

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE CODE SO AS TO SPECIFY THE CONDITIONS UNDER WHICH TETHERING OF DOGS IS PROHIBITED; TO PROVIDE FOR DEFINITIONS; TO REGULATE THE SIZE OF PROPER DOG ENCLOSURES AND CONFINEMENT SYSTEMS; TO PROVIDE EXCEPTIONS; TO MODIFY THE ANIMAL CRUELTY ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA,
HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That the Code of Ordinances of the City of LaGrange be amended by creating therein a new Section 10-30-31, to be entitled "Tethering of Dogs" and to read as follows:

"Sec. 10-30-31. Tethering of Dogs.

(a) The following definitions shall apply in the interpretation and enforcement of this code section, unless otherwise specifically stated:

Proper enclosure means any structure or device used to restrict a dog to a limited amount of space such as a fenced area, electronic animal confinement system, building, house, pen, or other device or structure out of which a dog cannot climb, dig, jump, or otherwise escape. Proper enclosures must have an adequate space for exercise based on a dimension of at least one hundred (100) square feet per each dog that weighs fewer than twenty (20) pounds and two hundred (200) square feet per each dog that weighs more than twenty (20) pounds. Proper enclosures shall also contain appropriate shelter of sufficient size to allow each dog to stand up, turn around, and lie down.

Tethered, also known as *Direct point chaining*, means a dog attached to a stationary object by a chain, cable or similar device commonly used for the size and type of dog involved.

Electronic animal confinement system shall mean a commercially produced, functioning electronic fence which utilizes an invisible electrically generated perimeter, in which the animal within the perimeter wears an electronic collar that produces an electric shock when the animal approaches or exceeds the perimeter.

(b) It shall be the duty of every owner of a dog to ensure that the dog is securely and humanely enclosed within a proper enclosure as a means of primary restraint. Such enclosure must be securely locked at any time the dog is left unattended. When outside the proper enclosure but on the owner's property, it shall be the duty of every owner of a dog to ensure that the dog is humanely secured by a leash or lead and under the control of a responsible and competent person; or off leash but under the direct control of a responsible and competent person who is physically

present with the dog, provided that such dog is obedient to that person's command.

(c) Any dog that is housed outside of its owner's house shall be housed in a proper enclosure that complies with the provisions of this Code.

(d) Direct point chaining or tethering of a dog is prohibited, except upon the following conditions: A dog shall not be considered "tethered" in violation of this ordinance if: (1) the owner or custodian is present on the premises; (2) the line or lead used is at least ten (10) foot long and is not wrapped directly around the dog's neck; and (3) the line or lead used weighs no more than twenty-five percent (25%) of the dog's body weight.

(e) As a secondary means of restraint to a proper enclosure, a dog may be attached to a running cable line or trolley system providing that:

- (1) Only one (1) dog may be attached to each running cable line or trolley system;
- (2) Tethers and cables attaching the dog to the running cable line or trolley system must be made of a substance which cannot be chewed through by the dog and shall not weigh more than twenty-five percent (25%) of the body weight of the dog tethered;
- (3) A running cable line or trolley system must have a swivel installed at each end and be attached to a stationary object that cannot be moved by the dog;
- (4) The running cable line or trolley system must be at least ten (10) feet in length and positioned at sufficient distance from any other objects to prohibit the tangling of the cable / lead line; must not extend over an object or an edge that could result in injury or strangulation of the dog; and must be of sufficient distance from any fence so as to prohibit the dog from access to the fence;
- (5) The length of the lead line from the running cable line or trolley system to the dog's collar should allow access to the maximum available exercise area and allow the animal free access to food, water, and shelter. In no event shall the length of the lead line allow for access to less than the square footage required within a proper enclosure as defined in subsection (a) above; or
- (6) The lead line must be attached to a properly fitted harness or collar not used for the display of a current rabies tag and other identification; and with enough room between the collar and the dog's throat through which two (2) fingers may fit. Choke collars and pinch collars are prohibited for the purpose of securing a dog to a running cable line or trolley system.

(f) If an electronic animal confinement system is used to confine a dog, it shall provide a properly fitted and working signal device that will be worn by the dog to be enclosed."

SECTION 2:

That Section 10-30-3 of the Code of the City, regarding animal cruelty, be deleted, in its entirety, inserting in lieu thereof a new Section 10-30-3 to read as follows:

“Sec. 10-30-3. Animal cruelty.

- (a) For the purposes of this code section, “animal” shall not include any fish nor shall such term include any pests that might be exterminated or removed from a business, residence or other structure.
- (b) It shall be unlawful for any person to:
- (1) Cause physical pain, suffering or death to an animal by an unjustifiable act or omission;
 - (2) After having intentionally exercised custody, control, possession of ownership of an animal, to fail to provide such animal adequate food, water, sanitation conditions or ventilation that is consistent with what a reasonable person of ordinary knowledge would believe is the normal requirement and feeding habit for such animal’s size, species, breed, age and physical condition;
 - (3) After having intentionally exercised custody, control, possession of ownership of an animal to fail to maintain adequate shelter and general protection from extreme natural elements of hot, cold and wet weather conditions; or
 - (4) Maliciously administer poison to an animal, or expose an animal to any poisonous substance, with the intent that the substance be taken or swallowed by the animal.”

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4:

This Ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING _____

SECOND READING AND ADOPTED/REJECTED _____

SUBMITTED TO MAYOR AND APPROVED/DISAPPROVED _____

BY: _____
Mayor

ATTEST: _____
Deputy City Manager –
Administration and Finance