

BE IT REMEMBERED THAT THERE WAS BEGUN AND HELD THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI ON DECEMBER 18, 2001 AT 7:00 P.M. IN THE BOARD ROOM OF SAID CITY.

THOSE PRESENT	TONY PHILLIPS
CITY ATTORNEY	THOMAS W. TYNER
ALDERMEN	MICHAEL W. DRAUGHN WILLIE W. HINTON JOE C. MCMURRY, SR STEVE STRINGER WILLIAM A TRAVIS
OTHERS PRESENT	DEBORAH REYNOLDS TOMMIE CORLEY ALLEN FLYNT PERCY SCARBOROUGH ASHLEY EDWARDS AND MANY OTHERS

THE MAYOR DECLARED A QUORUM PRESENT AND DECLARED THE CITY COUNCIL IN SESSON.

THE INVOCATION WAS OFFERED BY CITY ATTORNEY THOMAS W. TYNER.

THE PLEDGE OF ALLEGIANCE WAS RECITED.

WHEREAS, MAYOR PHILLIPS PRESENTED THE AGENDA WITH THE FOLLOWING CHANGES:

- X. 11. RECOMMENDATION TO HIRE LEE SHELBOURN AS CHIEF OF POLICE
12. RECOMMENDATION TO HIRE PATRICIA LEE AS PART-TIME BUS DRIVER.
13. APPROVE RESIGNATION OF CARL SCOTT FROM BOARD OF PINE BELT SOLID WASTE AUTHORITY.
14. APPROVE TO APPOINT MARY MORGAN TO THE BOARD OF PINE BELT SOLID WASTE AUTHORITY.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE AGENDA AS AMENDED. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE MINUTES OF THE REGULAR MEETING OF DECEMBER 4, 2001, SPECIAL MEETING OF DECEMBER 10, 2001 AND A SPECIAL MEETING OF DECEMBER 13, 2001 OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE MINUTES AS WRITTEN. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS CALLED FOR PUBLIC COMMENT. THERE WAS NONE.

WHEREAS, THE HOUR OF 7:00 P.M. HAVING ARRIVED, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, PROCEEDED TO PUBLICLY OPEN AND READ THE SEALED BIDS FOR INSTALLATION OF THE FIBER PHONE LINE.

SEE EXHIBIT "A"

NETWORK SOLUTIONS, LLC \$1,298.40
1301 AZALEA ROAD, SUITE 300
MOBILE, AL 36803

DEVINEY CONSTRUCTION CO \$5,895.00
5560 HWY 42 BYPASS
HATTIESBURG, MS 39401

SOUTH MS BUSINESS MACHINES, INC \$1,425.00
6401 US HWY 49
HATTIESBURG, MS 39401

THEREUPON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE BID FROM SOUTH MISSISSIPPI MACHINES, INC SINCE IT IS FROM A LOCAL COMPANY IN HATTIESBURG, MISSISSIPPI AND ALSO BECAUSE IT APPEARS TO BE THE BEST BID. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED LETTERS FROM THE FOLLOWING BANKS ON DEPOSITORIES FOR THE CITY'S FUNDS BEGINNING JANUARY 2, 2002 AND ENDING DECEMBER 31, 2004.

HANCOCK BANK
CITIZENS NATIONAL BANK
TRUSTMARK
BANCORP SOUTH

TAKEN UNDER ADVISEMENT.

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING BIDS FOR ASPHALT/OVERLAY IN PLACE:

SEE EXHIBIT "B"

ASPHALT BIDS

DUNN ROADBUILDERS, INC ASPHALT FOB PLANT \$27.00
TACK IN PLACE \$40.00

WARREN PAVING, INC ASPHALT FOR PLANT \$26.50
TACK IN PLACE \$38.50

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ACCEPT THE BID OF WARREN PAVING, INC. ALDERMAN DRAUGHN SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED HIS RECOMMENDATION TO HIRE LEE SHELBOURN AS CHIEF OF POLICE.

THEREUPON, ALDERMAN DRAUGHN MADE A MOTION TO ADOPT THE FOLLOWING ORDER TO HIRE LEE SHELBOURN AS THE CHIEF OF POLICE. ALDERMAN MCMURRY SECONDED THE MOTION.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO FILL THE VACANCY CREATED BY THE RESIGNATION OF POLICE CHIEF RODNEY JARRELL.

IT IS HEREBY ORDERED THAT LEE SHELBOURN BE HIRED AS CHIEF OF POLICE AT A SALARY OF \$32,000.00 ANNUALLY EFFECTIVE JANUARY 2, 2002.

SO ORDERED ON THIS THE 18TH DAY OF DECEMBER, 01 A.D., 2001.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN MICHAEL W. DRAUGHN
ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER

THOSE PRESENT AND VOTING "NAY"

ALDERMAN WILLIAM A TRAVIS

THEREUPON, ALDERMAN MICHAEL DRAUGHN HAD TO LEAVE THE MEETING FOR FAMILY MATTERS.

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FOR CASH #9 IN THE AMOUNT OF \$5,200.00 FOR THE CDBG PROJECT 9-295-ED-IF-01 PAYABLE TO JIMMY GOURAS.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE MAYOR PHILLIPS TO EXECUTE THE REQUEST FOR CASH. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE PRIVILEGE LICENSE REPORT FOR THE MONTH OF NOVEMBER, 2001.

THEREUON, ALDERMAN HINTON MADE A MOTION TO ACCEPT THE PRIVILEGE LICENSE REPORT. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FOR CASH #2 IN THE AMOUNT OF \$95,278.53 FOR CDBG PROJECT #9-295-ED-IF-01 PAYABLE TO BOWIE RIVER CONSTRUCTION.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE MAYOR PHILLIPS TO EXECUTE THE REQUEST FOR CASH. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FOR CASH #10 IN THE AMOUNT OF \$7,175.00 FOR THE CDBG PROJECT #9-295-ED-IF-01 PAYABLE TO SHOWS, DEARMAN AND WAITS.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO AUTHORIZE MAYOR PHILLIPS TO EXECUTE THE REQUEST FOR CASH. ALDERMAN HINTON SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING PROOFS OF PUBLICATION:

- 1.) NOTICE TO BIDDERS-ASPHALT/ASPHALT OVERLAY IN PLACE

THEREUPON, ALDERMAN STRINGER MADE A MOTION THAT THE FOREGOING PROOFS OF PUBLICATION BE ACCEPTED AND FILED. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE AGREEMENT BETWEEN THE CITY OF PETAL AND THE SOUTHERN PINES ANIMAL SHELTER FOR IMPOUNDMENT OF ANIMALS.

SEE EXHIBIT "C"

AGREEMENT

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE FOREGOING AGREEMENT. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE ROADBLOCK POLICY FOR THE POLICE DEPARTMENT.

SEE EXHIBIT "D"

ROADBLOCK POLICY

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADOPT THE ROADBLOCK POLICY FOR THE POLICE DEPARTMENT. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF NOVEMBER, 2001.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE REVENUE AND EXPENDITURE REPORT FOR THE MONTH OF NOVEMBER. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDER HIRING PATRICIA LEE AS A SUBSTITUTE BUS DRIVER FOR THE ELDERLY AND HANDICAPPED BUS.

ORDER

WHEREAS, THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI DO HEREBY DEEM IT NECESSARY TO HIRE A SUBSTITUTE BUS DRIVER.

IT IS HEREBY ORDERED THAT PATRICIA LEE BE HIRED AS A SUBSTITUTE BUS DRIVER AT A RATE OF \$6.25 PER HOUR EFFECTIVE DECEMBER 26, 2001.

SO ORDERED ON THIS THE 18TH DAY OF DECEMBER A.D., 2001.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ADOPT THE FOREGOING ORDER. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE RESIGNATION OF CARL SCOTT FROM THE BOARD OF PINE BELT SOLID WASTE AUTHORITY.

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ACCEPT THE RESIGNATION OF CARL SCOTT FROM THE PINE BELT SOLID WASTE AUTHORITY BOARD. ALDERMAN TRAVIS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FOR MARY MORGAN TO BE APPOINTED AS PETAL'S REPRESENTATIVE TO THE PINE BELT SOLID WASTE AUTHORITY BOARD.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO APPOINT MARY MORGAN TO BE PETAL'S REPRESENTATIVE ON THE PINE BELT SOLID WASTE AUTHORITY BOARD. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FOR CHIEF EVANS TO ATTEND THE MID-WINTER CONFERENCE ON JANUARY 17-19, 2001 IN SOUTHAVEN, MS.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE CHIEF EVANS TO ATTEND THE MID-WINTER CONFERENCE AND TO PAY HIS EXPENSES. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FOR CHIEF EVANS TO ATTEND THE MISSISSIPPI FIREFIGHTERS ASSOCIATION CAPITOL DAY IN JACKSON, MS ON JANUARY 16, 2001.

THEREUPON, ALDERMAN HINTON MADE A MOTION TO AUTHORIZE CHIEF EVANS TO ATTEND THE MISSISSIPPI FIREFIGHTERS ASSOCIATION CAPITOL DAY IN JACKSON, MS ON JANUARY 16, 200 AND TO PAY HIS EXPENSES. ALDERMAN MCMURRY SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED THE FOLLOWING ORDINANCE FOR ANIMALS AND FOWL FOR THE ANIMAL CONTROL.

SEE EXHIBIT "E"

ORDINANCE 2001(100)
AN ORDINANCE REGULATING THE KEEPING
OF ANIMALS, INCLUDING DOGS, CATS, AND FOWL

OF CERTAIN ANIMALS, PROVIDING PENALTIES FOR VIOLATION
OF THIS ORDINANCE, AND REPEALING ORDINANCE 1975(24)

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO ADOPT THE FOREGOING
ORDINANCE. ALDERMAN STRINGER SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE

WHEREAS, MAYOR PHILLIPS PRESENTED A REQUEST FROM INTERIM CHIEF BUBBA
HOWELL TO CHANGE THE DETECTIVES AND METRO PAY TO SALARY.

THEREUPON, ALDERMAN MCMURRY MADE A MOTION TO CHANGE THE
DETECTIVES AND METRO PAY SCALE TO SALARY. ALDERMAN STRINGER SECONDED THE
MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

ALDERMAN WILLIE W HINTON

THEREUPON, ALDERMAN STRINGER MADE A MOTION TO ADJOURN. ALDERMAN
TRAVIS SECONDED THE MOTION.

THOSE PRESENT AND VOTING "AYE"

ALDERMAN WILLIE W. HINTON
ALDERMAN JOE C MCMURRY, SR
ALDERMAN STEVE STRINGER
ALDERMAN WILLIAM A TRAVIS

THOSE PRESENT AND VOTING "NAY"

NONE


THEREBEING NO FURTHER BUSINESS, THE REGULAR MEETING OF THE MAYOR
AND BOARD OF ALDERMEN OF THE CITY OF PETAL, MISSISSIPPI WAS ADJOURNED ON
THIS THE 18TH DAY OF DECEMBER, AD, 2001.



TONY PHILLIPS
MAYOR

(SEAL)

ATTEST:



JEAN ISHEE
CITY CLERK

EXHIBIT "A"

12/18/2001 18:16

DEC-13-2001 THU 01:34 PM DEVINEY CONSTRUCTION CO.

FAX NO. 601 582 1629

NO. 896 P03

P. 01

Deviney Construction Company
5560 Hwy 42 Bypass
Hattiesburg, Ms 39401
601-544-0881

MEMO

To: Jacques Pace
ITC DeltaCom

From: Ricky Diamond *RD*
Manager

RE: Quote on job for City of Petal

We agree to furnish and place 4 strand multimode 62.5 micron and 25 pair copper cable between buildings for a price of \$5895.00.

This price includes furnishing all material and all splicing.

If additional information is needed please advise.

EXHIBIT "A"

12/18/2001 18:16

NO. 896 002

South Mississippi Business Machines, Inc.

6401 US Hwy 49
Hattiesburg, MS 39401
Tel: (601) 264-3478
Fax: (601) 264-5146
contact: Marc Lomas (marc@smbminc.com)

ESTIMATE

DATE December 18, 2001

NAME/ADDRESS:
ITC Dellacom Attn: Jacque Pace

DESCRIPTION	QTY	RATE	TOTAL
Corning 6 strand multimode 62.5 µm fiber	200.00	\$1.05	\$210.00
Avaya 25pr filled core burial exchange cable	200.00	\$0.70	\$140.00
BEP w/gas module 230v lightning protection	2.00	\$282.00	\$564.00
mounting hardware/misc hardware	1.00	\$325.00	\$325.00
Installation and termination (labor)	10.00	\$75.00	\$750.00
			1425.00
Sales Tax			\$139.23
		TOTAL	\$2,128.23

PROVIDE
BY
DELTA-
COM

Local in Hatt!

\$1,425.00

EXHIBIT "B"

CITY OF PETAL

Specifications for Asphalt and Asphalt Overlay in Place.

BID FOR SIX (6) MONTHS PERIOD, BEGINNING JANUARY 1, 2002 AND
ENDING JULY 1, 2002

Contractor's Mix Asphalt FOB Plant Per Ton \$ 27.00/Ton

Contractor's Mix Asphalt and EA-4 Tack, in
Place Per Ton \$ 40.00/Ton

Sealed Bids will be received until 7:00 P.M., Tuesday, December 18, 2001, in the
Board Room of the City Hall at 119 West 8th Avenue, Petal, MS.

DUNN ROADBUILDERS, L.L.C.

By: 

Clifton L. Beckman, Jr., P.E.

Title: Sr. Vice President

Date: December 18, 2001

CITY OF PETAL
MINUTE BOOK 21

82

EXHIBIT "B"

12-12-2001 04:57PM FROM CITY OF PETAL

TO

95442005 P.02

SPECIFICATIONS FOR ASPHALT AND ASPHALT OVERLAY IN PLACE

Contractor's Mix Asphalt FOB Plant per ton \$ 26.50

Contractor's Mix Asphalt and EA-4tack,
in place per ton at \$ 38.50

Sealed bids will be received until 7:00 P.M., Tuesday, December 18, 2001, in the Board Room of the City Hall at 119 West 8th Avenue, Petal, MS.

WARREN PAVING, INC.
P.O. BOX 572
HATTIESBURG, MS 39403



LAWRENCE W. WARREN, PRESIDENT

DECEMBER 18, 2001

TOTAL P.02

EXHIBIT "C"

STATE OF MISSISSIPPI

COUNTY OF FORREST

AGREEMENT

This agreement made and entered into on this the 2nd day of January, 2002 by and between the Southern Pines Animal Shelter (formally known as The Forrest County Humane Society), a non-profit Organization, hereinafter called the "Animal Shelter", and the Mayor and Board of Aldermen of The City of Petal, hereinafter called the "Mayor & Board".

WHEREAS, the Mayor and Board of Aldermen finds it would be in the best interest and welfare of the City of Petal that a contract be entered into with the Southern Pines Animal Shelter for the purpose of housing and providing shelter for stray and unwanted animals found in the City of Petal; and

WHEREAS, the Southern Pines Animal Shelter is the owner of an adequate animal shelter and is willing to make said animal shelter available to the City of Petal for confinement of stray and unwanted animals.

THEREFORE:

I.

The Southern Pines Animal Shelter does hereby agree to provide an area for impoundment and shelter of all animals brought to said Animal Shelter by the animal control officer or the citizens of Petal, except as follows:

Animals, which are either known or suspected of biting a person or another animal must be confined with a local veterinarian for a period of ten (10) days prior to their release, as required by law. The Animal Warden or owner shall be responsible for transportation of such animal and the owner of such animal shall be responsible for all costs incurred by this quarantine. If it is determined that the animal is a stray or that the owner is unknown and it should be euthanized (rather than confined for observation), the City of Petal shall immediately notify the Animal Shelter personnel of this determination and either release the animal back to the Animal Warden or if the Animal Shelter personnel or Animal Shelter veterinarians are able, without placing themselves or others in danger, they shall euthanize the animal. The City of Petal shall then be responsible for the amputation of the animal's head and transporting it to the county health department for the testing of rabies.

The Animal Shelter shall be responsible for the care and feeding of animals delivered to the Animal Shelter. The Animal Shelter shall provide all food for said animals.

The Animal Shelter shall give a receipt for each animal received at the Shelter and shall maintain proper records affecting said animals. These records shall be available for inspection by the Board upon request.

The Animal Shelter agrees that every effort to locate the owner(s) of the animal(s) delivered to the Shelter, and if such owner(s) may be located, to notify such owner(s) via mail or by telephone. Animals belonging to persons shall be held for a minimum of 5 (five) days unless they are seriously injured, diseased or unwanted by signature release from such owner, in which case the animals shall become the property of the Southern Pines Animal Shelter to be cared for or euthanized at the discretion of the Animal Shelter manager. Animals that are not claimed by their owner(s) after the said 5 (five) days will automatically become the property of the Southern Pines Animal Shelter to do with as they see fit, including but not limited to, adoption or euthanasia, this also at the discretion of the manager of said Shelter.

II.

EXHIBIT "C"

The Animal Shelter agrees to hold harmless the City of Petal and all of its agents, servants and employees from liability of any kind for damages arising out of the Animal Shelter's operation as an animal shelter belonging to said Animal Shelter, and the handling of such animals contained therein.

III.

The City on its part, agrees to pay the Southern Pines Animal Shelter, the sum of \$850.00 (eight hundred fifty) per calendar month for the services outlined in Paragraph I herein the above mentioned. In addition thereto, the City agrees that the Southern Pines Animal Shelter may collect from the owners of animals reclaimed from the Shelter impound fees of \$10.00 (ten) per day per animal for the first offense, \$20.00 (twenty) per day per animal for the second and subsequent offenses thereafter along with necessary rabies vaccine and/or veterinary fees deemed necessary in the event of a life threatening situation to the pet, (i.e. hit by a vehicle). If at anytime a larger (i.e. horse) or more difficult animal (i.e. exotic animal) is to be impounded then, the Southern Pines Animal Shelter may set rates reasonable to meet those needs.

IV.

The City agrees that the Animal Warden shall deliver all animals picked up by said Animal Warden to the Animal Shelter at its location, except those requiring confinement as outlined in Section I, Paragraph 2.

V.

The Southern Pines Animal Shelter shall operate the Animal Shelter on a continuous basis, with actual hours that the Shelter is open to the public, to be determined by the Shelter manager. In the event the Shelter cannot be open to the public due to routine veterinary care or other special circumstances, access will be allowed and available to the Animal Warden. The delivery of animals to the Shelter after the normal business hours will be by the Animal Warden, placing the animals in sections designated by the Animal Shelter manager. The Animal Warden will provide the Animal Shelter with paperwork containing all necessary knowledge or information of and concerning the animal(s) required by the Animal Shelter for its use to identify and handle animals delivered by said Animal Warden.

VI.

This contract shall continue and be in force until the end of the current fiscal year of the City. At the expiration of the term, the contract shall automatically be renewed for a period of one year unless either party gives notice, not less than 30 (thirty) days prior to the renewal date, of their intent not to renew.

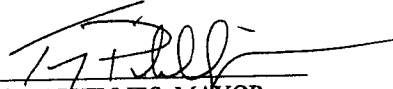
Further, either party may terminate this contract by giving 30 (thirty) days prior written notice.

This contract may be renegotiated either in part or in its entirety by mutual consent of the parties

IN WITNESS WHEREOF, the parties hereto have executed this contract, in duplicate originals, on this the 2nd day of January, 2002.

EXHIBIT "C"


THE CITY OF PETAL, MS
A Municipal Corporation

By: 
TONY PHILLIPS, MAYOR

ATTEST:


JEAN ISHEE, CITY CLERK

SOUTHERN PINES ANIMAL SHELTER
A Non-profit Organization

By: 
PRESIDENT

ATTEST:

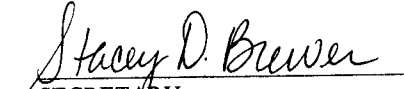

SECRETARY

EXHIBIT "D"

Petal Police
Roadblock Guidelines

Evidence shows the use of roadblocks has a marked and dramatic effect on reducing alcohol related crashes as well as helping to eliminate hazardous and non hazardous traffic violations.

Telltale clues officers use in determining if a driver is impaired include, but are not limited to:

- 1) the odor of intoxicating beverage or other drug coming from the driver's breath
- 2) bloodshot eyes
- 3) alcohol containers and/or drug paraphernalia
- 4) fumbling fingers
- 5) slurred speech
- 6) spontaneous admission of intoxicating beverage and/or drug use
- 7) inconsistent response and inability to concentrate

If an officer observes one or more of the preceding clues the officer will move the suspect vehicle to a predesignated area safely away from the traffic flow. In the predesignated area, the officer will conduct Standardized Field Sobriety Tests (S.F.S.T.) Which include horizontal gaze nystagmus, walk and turn, and the one leg stand. The officer may also conduct Romberg testing which includes the alphabet, counting, finger tip to nose tip, and finger tip count tests.

Once an officer has determined a driver is impaired, said driver will be placed into custody and transported to the Criminal Justice Center. Upon arrival at the Criminal Justice Center the suspect will be advised of their '**Implied Consent Rights**' and given the opportunity to take an intoxilyzer test. The driver's vehicle will be inventoried and towed.

At the discretion of the arresting officer, the following option will be allowed:

If a properly licensed sober individual is traveling within the suspect vehicle, and the original driver is agreeable, the referenced licensed sober driver, may be authorized to drive away said vehicle, thus avoiding the need to tow the same.

If during an officers' interaction with operators stopped at said roadblock, hazardous and/or non-hazardous traffic violations are discovered, said officer will follow normal traffic violation procedures while dealing with said situations.

1) **Pre-planning Stage**

- a) Prior to the execution of any pre-planned roadblock public notice will be given via local media outlets. Said notice will include the date of said roadblock, approximate times and the public roadways

EXHIBIT "D"

which will be involved

- b) The local Judge and Prosecutor will be informed of said roadblock prior to its execution, and will have the opportunity to add whatever input they deem necessary and appropriate.

2) Site Selection

- a) Roadblock site selection should assure the safety of the general public as well as the Law Enforcement Officers.
- b) The selected site should have adequate space to allow the safe removal of vehicles from the traffic flow.
- c) The selected site should allow the safe flow of traffic through the roadblock site.
- d) Consideration should be given to posted speed limits, traffic volume, and visibility.

3) Warning Devices

- a) Only fully marked patrol vehicles with their emergency lights activated will be used as warning devices at the roadblock site.
- b) All officers involved with said roadblock will be in 'Full' uniform. The only exception to this will be staff officers and/or investigators.
- c) All officers involved with said roadblock will wear reflective orange clothing.
- d) Warning signs and/or devices will be placed in positions leading into the roadblock area advising motorists of a 'Police Check Point Ahead'.

4) Contingency Planning - All Vehicles Stop

- a) Any and all deviations from the predetermined plan for stopping vehicles will be documented. Said documentation will include the time said deviation began, the time said deviation ended, and the reason for said deviation. Some reasons may include:
 - 1) Traffic back up.
 - 2) Intermittent inclement weather.

EXHIBIT "D"

- 3) An inadequate number of officers available to safely run the roadblock.

5) **Operational Briefing**

- a) All officers selected to staff the roadblock should be briefed on both its purpose and operation.
- b) One officer will be selected as the 'Operational Supervisor'. The 'Operational Supervisor' will be responsible for contingency planning, site selection, and data collection.
- c) Data collection will include, but not limited to:
 - 1) time, date, and location
 - 2) weather conditions
 - 3) predetermined order of selecting vehicles
 - 4) number of drivers stopped for S.F.S.T.
 - 5) Identification of unusual incidents including things such as safety problems

EXHIBIT "D"

Petal Police

Supervisor's Roadblock Worksheet

Date: _____

Supervisor in charge of Operation: _____

Location of Roadblock: _____

Time Started: _____

Time Ended: _____

Weather Conditions:

	Sunny
	Partly Sunny
	Cloudy
	Clear & Raining

of 'Reasonable Suspicion' stops conducted: _____

of citations issued: _____

of DUI arrests made: _____

of collateral arrests made: _____

Changes of vehicle sampling procedures: (see 'Roadblock Guideline' Rule 3 Sec. A)

Temporary Shut Downs' of the operation due to traffic congestion or other factors:

(Please list time shut down began and ended and reason for shut down.)

List all Police Officers from any and all agencies present for any portion of roadblock process:

ORDINANCE ~~1975(24)~~ "E"

**AN ORDINANCE REGULATING THE KEEPING
OF ANIMALS, INCLUDING DOGS, CATS, AND FOWL,
PROVIDING FOR THE MAKING OF AN IMPOUNDMENT
OF CERTAIN ANIMALS, PROVIDING PENALTIES FOR VIOLATION
OF THIS ORDINANCE, AND REPEALING ORDINANCE 1975(24)**

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF
PETAL, MISSISSIPPI:

Section 1. Definitions.

(The following words, whenever used in this chapter, shall have the meanings ascribed to them in
this section unless a different meaning clearly appears from the context)

- a. **Person** shall mean any individual, firm, association, syndicate, partnership or corporation
- b. **At large**. . . . Any animal, dog, cat or fowl shall be deemed at large when it is not on a leash, behind a fence or enclosure or under the control of a competent person.
- c. **Owner** shall mean any person, firm or corporation owning, keeping, feeding or harboring any animal or fowl.
- d. **Vaccination** shall mean an injection of United States Department of Agriculture (USDA) approved rabies vaccine administered every 12 (twelve) calendar months by a licensed veterinarian.
- e. **Animal Warden/Animal Control Officer** shall mean the person designated by the City of Petal to represent and act for the City of Petal, in the impoundment of animals, controlling of animals running at large and as otherwise required in this chapter.
- f. **Inhumane treatment** shall mean any treatment to any animal which deprives the animal necessary sustenance, including food, water, protection from the weather or any other treatment of any animal, such as overloading, overworking, tormenting, beating, mutilating, teasing or poisoning or other abnormal treatments as may be determined by:
 1. The health officer and/or animal control officer; or
 2. An authorized law enforcement officer.
- g. **Health Officer** shall mean a licensed physician or veterinarian approved by the Mayor and Board of Aldermen to have charge and control of the work of protecting and preserving public health.
- h. **Animal Shelter**: A place operated by or for the city, whether city facilities or by contract, for the detention of pets, dogs, cats and other animals as prescribed by law.
- i. **Animal**: any living, vertebrate creature, domestic or wild, other than human beings.
- j. **Stray**: any dog or cat that does not have a collar with an identification or current rabies tag attached to it. Appears to be thin and/or malnourished, including diseased.
- k. **Pet**: any animal kept for pleasure rather than utility.
- l. **Livestock**: shall mean all domesticated animals, including but not limited to: horses, cows, mules, goats, sheep and pigs.
- m. **Wild animal** shall mean all undomesticated including but not limited to: lions, tigers, bears, wolves, apes, monkeys, foxes, baboons, skunks, raccoons and opossums.
- n. **Fowl**: any live bird including but not limited to: chickens, geese, ducks, guineas, turkeys, parrots, rheas and emu.
- o. **Feral dog, cat or pet**: A dog, cat or pet that has escaped from domestication and becomes wild, dangerous or untamed.
- p. **Vicious, Ferocious or Dangerous animal**: any animal or animals that constitutes a physical threat to human beings or other animals.
- q. **Nuisance**: Any animal(s) that disturb the peace and dignity of the public by;

EXHIBIT "E"

- a. Molests passers-by or passing vehicles;
- b. Attacks people or other animals;
- c. Trespasses on private, public or school property;
- d. Is repeatedly at large;
- e. Damages private or public property;
- f. Barks, whines, howls, screeches or makes other annoying noises in an excessive, continuous manner or at unreasonable hours; or
- g. Creates an excessive and continuous odor.

Section 2-1. Control & Protection

- a. It shall be unlawful for any person to:
 - h. Permit any animal to run at large within the corporate limits of the City of Petal;
 - i. Carry out any inhumane treatment against any animal;
 - j. Interfere or molest a dog used by the police department of the city in the performance of the functions or duties of such department;
 - k. Keep or harbor any animal(s) which by loud or frequent, habitual barking, howling, yelping or other noise or action that disturbs any person or neighborhood within the corporate limits of the city.
 - l. Keep or harbor any animal(s) or fowl in such a manner as to constitute a public nuisance by reason of odor or unsanitary conditions to persons residing in the vicinity thereof;
 - m. Fail to provide his/her animal(s) with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering and with humane care and treatment.
 - n. Keep or maintain on their property any pen(s), enclosure(s) etc., for keeping animals or fowls so as to become a public nuisance to persons residing in the vicinity thereof, nor shall they be maintained or kept in any manner as to cause bodily injury to any person residing in the vicinity of the pen, enclosure, etc;
 - o. Leave an animal unattended inside a motor vehicle when such action is harmful or reasonably potentially harmful to said animal; in the event of the owner of said vehicle is not available and cannot be found or refuses to prevent said harm or reasonably potential harm from continuing, the animal control officer or the City of Petal Police Department shall be authorized to remove said animal from such vehicle and to utilize and reasonable method to effect removal:
 - p. Expose any known poisonous substance, whether mixed with food or not in such a manner as to be ingested by any animal to purposely harm said animal.
- b. The duly sworn and authorized animal control officer(s) or police officer(s) of the city, may seize or cause to have seized any animal whose owner is found to be in violation of any part of subsection (a) and impound or cause to be impounded such animal in a designated shelter. Such animal shall be held for a period not to exceed (5) days, and if reasonable corrections are not made by the owner of the animal so that the owner will not be in further violation of said subsection (a) if such animal is returned to him, the animal shall be released to the designated humane shelter. The animal control officer shall designate to the owner what corrections are necessary to bring said owner into compliance with subsection (a) during said (5) day period. If compliance is made and the animal may be returned to it's owner, the owner shall be responsible for the costs incurred from impoundment and in agreement with the contract between the city and the designated animal shelter.
- c. In addition to, or in lieu of, impounding an animal, an animal control officer or any police officer may issue to the owner of such animal(s) a notice of violation. This notice shall provide a space thereon for the party charged to waive trial on the merits and enter a plea of guilty or nolo contendere. In the event the party charged desires to enter a plea of not guilty, such person may obtain a trial setting from the clerk of the municipal court. Notwithstanding any other provision of this subsection, persons charged with a violation may, after entering a plea of guilty or nolo contendere in the space provided, pay a fine in the amount designated by the city judge for such

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violation, to the clerk of the municipal court within (10) days unless otherwise noted by the city judge.

Section 2-2. Female Dogs and/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 hospital or boarding kennel, in such a manner that such female animal cannot come in contact with a male animal, except for the intentional breeding purpose. Any intentional breeding of dogs and cats, but not limited too, shall be done away from the view of the public and within the seclusion of a private dwelling.

Section 3. Vaccination of dogs and cats required: issuance of certificate and metal tag.

- a. Every owner of a dog and/or cat, three (3) months or older, and reside within the corporate limits of the City of Petal, shall have such animals vaccinated against rabies by a licensed veterinarian and shall continue to do so each year after, keeping such pets current so not to expire out of a twelve (12) month period of vaccination.
- b. Evidence of vaccination shall consist of a metal tag and certificate issued and signed by the veterinarian administering the vaccination and containing pertinent data for identification of the dog or cat which data must consist of the owners name, address and telephone number. The tag must be worn at all times by the dog or cat.

Section 4-1. Keeping of livestock and Fowl.

- a. No persons shall own, keep or harbor any type of livestock or fowl described herein, within the corporate limits of the City of Petal except persons residing in a "RF" zoning section of the City.
- b. At the request of the animal control officer each livestock owner shall notify the animal control officer of the type, number and location of any and all livestock kept within the corporate city limits. Said owner shall also furnish his name, address and telephone number to the animal control authority and to the police department at the request of either.
- c. It shall be unlawful for the owner of such livestock or fowl to roam outside the property of said owner.

Section 4-2-1. Limitation on applicability of section 5-1.

The provisions relating to the keeping of livestock and fowl shall not apply to any area deemed as "RF" Rural Fringe as set out in ARTICLE VI SCHEDULE OF REGULATIONS AND DISTRICT REGULATIONS, Section 6.012 Paragraph 1, Section 6.012 Paragraph 3 and Section 6.012 Paragraph 5 of the Zoning Ordinances for the City of Petal.

Section 4-2-2. Compliance with Article Not Relief from compliance with other regulations.

The keeping of any animal in accordance with the provisions of this article shall not be construed to authorize the keeping of the same in violation of the zoning ordinance or any other ordinance of the city.

Section 4-3-3. Ferocious, vicious or dangerous animals prohibited.

- a. It shall be unlawful for any person to keep or maintain within the corporate limits of The City of Petal, any vicious ferocious or dangerous animal or fowl. Such animal or fowl may be impounded or destroyed.
- b. The violation of this section shall constitute a misdemeanor.

Section 4-4-1. Performing animal exhibits or circuses: regulation.

- a. No performing animal exhibit or circus shall be permitted in which animals are induced or encouraged to perform through the use of chemical, mechanical, electrical or manual devices in a manner which is likely to cause physical suffering or injury to the animals.
- b. All equipment used on or by a performing animal shall fit properly and be in good working condition.
- c. The owners, managers and caretakers of animals used as performing animals shall provide them with good and sufficient food and water, shelter from extremes of weather and shall at no time hobble, tether, tie or stake them alongside city streets, state highways, public right-of-ways or any thoroughfare within the corporate limits of the city.
- d. The animal control officer is hereby authorized to inspect the conditions and premises of such operations at any given time to determine compliance with this section.

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Section 4-4-3. Inspection of animals and premises.

Animals and the premises where animals are kept or maintained shall be subject to inspection by the City Health officer or his/her authorized representative or employees, or and animal control officer, at any reasonable hour or at any hour, incases of emergencies.

Section 5-1. Impoundment of Animals or Fowl.

Any dog, animal or fowl caught, picked up or impounded by the animal control officer of the City of Petal shall be forthwith turned over to the designated Animal Shelter or humane society to be held, impounded or disposed of in accordance with the rules and regulations of said animal shelter, and upholding the agreed contract between the City of Petal and the Designated Animal Shelter. Owner release of animals to the animal control officer may be adopted out by the animal control officer or released to the designated animal shelter or humane society, after the animal control officer has obtained signed permission from such owner.

Section 5-2. Procedure on retention, observation and disposition of animals which have bitten persons or other animals, or those suspected of having disease.

The animal control officer, in the course of his or her duties of investigation of cases in which animals have bitten persons or other animals, shall immediately notify the owner of such animal which has bitten a person or animal to surrender the animal to the animal control officer immediately or otherwise arrange for the animal control officer to pick up and retain such animal, at the discretion of the animal control officer and/or the city health official, at the designated animal shelter or humane society which owner shall be responsible for any incurred expenses or at a veterinary office of the owners choice and expense, for (10) days after the biting of such person or other animal, during which period it shall be determined by the city health officer or designated official shall signify to the owner; provided further, that the animal control officer may authorize keeping of such animal on the owners premises provided that the owner produces a certificate of rabies vaccination performed by a veterinarian showing that the animal in question has been vaccinated for rabies not longer than twelve (12) months previous thereto or (other) vaccination period recognized by the United States Department of Agriculture and provided further, that the animal control officer may authorize any such animal to be retained for a period not less than ten(10) days after biting such person or animal in quarters supervised by a veterinarian; provided further, that the city health officer and/or the animal control officer may authorize the keeping of certain animals confined on the owners premises because of veterinary medical reasons, such as small rodents, monkeys or other animals difficult to maintain or susceptible to diseases which might occur within changes of environment of a female dog with pups, provided the owner secures a written statement of such consideration from a veterinarian if required by the city health officer and/or city animal control officer. After such time of quarantine the owner will then provide the animal control officer with the appropriate documents proving compliance with this order forthwith.

Section 5-3. Authorize for quarantine.

In the event of a potential outbreak of rabies is suspected, and the danger of the public safety from rabid animals is reasonably imminent, the city health officer and/or the city animal control officer is hereby authorized and it shall be his duty to issue a quarantine proclamation ordering persons owning, keeping or harboring any dog or cat to muzzle the same or confine it as herein provided for such a time as may be specified in such quarantine proclamation. Under the publication of such proclamation by the health officer and/or city animal control officer, the person keeping or harboring any dog, cat or other animal shall follow the procedure as prescribed in the definition for "at large", except that any such animal under the control of an adult person, on a leash or under the control by voice command may do so only if the animal is effectively muzzled. All dogs, cats and other animals found at large during the same time specified by the city health officer and/or city animal control officer in a quarantine proclamation, without being properly confined or muzzled if under the control of an adult person, may be destroyed by any officer of the city if said officer is unable, with reasonable effort, to apprehend the animal for impounding.

Section 6-1. Animal Control Officers- training and certification.

Animal control officer(s) shall be required to be familiar with the City of Petal ordinances pertaining to "Animals & Fowl", and applicable Federal and State Statutes pertaining thereto.

Section 6-2. Same-Police Powers and enforcement responsibility.

- a. Any animal control officer may utilize any equipment reasonable and necessary to enforce the provisions of this Code, including and without limitation, humane wire box traps; and animal control officer(s) may lend such traps or other equipment to private persons for the purpose of preventing nuisances resulting from animals running at large.
- b. Any animal control officer appointed by the city shall be vested with police powers and shall be authorized to issue tickets, summons or other process in the same manner as other police officers of the city.
- c. For purposes of discharging the duties imposed by the provisions of this article, or other applicable laws, and to enforce the same, dully authorized representatives or employees of the city or the health department may enter upon the private property to the full extent permitted by law, which shall include, but not be limited to, entry upon private, unfenced property, when in pursuit of any animal which they have reason to believe is subject to impoundment pursuant to the provisions of this article or other applicable laws.

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Section 6-3. Interference with the Animal Control Officer.

No person shall interfere with, hinder, abuse or molest the Animal Warden, City Health Official or Police Officer in the performance of any duty of such agent, nor seek to release any animal in the custody of the Animal warden, City Health Official or Police Officer.

Section 7. Reporting vehicle accident involving animal.

Any person who, as the operator of a motor vehicle, strikes a domestic or wild animal shall at once report the accident to the police department and/or animal control officer or to the local Animal Shelter within a reasonable time.

Section 8. Vicious or diseased animals.

- a. Vicious or feral dogs. When an animal is determined by the animal control officer to be a vicious animal or a feral dog that animal may be destroyed by the animal control officer or his designee providing each of the following requirements are met:
1. The animal is running at large.
 2. There is no vaccination tag around the animal's neck.
 3. Attempts to peacefully capture the animal have been made and prove unsuccessful.
- b. Incurably injured or diseased animals, etc. It shall be the duty of the police or the duly appointed animal control officer to discharge a firearm in order to mercifully end the life of an animal suffering from an incurable injury or disease or as a sole effective means of controlling a public nuisance or health hazard, including but not limited to pigeons, rabbits, snakes and feral dogs.

Section 9. Personnel using firearms pursuant to chapter.

Personnel empowered by this chapter or section to discharge firearms within the city limits shall qualify with the police chief or other designated firearms instructor every 6 (six) months and may not discharge any firearms within the scope of their employment unless and until he has been issued or renewed the appropriate certification. Said certification is to be issued based on the following consideration:

- a. Thorough instruction in operation of the type of firearms issued to the animal control officer.
- b. Thorough knowledge of all appropriate safety procedures.
- c. Competent performance on the firing range.
- d. Such other tests or qualifications as the Chief of Police and/or designated firearms instructor in his discretion, deems appropriate.

In issuing that required certification, the chief of police or designated firearms instructor is to take into consideration all the requirements in keeping with good police practice and will at all times bear in mind the safety of the citizens of the city, and shall require the same degree of competence from the authorized personnel as it is required of police officers discharging firearms within city limits.

Section 10. Humane Euthanization.

Any injured or neglected animal may be humanely euthanized by the animal control officer or his designee immediately.

Section 11. Penalties.

Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor. Each and every day the same shall continue shall constitute a separate and distinct offense.

Section 12. Repeal

Ordinance 1975(24) is hereby repealed.

Section 13. Effective Date

This Ordinance shall be in full force and effect, thirty (30) days from and after its passage.


THE ABOVE AND FORGOING ORDINANCE having been presented to the Mayor and Board of Aldermen, first section by section, and then as a whole, the following action was taken:

EXHIBIT "E"

Upon motion made and seconded, the following Aldermen voted "YEA", and in favor of the passage, approval, and adoption of the foregoing Ordinance:

Alderman McMurray
Alderman Stringer
Alderman Travis
Alderman Hinton
(Alderman Draughn absent)

THE ABOVE AND FOREGOING ORDINANCE having received the affirmative vote of the aldermen present and voting, the foregoing Ordinance was duly passed and adopted on this, the 18th day of December, A.D., 2001.



TONY PHILLIPS,
Mayor

Attest:



JEAN ISHEE
City Clerk

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