

AMENDED ORDINANCE

PURPOSE: To amend the Ascension Parish Code of Ordinances, Chapter 5 – Animals and Fowl, Article III., Animal Control.

WHEREAS: Ascension Parish is a local governmental subdivision as defined by Article VI, Section 44 of the Louisiana Constitution of 1974; and

WHEREAS: Ascension Parish Government is the governing and responsible body of Animals and Fowl; and

WHEREAS: The Code of Ordinances, Chapter 5, Article III., Animal Control was last amended on December 1, 2022.

NOW THEREFORE, BE IT ORDAINED by the Ascension Parish Governing Authority that the Code of Ordinances of Ascension Parish, Chapter 5, Article III., Animal Control be amended as more fully described in Exhibit “A” attached hereto and made a part hereof:

EFFECTIVE DATE: This ordinance shall be in full effect as permitted by law.

This ordinance having been submitted to a vote, the vote thereon was as follows:

Yeas: Oliver Joseph, Joel Robert, Todd Varnado, Chase Melancon, Blaine Petite, Brian Hillensbeck, Pam Alonso, Michael Mason, Dennis Cullen

Nays: None

Not Voting: None

Absent: Travis Turner, Brett Arceneaux

And this Ordinance was adopted by the Council on the 7th day of November, 2024, and this Ordinance is effective immediately.

/s/ Cinnamon McKey
Secretary

/s/ Clint Cointment
Parish President

EXHIBIT A

(Deletions are in ~~strikethrough~~, additions are underlined.)

ARTICLE III. - ANIMAL CONTROL

DIVISION 1. - GENERALLY

Sec. 5-31. - Title.

This article shall be known as the "Parish of Ascension Animal Control Ordinance."

Sec. 5-32. - Jurisdiction.

This article shall apply to the entire area of the parish.

Sec. 5-33. - Definitions.

a) For the purpose of this article, the following definitions, terms, words and phrases shall have the following meaning or usage:

1. Abandonment or abandon: (a) Leaving an animal for a period in excess of twenty-four (24) hours without adequate food, water, or shelter; (b) leaving an animal by a roadside or other area; or (c) leaving an animal on either public or private property without the property owner's consent.

2. Adequate food: The provision, in a sanitary manner, at certain intervals not to exceed twenty-four (24) hours, of a quantity of wholesome age and species appropriate food sufficient to maintain an adequate level of nutrition.

3. Adequate shelter: Facilities that are well constructed, adequate to provide shelter from the elements, and appropriate to the animal's age and physical condition. All animals shall be able to comfortably stand at their full height, stretch out, turn around, lie down and make postural adjustments. Said shelter must be free of an excessive amount of animal waste, maintained in a safe and healthful manner and be free of standing water.

4. Adequate water: Provision of, in a sanitary manner and at certain intervals not to exceed twenty-four (24) hours, a supply of clean water sufficient for the needs of the animal.

5. Animal control shelter: Any facility operated by the parish for the purpose of impounding animals under the authority of this article or state law.

6. At-large: Any animal that is not within the confines of its owner's property or automobile or in the owner's physical possession.

EXCEPTION: Hunting, cattle or stock dogs, government or law enforcement dogs actively being worked under the physically present supervision of their owners or agents or employees of owners are excepted from this definition.

7. Bite: Any abrasion, puncture, tear or piercing of the human skin by an animal.

8. Cat: Any domestic feline of either sex.

9. Collar: A band, chain, or other device worn around the neck of the animal. The collar shall be monitored and maintained to insure proper fit in order to prevent discomfort or injury.

10. Dangerous: Any animal whose behavior, including, but not limited to, attempted or actual attack on a human or another animal, constitutes a reasonable risk of (1) injury, (2) exposure to rabies to a human or animal, or (3) damage to personal or real property, or any animal who has been owned or kept, primarily or in part, for dog fighting.

11. Dog: A domestic canine of either sex.

12. Euthanasia: The humane destruction, by a veterinarian or other person duly certified or trained, of an animal accomplished by a method that involves the use of an agent that produces painless loss of consciousness and subsequent death during such loss of consciousness.

13. Exotic animal: Any species of animal born or whose natural habitat is outside the continental United States and including any undomesticated animal, indigenous to the United States, which can normally be found in the wild state.

14. Harboring an animal: An animal is harbored if it is fed or sheltered seven (7) days or more, unless the animal is being boarded for a fee.

15. Impounded: Any animal received into custody by an animal control officer.

16. May: "May" is permissive.

17. Nuisance: Any animal which (1) molests or chases pedestrians or passing vehicles; (2) damages public or private property; (3) barks, whines or howls in a continuous, excessive or untimely manner; (4) is an at large or roaming female animal in its mating season or (5) causes unsanitary conditions or odors about the property of the owner or on public property through urination or defecation.

18. Owner: Any person owning, keeping, harboring or controlling a dog or cat, including persons temporarily in possession of a dog or cat at the owner's request.

19. Parish: The Parish of Ascension.

20. Premises: A definite portion of real estate/property, including land with its appurtenances, a building or part of a building.

21. Poison: Any substance that causes injury, illness or death, especially by chemical means.

22. Rabies tag: A suitable tag bearing the same number as the rabies vaccination certificate and the year issued.

23. Severely injured: Any animal which because of major trauma, broken bones, blood loss, or other apparent life-threatening condition, is not expected to live or is in extreme pain or suffering.

24. Shall: "Shall" is mandatory.

25. State: The State of Louisiana.

26. Stock, working, or cattle dogs: Dogs used primarily to herd or work cattle.

27. Stray dog/cat: Any dog or cat that is found, observed, secured or impounded while at-large and is not physically wearing a ~~rabies tag, license~~ registration tag, or any other means of identification.

28. Vaccination certificate: A numbered certificate signed by the veterinarian_or commercial establishment who administered the rabies vaccine, stating the year issued, the name of the animal's owner, description of the animal, and certifying that the animal was vaccinated against rabies.

29. Vaccination against rabies: An inoculation by a veterinarian of a recognized rabies vaccine.

~~Vaccination license tag: A suitable tag bearing the same number as the vaccination certificate and the year issued.~~

30. Veterinarian: Any person duly licensed to practice veterinary medicine by the Louisiana Board of Veterinarian Medical Examiners.

31. Vicious animal: A cat or dog which has demonstrated a propensity to bite or attempt to bite humans, or which causes reasonable fear of bodily injury by attacking or threatening to attack a person, except when such person may be in the act of unlawfully trespassing upon private property of the owner.

32. Year or yearly: A calendar year.

Sec. 5-34. - Enforcement.

This article may be enforced by the parish sheriff's office, the parish animal control officer, the constables of the parish, or any other law enforcement officer of the state or the parish.

Sec. 5-35. - Waiver of liability.

The parish, the animal control officer, the sheriff, or any enforcement officer shall not be liable for damages or subject to prosecution for euthanizing or killing any nuisance, dangerous, or vicious dog or cat, any dog or cat suspected of having rabies, or any dog or cat which has bitten any person.

Sec. 5-36. - Ascension Parish Animal Services Board bylaws.

(a) Purpose. The purpose of the Ascension Parish Animal Services Board (hereinafter the ASB) is to provide oversight, management, advice, recommendations, financial and operations reports, and presentations to the parish council and administration on matters involving animal services and related issues in Ascension Parish, Louisiana. The ASB will have fiduciary responsibility for the Ascension Parish Animal Services Department and ensure animal tax dollars are appropriately spent.

(b) Vision and mission. The vision of the ASB is that someday all citizens, their property and their neighborhoods will be safe from the dangers and nuisances of irresponsible pet ownership, that someday: animals will not suffer because of human abuse, neglect or ignorance, and that every pet born will have a good home and proper care all its natural life. In keeping with our vision, our mission is to balance the health, safety and welfare needs of people and animals in Ascension Parish by:

- (1) Protecting the rights of people from dangers and nuisances caused by uncontrolled animals;
- (2) Ensuring the legal protection of animals from mistreatment;
- (3) Promoting, motivating and enforcing responsible pet ownership;
- (4) Being good stewards of the animal tax revenues of Ascension Parish.

(c) Members. The ASB shall consist of seven (7) members which shall be appointed by the parish council and serve at the pleasure of the parish council and will include:

(1) Up to four (4) citizens eighteen (18) years of age or older who are residents of Ascension Parish with an interest in the care, handling or rescue of pets and companion animals. No one (1) organization, agency or association may have more than one (1) representative holding one (1) of these seats at any given time;

(2) One (1) citizen eighteen (18) years of age or older with expertise in finance, business development, or business operations;

(3) One (1) practicing veterinarian, who is licensed in the State of Louisiana and/or a retired veterinarian not employed by or under contract with Ascension Parish;

(4) A current parish council member appointed by council chairperson.

Members shall annually elect, from its members, a chairperson, vice-chairperson, secretary and treasurer (could be same person). The parish council board member is not eligible for any of these positions.

Board members are encouraged to visit and/or volunteer at the Ascension Parish Animal Services shelter on a semi-annual basis in an effort to remain educated and informed on animal services issues.

Employees of companies or members of organizations involved with animal services under contract with Ascension Parish cannot serve on the ASB.

The ASB may request that a member be removed for cause. Removal for cause may include three (3) or more unexcused absences during a single term. For an absence to be excused, members are encouraged to contact the chairperson within twenty-four (24) hours prior to a posted meeting if they are unable to attend. Any board member may be removed with or without cause by a simple majority of the parish council members at a duly convened meeting.

(d) Terms of board members. ASB members will serve a term of four (4) years, with one (1) member's term expiring after the first two (2) years, three (3) of the members' terms expiring after the first three (3) years and the other three (3) members' terms expiring after four (4) years. This will create the appropriate "stagger" so the terms of board members will not all expire at the same time. Following the first four (4) years, members appointed to the board will each serve a four-year term, and either roll off the board or be re-appointed if they re-apply, and are approved by the parish council.

(e) Meetings. Meetings of members of the ASB shall be monthly. Items may be placed on the agenda at the request of the parish president, chairperson of the parish council, the ASB chairperson and by the request and agreement of any two (2) current board members. Agendas will be prepared and approved by the chair prior to public posting of agendas. Meeting minutes will be prepared for ASB approval. Meetings shall be conducted by the chairperson, and if absent by the vice-chairperson. A quorum shall consist of a simple majority of the ASB. Special meetings may be called by the chairman and must be in compliance with the Louisiana Open Meetings Laws. Meetings will be conducted under Roberts Rules of Order.

(f) Operation. The board shall be responsible for oversight of the rules and regulations for operation of the facilities including consultation with organizations under contract for animal services with the parish. The rules and regulations shall be submitted to the council for ratification.

The ASB may periodically review the parish's animal services ordinances and make appropriate recommendations for amendments to the council. The ASB shall be held responsible for the care and maintenance of the buildings and equipment used for animal services in the parish. The ASB shall be responsible for establishing its annual budget following established guidelines by parish government.

Secs. 5-37—5-45. - Reserved.

DIVISION 2. - OWNER'S RESPONSIBILITIES

Sec. 5-46. - General.

Except as otherwise provided in this article, the owner of an animal shall:

- (1) Provide for the animal's physical needs, including, but not limited to, veterinary care, adequate food, adequate water, and adequate shelter shall;
- (2) Insure that the animal is not a nuisance, not dangerous, not vicious;
- (3) Insure that the animal is not at large or is not running at large;
- (4) Have the animal vaccinated against rabies in accordance with the state law or regulations or this article;
- (5) Not abandon the animal or permit the animal to run at large; and
- (6) Register ~~or license~~ the dog with the parish.

If an owner fails to comply with this section, the animal may be removed or seized from the owner and impounded at the animal shelter.

Sec. 5-47. - ~~Rabies vaccination and~~ Registration tags.

~~Every owner of a cat or dog over three (3) months of age shall have the animal vaccinated against rabies by a licensed veterinarian on a yearly basis or effective January 1, 2023, a three-year basis and tagged with the vaccination license tag attached to a collar to be worn by the animal at all times.~~

~~In addition to the license tag, the veterinarian vaccinating any dog or cat shall issue a vaccination certificate to the owner or keeper of such animal.~~

(a) Except as provided hereinafter, every owner of a dog or a cat shall register the animal with the parish, shall pay all registration fees, and shall affix the registration tag to the collar worn by the animal. The registration shall be renewed on a yearly basis. Said registration may be obtained from any veterinarian that has agreed to register the animals for the parish.

(b) An animal shall not be registered unless the owner presents a valid vaccination certificate.

(c) Rabies Tags. Veterinarians servicing animals shall supply a rabies vaccination tag upon administering a rabies vaccination to an animal.

(d) Ascension Parish Animal Registration Tag. Cats and Dogs in Ascension Parish shall be registered annually. Veterinarians administering rabies tags shall register animals upon request by owners and/or at the same time rabies vaccinations are administered.

(e) Ascension Parish Animal Registration Tag Fee. The Ascension Parish registration fees shall be Ten (\$10.00) Dollars for neutered and spayed animals annually and Twenty (\$20.00) Dollars for non-neutered and non-spayed cats and dogs. These fees shall be remitted to the Ascension Parish Government at the end of every month or other frequency agreed upon with the Animal Control Director.

(f) Ascension Parish Animal Registration Tag Fee Share. One Dollar of each Ten Dollar tag shall be retained by the Veterinarian issuing the tag. Two Dollars of each Twenty Dollar tag shall be retained by the Veterinarian issuing the tag.

(g) It shall be the duty of the veterinarian to record the name of the person who owns the animal, a description of the animal, and the registration number assigned to the animal. This information shall be transmitted to Ascension Parish Government in the agreed upon format and frequency.

(h) The color and shape of such tags shall be changed each year. Each registration and tag issued pursuant thereto shall be valid from that date for a period of one (1) year.

(i) Any person who attached the tag to any dog or cat other than the dog or cat for which it was issued shall be subject to the penalties provided in Chapter 1, Section 1-8.

Sec. 5-48. — ~~Registration, license, and tags.~~

~~Except as provided hereinafter, every owner of a dog or cat shall register the animal with the parish, shall pay all registration fees, and shall affix the registration tag to the collar worn by the animal. The registration and license shall be renewed on a yearly basis.~~

~~The annual registration fee shall be twenty dollars (\$20.00) for each infertile animal and twenty-five dollars (\$25.00) for each fertile animal. An infertile animal is a dog or cat that has been neutered, spayed, or has been rendered incapable of birthing a litter by a veterinarian.~~

~~An animal shall not be registered unless the owner presents a valid vaccination certificate.~~

~~Said registration may be obtained from the animal control officer or any veterinarian that has agreed to register animals for the parish. These fees shall be remitted to the Ascension Parish Government at the end of every month. Veterinarians that perform rabies vaccinations in Ascension Parish shall issue a valid Ascension Parish license tag.~~

~~It shall be the duty of the parish or veterinarian to record the name of the person who owns the animal, a description of the animal, and the license number assigned to the animal.~~

~~The color and shape of such tags shall be changed each year. Each registration and the tag issued pursuant thereto shall be valid from that date for a period of one (1) year.~~

~~Any person who attaches the tag to any dog or cat other than the dog or cat for which it was issued shall be subject to the penalties provided in Chapter 1, Section 1-8.~~

~~For the purpose of compensating veterinarians who account for and remit rabies license fees, an amount equal to eight (8) percent of the amount of the fees due shall be allowed as a deduction when remitting such fees to the city/parish.~~

~~(j) The animal control and rescue center shall recognize tags issued by legal licensing authorities of other parishes of this state and counties of another state, provided the animal owner is able to produce a certificate of registration which has been issued within the preceding year by such licensing authority of another parish of this state or county of another state, as the case may be.~~

~~EXCEPTION: This section shall not apply to hunting dogs, cattle or working dogs, or government or police dogs.~~

~~(k) All veterinary hospitals, clinics, animal feed stores, pet supply facilities, animal establishments and any establishment, where animal vaccines are sold shall post a sign, supplied by the animal control and rescue center, in a conspicuous location stating:~~

~~"Chapter 5, Article III (Parish Code of Ordinances) REQUIRES ALL DOGS AND CATS TO BE:~~

- ~~1. Vaccinated against rabies by a LICENSED VETERINARIAN at three (3) months of age initially, revaccinated one (1) year later and vaccinated either annually or triennially thereafter.~~
- ~~2. Registered with Animal Control and Rescue Center Ascension Parish Government on an annual basis.~~
- ~~3. Tagged with the rabies license tag on a collar or harness with the current registration tag.~~

Exceptions: Ferrets and community cats shall be exempt from wearing tags.

4. Prevented from running at large and/or causing a nuisance.

For your convenience, your veterinarian collects the registration fees. These fees fund the Animal Control and Animal Services public health and safety function by ~~administering the rabies program,~~ investigating cruelty, dog-fighting and dangerous animal cases and conducting animal rescues, stray animal, leash law and nuisance animal investigations involving domestic, ~~exotic, wildlife and livestock~~ animals.

VIOLATION: FINES UP TO FIVE HUNDRED DOLLARS (\$500.00) AND/OR THIRTY (30) DAYS IMPRISONMENT UPON CONVICTION."