for any person to damage, remove or tamper with a dangerous dog tag or microchip issued or implanted under the authority of this article.

(g) Animal control officers and/or law enforcement officers are hereby authorized to enter upon any lot, tract or parcel of land for the purpose of seizing and impounding any animal found thereon in violation of this article II and III of this chapter.

(Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-35. - Animal control superintendent.**

(a) *Appointment.* The animal control superintendent and any animal control officers shall be classified parish employees. The parish president shall appoint an animal control superintendent and such other personnel as it deems proper for maintaining a public animal shelter and to enforce the provisions of this article pertaining to the animal control center

(b) *Authority to issue citations.* The animal control director and any animal control officers shall be duly commissioned animal control officers, who shall have the authority to issue citations in the enforcement of this article. The animal control director and officers may also be commissioned by the West Baton Rouge Parish Sheriff or any municipal police department within the parish.

(Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-36. - Penalty.**

(a) Any person who violates section of Article II, except a violation of section 14-32, shall upon conviction by a court of competent jurisdiction, be deemed guilty of a misdemeanor and may be fined any amount up to \$250.00, or be imprisoned for not more than 180 days or both fined and imprisoned, in the discretion of the court.

(b) Each day a violation of this article continues following the issuance of a citation(s) by any law enforcement officer or animal control officers to the owner of the animal causing the violation shall be deemed separate and subsequent violation of this article and punishable hereunder as such without the necessity of issuing separate and subsequent citations for each day the ordinance violation continues.

(c) Any person who violates section 14-32 shall be subject to the penalty and fines as provided therein.

(Ord. No. 5-2010, 4-8-2010)

- **Secs. 14-37—14-54. - Reserved.**
- **DIVISION 2. - IMPOUNDMENT**
- **Sec. 14-55. - Procedure.**

It shall be the duty of the animal control center through its superintendent, and officers to upon: call, complaint, or otherwise patrol the streets, roads, private or public places of the parish with proper equipment and seize / impound any dog or cat that are causing a nuisance, not inoculated, not licensed, not wearing a valid rabies tag, suspected of being dangerous or vicious, being kept in an inhumane manner, being treated cruelly, improperly tethered or tied out, allowed to run freely, not leashed, allowed to roam or be at large, or are otherwise in violation of state law or the provisions of this article. The animal control center, through its superintendent and officers shall have the authority to perform all such acts that may be deemed necessary to catch all dogs, cats, livestock, or any animals which are suspected to be in violation of articles II and III of this chapter on streets, roads, highways, commons, and public or private property within the parish.

- a. Any dog or cat impounded by the animal control center and not reclaimed by the owner within the prescribed time limits may be placed for adoption as a pet, transferred to a rescue facility, or humanely euthanized. A good faith attempt to notify the owner shall be made by the animal control center. Animals which have a discernible sign of ownership, e.g., a registration tag, identifying collar, name tag, microchip, are well kept, or have a tattoo or brand shall be held for a period of six (6) days, after which they become the property of the animal control center, and may be disposed of by placement for adoption, transfer to a rescue facility, or humanely euthanized. If upon notification the owner does not wish to reclaim the animal and signs a release of their rights therein, the animal may

be disposed of immediately by placement for adoption, transfer to a rescue facility, or humanly euthanized. Animals which have no discernible sign of ownership, e.g., no registration tag, no identifying collar, no tattoo, no brand, no name tag, no microchip, or are in poor condition shall be held for a period of three (3) days, after which they become the property of the animal control center and may be disposed of by placement for adoption, transfer to a rescue facility, or humanely euthanized.

- b. Any animal, having been impounded more than three (3) times, may at the discretion of the animal control center, be confiscated and the owner's rights forfeited.
- c. Impound fee for impoundment of any animal at a location other than the West Baton Rouge Parish Animal Control Center, because the animal control center is not properly equipped or manned to care for the animal, shall be the actual cost plus transportation cost.

(Code 1973, § 5-19; Mo. of 10-10-1985; Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-56. – Notice of impoundment.**

For impounded animals, the animal control center shall make a good faith attempt to contact the owner if the owner can be identified by registration tag, identifying collar, name tag, microchip, or any other means such as a tattoo or brand. The animal control center shall advise the owner of the animal on the conditions upon which the animal may be reclaimed. If the animal was not running at large at the time of taking, the animal control officer or agent thereof shall post a notice stating the reason the animals were seized and how they may be reclaimed. The notice shall be posted in a conspicuous location upon the property from which the animals were taken.

(Code 1973, § 5-20; Mo. 10-10-1985; Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-57. - Redemption of impounded animals.**

Impounded animals, except those which have not been inoculated, or which are rabid or suspected of being rabid or have bitten or broken the skin of a human being or have been bitten by a rabid animal, or have been exposed to rabies or dogs impounded pursuant to **section 14-32**, may be released to the owner upon payment of all fines, fees, boarding cost, and inoculation cost.

- a. Any owner seeking to reclaim an impounded animal shall be required to pay all reclamation fees as set by the parish president, the animal control superintendent, and a resolution ratified by the parish council. Additionally, owners of impounded animals who cannot produce current proof of rabies vaccination/certification will be required to pay fees and/or fines as established by state law and/or the parish president, the animal control superintendent, and a resolution ratified by the parish council. In addition, the owner will reimburse the animal control department for any costs incurred for emergency veterinary medical care of the owner's animal. All animal control fines and fees shall be clearly posted in the animal control main office and on the department's web site.
- b. If an animal, in compliance with the terms of **section 14-31** or **14-32** breaks the skin of a human being, there will be applicable fees, as established hereinabove, if the animal is held for observation at the animal control center shelter. The same fees shall be applicable when a dog is

impounded during a dangerous or vicious dog classification hearing or appeal as outlined in **section 14-32**.

- c. Upon proof of current rabies inoculation from other parishes or states, the animal control center will apply only those requirements as stated in **section 14-28**.
- d. Before releasing an impounded dog or cat, the owner shall be required to provide, in writing, the address the dog or cat is being released to, whether said address is within the parish or not.
- e. If a dog declared dangerous under **section 14-32** of this ordinance is relocated outside of the Parish by the owner, the West Baton Rouge Animal Control center shall notify the animal control center having jurisdiction over the release address that the dog has been declared dangerous under this article.

(Code 1973, § 5-21; Mo. of 10-10-1985; Ord. No. 5-2010, 4-8-2010)

- **Secs. 14-58 Adoption Fees (Please note: 14-58 has not previously existed)**

Animals whose hold period has expired, and have become the property of the animal control center, may be put up for adoption. Individuals seeking to adopt an animal from the animal control center will be required to pay adoption fees as agreed to by the parish president and the animal control superintendent. Adoption fees may vary depending on the age of the animal, the kind of animal, and the amount of veterinary care the animal has received. Adoption fees may also vary during adoption events, promotional events, and/or events surrounding holidays. Current adoption fees shall be clearly posted in the animal control main office and on the department's website.

- **Secs. 14-59—14-84. – Reserved.**
- **ARTICLE III. - LIVESTOCK^[2]**
- **DIVISION 1. - GENERALLY**
- **Sec. 14-85. – Tethered Livestock.**

It shall be unlawful for any person to tether, picket or otherwise tie any livestock outside of a fence or enclosure, whether for grazing or other purposes.

(Code 1973, § 5-32; Ord. of 8-12-1970, § VI)

- **Sec. 14-86. - Running at large.**

It shall be unlawful for any quadruped livestock; i.e. horse, equine, pony, cow, bull, ox, mule, donkey, bovine, sheep, hog, pig, goat, llama, alpaca or any barnyard fowl, i.e. chicken, guinea fowl, avian species, geese, bird, ducks, emu, turkey, or peacock to run, roam, or be at large on any public road, street, highway, commons, or on any land public or private other than that of the owner of such animals, within the parish.

(Code 1973, § 5-33; Ord. of 8-12-1970, § I)

- **Sec. 14-86.1. - Livestock prohibited.**

It shall be unlawful for any person to keep, possess or maintain any large quadruped livestock including, but not limited to, equines, llamas, alpacas, cows, horses, ponies, or cattle on any parcel of land unless such parcel of land shall have a minimum of one (1) acre of unobstructed pasture land for the first two (2) livestock animals, plus a minimum of one-half (½) an acre for each additional livestock animal within the parish. It shall be unlawful for any person to keep, possess or maintain any livestock on any parcel of land that is not zoned for the keeping of livestock under the West Baton Rouge Parish Zoning Ordinance, unless a special use zoning permit is granted under the West Baton Rouge Parish Zoning Ordinance to the owner of the parcel of land allowing the keeping, possessing and maintaining of livestock on the said parcel. Any person applying for a special use permit under this section shall not be required to pay any fees or costs for the application for or the issuance of a special use permit.

- a. No livestock shall cause a nuisance to any resident in the parish. Acts deemed public nuisances include, but are not limited to, conditions offensive or dangerous to the public health and safety by virtue of the number and living conditions of such livestock. "Conditions offensive or dangerous to public health, safety and welfare" include, but are not limited to conditions which attract insects and rodents, large numbers of animals kept in poor living conditions, unvaccinated animals, and odors which emanate beyond the property owned or controlled by the owner of the alleged nuisance livestock.
- b. No livestock located in this parish shall cause a nuisance to any inhabited residence located in West Baton Rouge Parish regardless of the zoning classification of the real estate the livestock is kept, possessed or maintained on.
- c. Minimum standards of care, parish ordinances, and state law concerning animal cruelty shall apply to the keeping of livestock in the parish.
- d. Owners of equines within the parish shall be required to comply with all state requirements for the owning of equines.
- e. Owners of impounded equines who cannot produce proof of a valid EIA (Coggins) test will be required to pay fees as established in **14-113**. Additionally, impounded equines who do not have a current EIA (Coggins) test shall not be released until they have been tested by a licensed veterinarian.
- f. The parcel size restrictions as set forth in section **14-86** shall not apply, provided livestock remain on or about their premises as noted below:
 1. In a building or structure such as a stable, barn, shed or pen being a minimum of one hundred fifty (150) feet, measured in a straight line, from the nearest point of a neighboring structure used for human habitation other than that of the owner, such as a residence, public eating place, church, school or hospital.
 2. The minimum distance requirements of section **14-86 (f) (1)** shall only apply to a structure, barn, shed, constructed or erected after the effective date of this chapter.

(Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-87. - Penalty for violation.**

The owner of any livestock, who shall suffer or permit any of said livestock to run, roam, or be at large, on any of the public street, road or highways or commons, or on any land other than that of the owner of the said livestock or on land leased by the owner of the said livestock or keep, possess or maintain any livestock, within the parish, in violation of sections 14-86 , 14-86.1, 14-86.1 (a), and 14-86.1 (b) shall be guilty of a misdemeanor, and shall upon conviction in any court of competent jurisdiction, be fined in a sum not exceeding \$100.00, or imprisoned in the parish jail for a term not exceeding ten days, or both such fine and imprisonment, in the discretion of the court, for each such animal thus at large or kept; provided, that the court shall always have the right, in its discretion, when imposing a fine for the violation of this article, as herein provided, to impose an alternative jail sentence as herein provided, in case of the failure of the person convicted to pay the fine so imposed.

(Code 1973, § 5-34; Ord. of 8-12-1970, § II; Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-88. - Violations.**

For the purpose of section 14-86 or section 14-86.1, each such livestock that shall be, run or roam or kept, possessed or maintained, in violation of the provisions of section 14-86 or section 14-86.1, shall constitute a separate offense on the part of its owner. Each day a violation of these sections continues following the issuance of a citation(s) by any law enforcement officer to the owner of the animal causing the violation shall be deemed separate and subsequent violation of this article and punishable hereunder as such without the necessity of issuing separate and subsequent citations for each day the ordinance violation continues.

(Code 1973, § 5-35; Ord. of 8-12-1970, § III; Ord. No. 5-2010, 4-8-2010)

- **Sec. 14-89. – Chickens, birds, and other fowl (Please note: 14-89 has not previously existed)**

The keeping of chickens, roosters, geese, birds, guinea fowl, ducks, avian species, turkeys, or peacocks is prohibited in a recognized residential subdivision on lots of one (1) acre or less.

1. All chickens, or other fowl, or avian species shall be confined to the owner's property at all times.
2. Pens, coops, flight cages, or other enclosures shall be located a minimum of ten (10) feet from the nearest property line and minimum of fifty (50) feet from any residence other than that of the owner.
3. All enclosures shall be cleaned regularly to prevent an accumulation of food, fecal matter, or nesting material from creating a nuisance or unsanitary condition due to odor, vermin, debris, or decay.
4. Appropriate food, water, shelter and housing shall be provided to meet the requirements of the particular fowl or avian species in question.

5. No fowl or bird shall cause a nuisance. Owners of fowl or birds will be held responsible and liable for any damages they cause in the parish. Pens or yards in which fowl or birds are confined or maintained shall be cleaned regularly so that they are kept free from offensive odors which would disturb any person residing within a reasonable distance of said premises and the fowl or birds themselves shall be kept in such a fashion that noise emanating therefrom shall not be disturbing to such persons. The premises on which fowl or birds are kept shall be maintained so as to prevent disagreeable odors arising therefrom, or the presence or breeding of flies, mosquitoes, and other pests. Provisions shall be made for the removal and disposal of food wastes, bedding, dead fowl or birds and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors, and disease hazards.
 - a. The provisions of section **14-89** shall apply upon the receipt of a complaint made to the animal control center with complainant's full name, address, and phone number. When a violation is determined to exist, the owner or keeper if known shall be ordered to correct the violation within the time period given on the warning notice. Failure to correct the violation may result in the chickens, fowl or other birds being impounded by the animal control center and held for a period of ten (10) days. If the owner is unknown, the chickens, birds, or other fowl in violation of section **14-89** may be immediately impounded by the animal control center. Owners seeking to reclaim impounded chickens, birds, or other fowl will be required to pay all reclamation fees as set by the parish president, the animal control superintendent, and a resolution ratified by the parish council. Any chickens, birds, or other fowl impounded by the animal control center and not reclaimed by the owner within the prescribed time limits may be sold, placed for adoption, transferred to a rescue facility, or humanely euthanized.
 - b. Chickens, birds, or other fowl whose hold period has expired and have become the property of the animal control center may be put up for adoption. Individuals seeking to adopt any chickens, birds, or other fowl from the animal control center may be required to pay adoption fees as agreed to by the parish president and the animal control superintendent. Adoption fees may vary depending on the age of the animal, the kind of animal, and the amount of veterinary care the animal has received. Adoption fees may also vary during adoption events, promotional events, and/or events surrounding holidays. Current adoption fees will be clearly posted in the animal control main office and on the department's website.

- **Secs. 14-90—14-110. - Reserved.**
- **DIVISION 2. - IMPOUNDMENT**
- **Sec. 14-111. – Impoundment of livestock.**

It shall be the duty of the animal control center through its superintendent, and officers to upon: call, complaint, or otherwise patrol the streets, roads, private or public places of the parish with proper equipment and seize / impound any horse, equine, pony, cow, bull, ox, mule, donkey, bovine, sheep, hog, pig, goat, llama, alpaca, any barnyard fowl, chicken, guinea fowl, avian species, geese, bird, ducks, emu, turkey, peacock or any other livestock running at large within the parish. Any livestock that are causing a nuisance, being kept in an inhumane manner, being treated cruelly, improperly tethered or

tied out, allowed to run freely, allowed to roam or be at large, or are otherwise in violation of state law or the provisions of this article may be impounded or confined by the animal control center. Any livestock, having been impounded more than three (3) times, may at the discretion of the animal control center, be confiscated and the owner's rights forfeited

- a. No person shall be liable for any injury which an animal may receive while it is being impounded as provided in this article.
- b. Any livestock which is severely injured, deemed feral, severely aggressive, or suffering from an obvious infectious / contagious disease at the time of impoundment may, at the discretion of the animal control superintendent and the lead CAET, be destroyed in a lawful and humane manner immediately and without waiting the prescribed holding period. This action may be taken, if, in the opinion of the animal control superintendent and the lead CAET, the animal's condition is such that imminent destruction is necessary as a humane gesture, and for the protection of other animals or humans with which the animal may come into contact with. Any animal so destroyed may be disposed of at the discretion of the animal control center. The superintendent may additionally authorize a law enforcement officer to humanely euthanize said animal.

(Code 1973, § 5-36; Ord. of 8-12-1970, § IV)

- **Sec. 14-112. - Notice of impoundment.**

For impounded livestock, the animal control center shall make a good faith attempt to contact the owner if the owner can be identified by a tag, microchip, or any other means such as a tattoo or brand. If the livestock was not running at large at the time of taking, the animal control officer, or agent thereof, shall post a notice stating the reason the animals were seized and how they may be reclaimed. The notice shall be posted in a conspicuous location upon the property from which the livestock was taken.

(Code 1973, § 5-37; Ord. of 8-12-1970, § IV)

- **Sec. 14-113. – Redemption of impounded livestock**

Any owner seeking to reclaim impounded livestock shall be required to pay reclamation fees as set by the parish president, the animal control superintendent, and a resolution ratified by the parish council. Additionally, owners of impounded equine livestock who cannot produce current proof of license / EIA test will be required to pay fees and/or fines as established by state law and/or the parish president, the animal control superintendent, and a resolution ratified by the parish council. In addition, the owner will reimburse the animal control department for any costs incurred for emergency veterinary medical care of the owner's animal. All animal control fines and fees shall be clearly posted in the animal control main office and on the department's web site.

(Code 1973, § 5-38; Ord. of 8-12-1970, § IV; Mo. of 2-9-1995)

- **Sec. 14-114. – Disposing of impounded livestock.**

Livestock impounded by the animal control center and not reclaimed by the owner within the prescribed time limits may be placed for adoption, transferred to a rescue facility, sold, or humanely euthanized. Livestock will be held for a period of ten (10) days, after which they become the property of the animal control center and may be disposed of by placement for adoption, transfer to a rescue facility, sold, or humanely euthanized. If upon notification, the owner does not wish to reclaim the livestock and signs a release of his rights therein, the livestock may be disposed of immediately by placement for adoption, transfer to a rescue facility, sold, or humanely euthanized.

(Code 1973, § 5-39; Ord. of 8-12-1970, § IV)

- **Sec. 14-115. – Livestock Adoption Fees.**

Livestock whose hold period has expired and have become the property of the animal control center, may be put up for adoption. Individuals seeking to adopt livestock from the animal control center may be required to pay adoption fees as agreed to by the parish president and the animal control superintendent. Adoption fees may vary depending on the age of the animal, the kind of animal, and the amount of veterinary care the animal has received. Adoption fees may also vary during adoption events, promotional events, and/or events surrounding holidays. Current adoption fees shall be clearly posted in the animal control main office and on the department's website.

(Code 1973, § 5-40; Ord. of 8-12-1970, § IV)

(Code 1973, § 5-41; Ord. of 8-12-1970, § IV)

- **Sec. 14-116 – 117 eliminated.**

Wording in section 14-116 is now included in section 14-111 (a).

(Code 1973, § 5-42; Ord. of 8-12-1970, § V)