

**ANIMAL CONTROL ORDINANCE
FOR
THE TOWN OF WOOLSEY**

AN ORDINANCE TO REGULATE AND PROVIDE FOR THE CARE AND KEEPING OF DOMESTICATED ANIMALS; TO REQUIRE THEIR RESTRAINT AND PROTECTION BOTH ON AND OFF THE REAL PROPERTY OF THEIR POSSESSORS, OWNERS OR CUSTODIANS; TO PROVIDE FOR IMPOUNDMENT, TREATING, NEUTERING, VACCINATION AND OTHER DISPOSITION OF ANIMALS ABANDONED OR NOT KEPT AND RESTRAINED AS HEREBY REQUIRED; TO PROVIDE FOR ADOPTION OF ABANDONED OR UNCLAIMED SUCH ANIMALS; TO ESTABLISH FEES FOR BOARDING, TREATING AND OTHERWISE DEALING WITH ABANDONED, ESTRAYED, DANGEROUS OR UNRESTRAINED ANIMALS; TO AUTHORIZE AND PROVIDE REQUIREMENTS ATTENDING THE ADOPTION OF UNCLAIMED DOMESTICATED ANIMALS; TO AUTHORIZE THE PROVISION OF PERSONNEL AND FACILITIES INCIDENT TO ENFORCEMENT OF THIS ORDINANCE; TO PROVIDE FOR THE IMPOSITION OF PENALTIES, FEES AND FINES UPON PERSONS AND ENTITIES VIOLATING PROVISIONS HEREOF, AND GENERALLY TO PROMOTE THE PUBLIC HEALTH, WELFARE, SAFETY AND GOOD ORDER OF CITIZENS AND INHABITANTS OF THE TOWN OF WOOLSEY.

BE IT ORDAINED BY the Mayor and Council of the Town of Woolsey and it is hereby ordained by the authority of the same:

State constitution reference-- Power of town to provide animal control services, Art. IX, § II, Para. III.

State law references: Dogs, OCGA § 4-8-1 et seq.; removal of identifying item from animal, OCGA § 16-9-71; destroying or injuring police dog, OCGA § 16-11-107; cruelty to animals, OCGA § 16-12-4; inspection of animals, carcasses, meat, and meat food products, OCGA § 26-2-100 et seq.; game and fish, OCGA Title 27; technical assistance for control or elimination of wild or abandoned dogs, OCGA § 27-1-7; hunting with dogs, OCGA § 27-3-16 et seq.; killing of dogs pursuing or killing deer, OCGA § 27-3-49; guide dogs for the handicapped, OCGA § 30-4-1; control of rabies, OCGA § 31-19-1 et seq.; civil liability for damage done by animals, OCGA § 51-2-6 et seq.

Art. I. In General, §§ 4-1--4-25

Art. II. Keeping Animals; Animal Shelter, §§ 4-26--4-55

Art. III. Rabies Control, §§ 4-56--4-80

Art. IV. Sale or Exchange of Animals, §§ 4-81--4-83

ARTICLE I. IN GENERAL

4-1. Intent.

To counteract a tendency of owners of domesticated animals to abandon or fail to control the same in less densely populated areas suburban to areas of greater population density, and in recognition that unrestrained, abandoned or unwanted such animals are susceptible to disease and predators and can become more feral in nature, the Mayor and Council of the Town of Woolsey hereby find and declare that non-restraint and proliferation of such animals are a threat to the safety, health, good order, peace and welfare of citizens and inhabitants of the Town. For such reason, and from a humane concern for the care and prevention of deprivation and cruelty to such animals themselves, it is necessary or advisable to regulate the keeping, care and control of domesticated animals as stated in the preamble to this Ordinance.

4-2. Promulgation and Implementation of Rules and Regulations.

- (a) The regulations herein enacted may be cited as the "Town of Woolsey Animal Control Ordinance."
- (b) Whenever titles of enforcement officials or personnel are cited herein, such titles shall refer to the officials or personnel from time to time now or hereafter holding such title or performing those functions the ordinance references, in the employ of the County of Fayette for such purposes, if the Town has contracted with Fayette County for the furnishing of services by such County officials and personnel.
- (c) Reference herein to fees, charges and penalties shall denote fees, charges and penalties as now and from time to time hereafter may be adopted and imposed by the County of Fayette under like circumstances, if the Town has contracted with Fayette County for the furnishing by County officials and personnel of the services from which such fees, charges and penalties arise.

ARTICLE II. KEEPING ANIMALS; ANIMAL SHELTER

Sec. 4-26. Definitions.

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

"Abandoned animal" means any domesticated animal that has been placed upon public property, within a public building, or upon or within the private property of another without the express

permission of the owner, custodian or tenant of the private property, and is unattended or uncared for. Any domesticated animal shall also be considered abandoned when it has been unattended and without proper food and water for a period in excess of thirty-six (36) hours, regardless of where such animal may be found or kept.

“Animal at large” means an animal not under restraint and off of the property of its owner.

“Animal shelter” means the facility designated by the Mayor and Council for the detention of animals.

“Animal shelter officer” means any person so designated by the animal shelter director to perform the duties prescribed by this article.

“Animal under restraint” means any animal secured by a leash or lead; or enclosed by way of fence or other enclosure; or under the control of a responsible and competent person and obedient to that person's commands, and the person being present with the animal; or the animal confined within a vehicle, parked or in motion.

“Companion animal or pet,” means a domesticated animal kept for pleasure rather than utility. Pets include, but are not limited to, birds, cats, dogs, hamsters, horses, mice, reptiles, domesticated wild animals, exotic animals, and other animals associated with man's environment.

“Director” means the animal shelter director.

“Domesticated animals” means animals that are accustomed to living in or about the habitation of men, including but not limited to cats, cows, dogs, fowl, horses, swine, domesticated wild animals and/or exotic animals. (This definition only applies to those animals mentioned herein and is only applicable to this article and in no way affects the meaning or application of a definition of the described animal, as may be found in any other county ordinance.)

“Guard dog” means any dog which has been trained to attack persons or other animals independently or upon oral command and any dog which, while not so trained, is reasonably expected to perform as a guardian of the property upon and within which he is located.

“Owner” means any person having the right of property of, keeping, harboring or acting as custodian of a domesticated animal.

“Public nuisance” means any animal which:

- (1) Is found at large in violation of section 4-29 or section 4-30.
- (2) Is vicious. For the purpose of this paragraph an animal shall be considered vicious if it attacks without provocation any human being or other domesticated animal or animals.
- (3) Produces, because of quantity, manner or method in which the animals are domesticated or maintained, unsanitary conditions in the Town.
- (4) Attacks passersby or passing vehicles.
- (5) Is inimical to the public health, welfare, or safety according to the rules and regulations promulgated by the Town of Woolsey or the Fayette County health department, whose rules and

regulations are incorporated herein and made a part hereof as if fully set out in this article.

Such nuisance is hereby declared to be a public nuisance and any person that knowingly keeps, owns, harbors, or acts as custodian of an animal constituting such nuisance shall be guilty of an unlawful act and shall be punishable as hereinafter provided.

“Vicious animal” means any animal which constitutes a physical threat to human beings or other domesticated animals by virtue of one (1) or more attacks of such severity as to cause property damage or physical injury. An animal shall also be considered vicious and not under restraint if it makes an unprovoked attack on another or other domesticated animals that are under restraint, or on human beings, or on physical property of another than its owner.

State law references: Definitions relating to animals, OCGA § 4-1-1; definitions relating to livestock running at large or straying, OCGA § 4-3-2; definitions relating to animal protection, OCGA § 4-11-2.

Sec. 4-27. General responsibility of department; department head.

The animal control director shall be charged with the responsibility of enforcing the animal control ordinance of the Town.

State law references: State veterinarian, OCGA §§ 4-1-2, 4-1-3.

Sec. 4-28. Animal shelter.

The Town animal shelter shall be the animal shelter of Fayette County for so long as the Town maintains a contract with Fayette County for the use of the County’s such shelter. In absence of such contract, it shall be the responsibility of the animal control director to propose to the Mayor and Council an alternate shelter.

State law references: Livestock pounds, OCGA § 4-3-11; Georgia Animal Protection Act, OCGA § 4-11-1 et seq.; licenses for animal shelter operators, OCGA § 4-11-3 et seq.

Sec. 4-29. Running at large prohibited.

It shall be unlawful for the owner of any animal to allow it to run at large unattended on or about the streets and highways of the Town or on the property of another without such property owner's consent. Any such animal at large shall be impounded by the director or his authorized representative as hereinafter provided.

State law references: Permitting livestock to run at large or stray, OCGA § 4-3-3; intentionally or knowingly permitting livestock to run at large or stray upon public roads, etc., OCGA § 4-3-12; permitting dogs in heat to roam or run free, OCGA § 4-8-6; permitting dangerous or potentially dangerous dogs to be outside proper enclosure, OCGA § 4-8-26.

Sec. 4-30. Restraint of animals--While on property.

(a) It shall be the duty of every owner of any animal to keep the animal under control at all times while the animal is on the real property of the owner. For purposes of this section, an animal is deemed under control when it is confined by way of fence or other enclosure, restrained by substantial chain or leash, restrained in some other physical manner by a competent person, or is under the control of a competent person who is present with the animal, via voice command, so that the animal does not wander off the real property of the owner. It is the intent of this section that all animals be prevented from leaving the real property of their owners, while unattended.

(b) In addition, all male and female dogs and cats that have not been spayed or neutered must be securely confined in such a way that they not only cannot get out to run loose, but also cannot be reached by other dogs or cats.

(c) (i) For purposes of this section, a competent person is one of sufficient physical and mental capacity, at the time the animal is in need of restraint, to restrain the animal.

(ii) For purposes of this section, present shall mean that both owner and animal are physically present within the geographic confines of the owner's property.

State law references: Requirements for possessing dangerous or potentially dangerous dog, OCGA § 4-8-25.

Sec. 4-31. Same--While off of property.

(a) It shall be the duty of every owner of any animal to keep the animal under control at all times while the animal is off of the real property of its owner. For the purposes of this section, an animal is deemed under control when it is confined within a vehicle, parked or in motion, secured by a substantial leash or other device held by a competent person, or is properly confined within an enclosure with the permission of the owner of the property where the enclosure is located.

(b) Any animal kept in the back of an open pickup truck or convertible car must be restrained by a leash. Such leash must be of the size and length to restrict the animal within the confines of the car or bed of the truck and to prohibit the animal from jumping out or over the sides or back of such vehicle.

(c) For purposes of this section, a competent person is one of sufficient physical and mental capacity at the time the animal is in need of restraint, to restrain the animal.

Sec. 4-32. Enforcement.

(a) The primary responsibility for the enforcement of this article shall be vested in the director. He may, in the exercise of his authority as the director, delegate the enforcement responsibilities of this article to such Town employees or contractors as he may select.

(b) If a violation of this article has not been personally witnessed by the director or his authorized representative or other employee of the Town, a subpoena shall be issued to the person making the complaint to be and appear on the day and time set for trial, then and there to testify on behalf of the Town. The director shall refuse to respond to anonymous complaints.

(c) If the owner of any dog or other animal is not known and the dog or other animal is upon the public streets, alleys, sidewalks, school grounds, or other public property, or on the property of another without that property owner's permission, or on the premises of a privately-owned multifamily residence, as prohibited by this article, upon complaint made to or information made known to the animal shelter, it shall be the duty of the director or his authorized representative to immediately take possession of such dog or animal and impound it in the animal shelter. With respect to an animal on the premises of a privately-owned multifamily residence, the duty of the director or his authorized representative to collect the animal is predicated on the management of such multifamily residence providing an approved holding pen from which the director or his authorized representative will impound animals on regular intervals of at least once weekly. Consistent with subsection (b) of this section, a subpoena will issue to the person making the complaint from the multifamily residence. Once impounded, an animal shall be kept for a period of time as defined in section 4-33; thereafter, if the animal is not claimed by anyone after a reasonable effort has been made to locate the owner of the animal as hereinafter provided, the animal may be disposed of in a humane fashion or in accordance with O.C.G.A. Title 4. Where the director or his authorized representative is required in this section to take possession of any dog or animal and to impound it, he may use any and all means available.

(d) In all cases of violations of this article, the director shall have the authority to exercise his discretion and may, in addition to or in lieu of impounding any animal, issue a citation to the owner of such animal. However, in all such instances where the owner of such animal is known or discovered, the director shall at least issue a citation to such owner. The citation shall state the violation, the name and address of the owner, and the name of the individual issuing the citation. All citations shall be transferred to the magistrate court of the county for prosecution.

State law references: Impoundment of livestock running at large or straying, OCGA § 4-3-4; violations of general provisions relating to dogs, OCGA § 4-8-7; violations of Dangerous Dog Control Law, OCGA § 4-8-28.

Sec. 4-33. Notice to owners of impounded animals.

(a) Upon impounding any dog or other animal, the director or his authorized representative shall cause to be made a prompt and reasonable effort to locate the animal's owner and, upon location of same, shall send to such owner, by certified letter, notification of impoundment. If the animal is not claimed by the owner within three (3) days of the receipt of the certified letter giving notice of impoundment or if the letter is returned by the U.S. Postal Service or if within five (5) days of impoundment the owner cannot be located, it shall be the duty of the director or his authorized representative to dispose of the dog or other animal in a humane fashion.

(b) For the first time an owner of a dog, cat or other animal is found in violation of section 4-29, section 4-30 or section 4-31 of this ordinance, whether or not the animal is picked up and impounded by an animal shelter officer, a minimum fine of twenty-five dollars (\$25.00) and/or imprisonment in jail for a period not to exceed thirty (30) days, or both, shall be imposed against such person.

(c) For the second time an owner of a dog, cat or other animal is found in violation of section 4-29, section 4-30 or section 4-31 of this ordinance, whether or not the animal is picked up and

impounded by an animal shelter officer, a minimum fine of two hundred fifty dollars (\$250.00) and/or imprisonment in jail for a period not to exceed sixty (60) days, or both, shall be imposed against such person. Should an owner be found guilty of a third offense, or for subsequent offenses, a minimum fine of five hundred dollars (\$500.00) and/or imprisonment in jail for a period not to exceed sixty (60) days, or both, shall be imposed.

(d) In addition to the above provisions, any animal picked up and impounded by the authority of the director will receive a rabies shot, the cost of which will be set by schedule effective by proper ordinance at the place of impoundment.

(e) If for any reason an animal is impounded and not claimed after proper notification imposed by this section, and if the owner is identified by a rabies or license tag on the animal or can be identified by witnesses, the owner will be considered in violation of this article for the offense of abandoning the animal, and shall be guilty of a misdemeanor and subject to a fine of up to five hundred dollars (\$500.00) and/or imprisonment in jail for a period not to exceed sixty (60) days, or both.

(f) In addition, if an animal is impounded and not claimed within the time set forth in subparagraph (a) of this section, the owner shall be conclusively presumed to have given his consent to the adoption of the impounded animal or to have given his consent to the disposal of the animal in a humane fashion in accordance with O.C.G.A. Title 4.

(g) If any animal is not claimed as provided within this article, the director or his authorized representative, after he has satisfied himself that such animal is in good health, may offer the animal for adoption. It is the duty of the person adopting an animal from the director or his authorized agent to have the animal spayed or neutered, or to verify that the animal is already spayed or neutered, and to insure that the animal is given a rabies vaccination, all within ten (10) working days following the adoption. The person who has adopted an animal pursuant to this article shall present to the animal shelter officer proof or evidence, within ten (10) working days following the adoption, that the adopted animal has been spayed or neutered, or proof that for health reasons the animal cannot be spayed or neutered, and that the animal has been given a current rabies vaccination. A sworn, notarized statement from a veterinarian, licensed to practice veterinary medicine under O.C.G.A. Title 43, Chapter 50, stating that for health reasons the animal cannot be spayed or neutered, and stating that the animal has been given a current rabies vaccination, shall be considered satisfactory proof or evidence under this subsection. The owner of such animal will be considered in violation of this article for failure to submit proof of spaying or neutering and proof of a current rabies vaccination, and shall be guilty of a misdemeanor and subject to a fine of up to five hundred dollars (\$500.00) and/or imprisonment in jail for a period not to exceed sixty (60) days, or both.

(h) In no event shall any animal be redeemed by its lawful possessor, owner or custodian unless those fees established for boarding the animal, as provided for in section 4-38, are paid.

(i) For the second time a person is found in violation of section 4-29, section 4-30 or section 4-31 of this ordinance, whether or not the animal is picked up and impounded by an animal shelter officer, it is mandatory that the person found in violation have the subject animal spayed or neutered within ten (10) working days after the adjudication of guilt by a court of competent jurisdiction, whether the animal is purebred or mixed breed. The person shall present proof or evidence of the spaying or neutering to the director or other animal shelter officer within ten (10)

working days from the date of the adjudication of guilt. A sworn, notarized statement from a veterinarian, licensed to practice veterinary medicine under O.C.G.A. title 43, Chapter 50, stating that the animal has been spayed or neutered or explaining in detail that for health reasons the animal cannot be spayed or neutered, shall be satisfactory proof or evidence of compliance with this subparagraph. The person who has been found guilty will be considered in violation of this article for failure to submit proof of spaying or neutering of the animal within ten (10) working days following the adjudication of guilt and shall be guilty of a misdemeanor and subject to a fine of up to five hundred dollars (\$500.00) and/or imprisonment in jail for a period not to exceed sixty (60) days, or both.

State law references: Notice of impoundment and sale of livestock, OCGA § 4-3-5.

Sec. 4-34. Precautions to be taken by owners of dangerous dogs or vicious animals or fowl.

(a) Vicious animal/fowl.

(1) Definition. The words "vicious animal/fowl" shall mean any animal/fowl which attacks, bites or injures humans, other animals or fowl without provocation; or which, because of temperament, conditioning or training, has a known propensity to attack, bite or injure other living creatures without provocation; or an animal/fowl which has on one (1) or more occasions caused injury to other living creatures without provocation; or any animal which constitutes a physical threat to human beings or domesticated animals by one (1) or more attacks without provocation of such severity to cause physical injury. Exception: An animal/fowl is not considered vicious if it attacks, bites or menaces:

- a. Anyone attacking the owner;
- b. Unlawful trespassers on the property of the owner;
- c. Any person or animal that has tormented or abused it;

Or if it is defending its young or other animal.

(2) Restraint.

- a. No person owning or having custody or control of any dog or other animal/fowl known by such person to be vicious shall permit it to run at large, or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises.
- b. It shall be the duty of every owner of any vicious animal/fowl, or anyone having any vicious animal/fowl in his possession or custody, to ensure that the vicious animal/fowl is kept under restraint and that reasonable care and precautions are taken to prevent the vicious animal/fowl from leaving, while unattended, the real property limits of its owner, custodian or harbinger; and to ensure that it is securely and humanely enclosed within a house, building, fence, pen, or other enclosure out of which it cannot climb, dig, jump or otherwise escape on its own volition; such enclosure must be securely locked at any time the animal is left unattended.
- c. Owners of vicious animals/fowl who maintain their animal/fowl out-of-doors, shall fence a portion of their property with a perimeter or area fence. Within this perimeter fence, the vicious

animal/fowl must be humanely confined inside a pen or kennel of adequate size. The pen or kennel shall not share common fencing with the area or perimeter fence. The kennel or pen must have secure sides and a secure top attached to all sides; the sides must be securely set into the ground or onto a concrete pad, or securely attached to a wire bottom. The gate to the kennel must be locked.

d. A vicious animal shall not be upon any street or public place except when securely restrained by a leash not more than six (6) feet in length, shall be humanely muzzled and in the charge of a competent person.

(3) Guard/security dogs.

a. It shall be the duty of all persons who keep, use or maintain a guard/security dog to insure the dog is vaccinated against rabies and licensed as required by regulations of the Fayette County board of health. The dog also must have its current vaccination tag affixed to a collar worn by the dog at all times as required by regulations of such board.

b. It shall be the duty of any person who sells, leases, and/or rents any guard/security dog to be used within the Town to notify the Town animal control director of the location and number of guard/security dogs in use, kept, or maintained at a particular site. The animal control director shall maintain a record of the location, number of guard/security dogs, and current rabies vaccination and licensure of all guard/security dogs utilized within the Town. The person who sells, leases, and/or rents a guard/security dog to be used in the Town shall furnish the following information to the animal control director:

1. Name, address, and telephone number of the location where a guard dog is located.

2. Name, breed, sex, and current license tag information of each guard dog at any location in the county.

c. It shall be unlawful to transport any guard/security dog in an open bed truck, and any vehicle transporting guard/security dogs shall be identified as to such vehicle's owner. It shall be unlawful to transport any guard/security dog in the Town except under the following conditions:

1. Each dog shall be placed in a separate holding bin.

2. Each holding bin shall be enclosed and measure forty-eight (48) inches long by eighteen (18) inches wide by thirty (30) inches high.

(4) Outside enclosure. Whenever outside of its enclosure as provided for in paragraphs (2)b. and c., but on the owner's property, a vicious animal must be attended by the owner and restrained by a secure collar and leash of sufficient strength to prevent escape.

(5) Tied to object. No vicious animal/fowl shall be chained, tethered, or otherwise tied to any inanimate object, such as a tree, post, or building, outside of its own enclosure.

(6) Warning sign. A warning sign (e.g., "Beware of Dog") shall be conspicuously posted, denoting a vicious animal/fowl is on the premises.

(7) Violation. Failure to keep any animal/fowl confined or under restraint as provided for in subparagraph (a)(2) shall be unlawful and shall be punishable as hereinafter provided.

(b) Dangerous dog.

(1) Definitions.

The words "dangerous dog" shall mean any dog that, according to the records of an appropriate authority:

- a. Inflicts a severe injury on a human being without provocation on public or private property at any time after the effective date of this paragraph; or
- b. Aggressively bites, attacks, or endangers the safety of humans without provocation after the dog has been classified as a potentially dangerous dog and after the owner has been notified of such classification.

The word "owner" shall mean any natural person or any legal entity, including, but not limited to, a corporation, partnership, firm, or trust, owning, possessing, harboring, keeping, or having custody or control of a dangerous dog or potentially dangerous dog within this Town.

The words "potentially dangerous dog" shall mean any dog that without provocation bites a human being on public or private property at any time after the effective date of this paragraph.

The words "proper enclosure" shall mean an enclosure for keeping a dangerous dog or potentially dangerous dog while on the owner's property securely confined indoors or in a securely enclosed and locked pen, fence, or structure suitable to prevent the entry of young children and designed to prevent the dog from escaping. Any such pen or structure shall have secure sides and a secure top, and, if the dog is enclosed within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the dog's escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the dog.

The words "severe injury" shall mean any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery or a physical injury that results in death.

(2) Requirements.

a. Certificate of registration. It is unlawful for an owner to have or possess within this Town a dangerous dog or potentially dangerous dog without a certificate of registration issued in accordance with the provisions of OCGA § 4-8-25.

b. Restraint.

1. It is unlawful for an owner of a dangerous dog to permit the dog to be outside a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and is under the physical restraint of a responsible person. The muzzle shall be so designed and fitted as not to cause injury to the dog or interfere with its vision or respiration, but so as to prevent it from biting any person.

2. It is unlawful for the owner of a potentially dangerous dog to permit the dog to be outside a proper enclosure unless the dog is restrained by a substantial chain or leash and is under the restraint of a responsible person.

State law references: Permitting dangerous or potentially dangerous dog to be outside proper enclosure, OCGA § 4-8-26; supplementary nature of law, purposes, OCGA § 4-8-29.

Sec. 4-35. Commercial guard/security dogs.

(a) It shall be the duty of all persons who keep, use or maintain any guard/security dog to have signs conspicuously posted on the premises where the guard/security dog is located to warn of the presence of the dog. This warning shall consist of a warning sign placed at each entrance and exit to the premises and in a position to be legible from the sidewalk or ground level adjacent to the sign (eye level). If the premises is not enclosed by a wall or fence, a sign shall be placed at every entrance and exit to each structure on the premises in which a guard/security dog is located. Each sign shall measure at least ten (10) inches by fourteen (14) inches and shall contain block lettering stating "Warning, Guard Dog on Duty". In addition, for dogs rented or leased, the sign shall set forth the name, address and phone number of the responsible person or persons to be notified during any hour of the day or night.

(b) Each holding bin for guard/security dogs will be adequately ventilated.

(c) No guard/security dog shall be chained, tethered, or otherwise tied to any inanimate object, such as a tree, post, or building, outside of its own enclosure.

(d) A guard/security dog shall be confined by the owner/custodian/harbinger within a building or secure enclosure out of which it cannot climb, dig, jump or otherwise escape of its own volition.

State law references: Exceptions to definitions relating to dangerous dog control, OCGA § 4-8-21(b).

Sec. 4-36. Abandonment of animals.

(a) It shall be unlawful for anyone to knowingly abandon any domesticated animal within the Town. Each person who does abandon or knowingly or willingly permits such abandonment, or aids in the abandonment of any domesticated animal shall be in violation of the law and shall be punished as provided.

(b) Each offense under this section shall be punished with a fine of the maximum amount allowable by law.

State law references: Abandonment of dogs, OCGA § 4-8-3.

Sec. 4-37. Cruelty to animals.

No person shall, by act, omission or neglect, cause unjustifiable physical pain, suffering or death to any animal. This section shall not apply to the killing of animals raised for the purpose of providing food nor does it apply to any person who shall hunt wild animals in compliance with the game and fish laws of the state. This section shall not apply to the killing or injuring of animals for humane purposes or in the furtherance of medical or scientific research.

State law references: Cruelty to dogs, OCGA § 4-8-5; cruelty to animals, OCGA § 16-12-4.

Sec. 4-38. Fees generally.

Fees collected pursuant to this article shall be those now or from time to time hereafter adopted by Fayette County during the tenure of the Town's agreement permitting enforcement of this ordinance by Fayette County; otherwise as hereafter adopted from time to time by the Mayor and Council, and kept on file with the director.

State law references: Fees for impounding, serving notice, care and feeding, advertising and disposing of impounded animals, OCGA § 4-3-10.

Sec. 4-39. Dangerous dog uniform warning symbol.

(a) Pursuant to OCGA § 4-8-21 et seq. wherein any premises a dangerous dog or potentially dangerous dog resides, the owner and/or tenant of such premises shall post a clearly visible sign warning that there is a dangerous dog on the property. Such sign shall conform substantially to the design provided by the state department of natural resources.

(b) The sign shall be in the shape of a square, similar to a standard highway warning sign, made of 0.08 gauge aluminum sheeting and measuring twelve (12) inches by twelve (12) inches.

(c) The circle shall measure ten and three-quarter inches (10 3/4) in diameter. The figure of a person shall measure five (5) inches from the top of its finger to the bottom of its feet. The top of the dog's tail to the persons' elbow shall measure six and three-quarter (6 3/4) inches. The word "DANGER!" shall measure one and one-eighth (1 1/8) inches by six (6) inches.

(d) The sign shall be in two (2) colors: Standard highway-use colors yellow and black. The circle, the figures of the person and the dog, and the word "DANGER!" shall be in black. The background and remainder of the sign shall be in yellow.

(e) Each owner and/or tenant of such premises shall be required to pay to the Town or agency enforcing this requirement the sum of twenty dollars (\$20.00) for each and every dangerous dog sign required.

Sec. 4-40. Penalties for violation.

(a) Any person who violates any provision of this article shall be guilty of a misdemeanor and subject to a fine of up to five hundred dollars (\$500.00) and/or imprisonment and jail for a period not to exceed sixty (60) days or both. Each and every violation of such provision constitutes a separate offense.

(b) Any vicious animal/fowl, as defined in section 4-34, shall be deemed to be a nuisance and may be abated as a nuisance upon the conviction of its owner in accordance with the laws of the state.

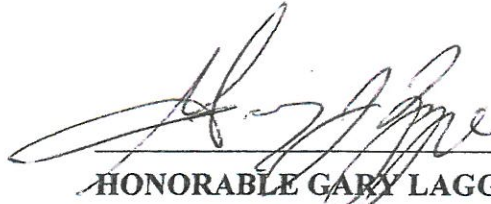
(c) Any and all violations of section 4-39 shall be punishable by a fine and/or imprisonment as allowed under OCGA § 4-8-28.

Violations of general provisions relating to dogs, OCGA § 4-8-7; violations of Dangerous Dog

Control Law, OCGA § 4-8-28; nuisances, OCGA Title 41.

Secs. 4-41--4-55. Reserved.

DULY ADOPTED by the Mayor and Council of the Town of Woolsey, this 11 day of
OCTOBER, 2004.



HONORABLE GARY LAGGIS
Mayor

Attest:

Town Clerk