

ORDINANCE NO. 2020-08

CITY OF BELLA VISTA, ARKANSAS

AMENDING SECTIONS 4-25, 4-26 AND 4-27 OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO REQUIRE PHYSICAL IDENTIFICATION BE ON A DOG IN THE FORM OF A TAG OR MICROCHIP, TO MODIFY RECLAMATION FEES FOR DOGS IMPOUNDED BY THE CITY, TO ELIMINATE THE DOG LICENSING REQUIREMENT, AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLA VISTA, ARKANSAS:

SECTION 1: Section 4-25 *Impoundment of dogs* of the Code of Ordinances of the City of Bella Vista is hereby amended so that, after amendment, the Section shall read as follows:

“Sec. 4-25. Impoundment of Dogs; Physical Tag or Microchip Required.

- (a) Any dog found to be at large within the city may be picked up by the animal control officer and impounded in the animal shelter and there confined in a humane manner. Dogs which are not claimed by their owners or an authorized representative identified in writing by the owner within seven days may be destroyed in a humane manner at the discretion of the animal shelter.
- (b) All dogs in the city shall bear a physical tag on a collar with the current owner’s name and address or a microchip referencing the current owner’s name and address.
- (c) Prior to the destruction of any dog found running at large, where the dog carries its owner's address on a tag or microchip, the animal control officer shall give the dog's owner at least seven days' notice of the date of the proposed destruction of the dog. This notice shall be sent by certified mail, return receipt requested, and shall otherwise conform to A.C.A. § 14-54-1102.
- (d) The owner of an impounded dog who refuses to reclaim their animal shall be deemed to have abandoned the dog in violation of this article.
- (e) Upon impounding a dog, the animal control officer shall take reasonable steps to notify the owner of the dog so impounded, and inform the owner of the condition whereby custody of such animals may be regained. Failure of the animal control officer to give actual notice to a dog owner shall not preclude the animal control officer or the animal shelter from taking any action stated in this section.”

SECTION 2: Section 4-26 *Reclamation of dogs impounded by the city; fees for reclaiming* of the Code of Ordinances of the City of Bella Vista is hereby amended so that, after amendment, the Section shall read as follows:

“Sec. 4-26. Reclamation of dogs impounded by the city; fees for reclaiming.

(a) *Reclamation.*

(1) *For a first impoundment.* A reclamation fee of \$35.00 shall be paid unless the dog is microchipped prior to reclamation. In such case, a fee of \$20.00 shall be paid.

(2) *For a second impoundment.* A reclamation fee of \$50.00 shall be paid unless the dog is microchipped prior to reclamation, In such case, a fee of \$35.00 shall be paid.

(3) *For a third impoundment.* A reclamation fee of \$75.00 shall be paid. In addition, prior to reclamation, the dog shall be microchipped at the expense of the person reclaiming the dog.

(4) Any fees described in this section are in addition to fines or other penalties imposed by a court of law for violation of any provision in this article.

(b) *Recordkeeping; manner of collection.*

(1) Complete and accurate records of all dogs impounded along with owner identification, when determined, shall be kept.

(2) The mayor, by contract or otherwise, may provide a method for the orderly collection of fees required by this section. Any dog found to be at large within the city may be picked up by the animal control officer and impounded in the animal shelter and there confined in a humane manner. Dogs which are not claimed by their owners or an authorized representative identified in writing by the owner within seven days may be destroyed in a humane manner at the discretion of the animal shelter.”

SECTION 3: Section 4-27 *Dog licensing* of the Code of Ordinances of the City of Bella Vista is hereby amended so that, after amendment, the Section shall read as follows:

“Sec. 4-27. Dog licensing.

No dog license shall be required in the City of Bella Vista.”

Motion to approve by Wozniak, second by Flynn.

Ayes: Lloyd, Fowler, Flynn, Wozniak. Nays: Bourke and Wilms

ADOPTED THIS 22ND DAY OF JUNE, 2020.

APPROVED:

PETER CHRISTIE
MAYOR

ATTEST:

WAYNE JERTSON
CITY CLERK

Requested by: Mayor
Prepared by: Jason Kelley, Staff Attorney