

## Chapter 5 ANIMALS AND FOWL<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 5-1. Title.

This chapter shall be known and may be cited as the Animal Control and Enforcement Ordinance of Columbus, Georgia.

#### Sec. 5-2. Authority and enforcement, generally.

- (a) *Statutory authority.* The general authority for this chapter is O.C.G.A Title 4, chapters 8 and 11 as amended, which require governing authorities of each county and municipality to regulate dangerous and vicious dogs and license certain animals in the interest of rabies control.
- (b) *Animal control and enforcement division.* Ordinance No. 84-62, adopted by the Council of Columbus on June 21, 1984, established the animal control and enforcement division as an "enterprise activity" under the operational control of the Director of Public Services of the Consolidated Government of Columbus. On November \_\_\_\_, 2021, Council approved the award of a contract which will delegate the responsibility for all animal control activities to a private nonprofit vendor which will provide all animal Control services previously provided by the animal control and enforcement provision. Council may from time to time designate the entity responsible for providing the enforcement and services officers with the primary responsibility for enforcing this Chapter. The entity so designated by Council to provide animal control services for the consolidated government, whether a division of the consolidated government or a non-profit private entity, shall be referred to as the Animal Services Division throughout this ordinance and the chief executive of that division shall be referred to as the Animal Services Director throughout this Ordinance. The Director of Public Works shall serve as the contract administrator for the consolidated government for any agreement for the provision of animal control or enforcement services.
- (c) *Enforcement.* The Animal Services Director and the duly sworn animal control officers employed by the Animal Services Division are hereby charged with primary responsibility and are hereby empowered with the authority to enforce all provisions of this chapter

#### Sec. 5-2.1. Training for enforcement officers.

All animal enforcement officers assigned to duties under this chapter shall undergo a period of training in which they shall familiarize themselves with the provisions of this chapter and the fundamental requirements of such constitutional protections as probable cause in order to ensure that the rights of private citizens shall be guaranteed during the enforcement of this chapter. Any animal enforcement officers hired and trained by the Animal Services Division will be sworn by the Chief of Police or his designee in accordance with Columbus Code

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Section 17-60(b) after the completion of a background check by the Columbus Police Department and the receipt of proof that the officer-candidate has completed all required training.

**Sec. 5-3. Animal control advisory board.**

- (a) *Established.* An animal control advisory board is hereby established to be effective October 16, 1984.
- (b) *Mission.* The animal control advisory board shall monitor the operation of the Animal Services Division and render such guidance and assistance as is deemed appropriate in order to "encourage responsible pet ownership." Proposals and recommendations shall normally be presented during the periodic board meetings. Matters that need immediate attention should be referred to the Animal Services Director.
- (c) *Composition of board.* The board shall have nine voting members and one nonvoting member to be appointed as follows:
  - (1) Two licensed veterinarians practicing in Columbus who are participating in the "one-stop pet registration-rabies vaccination program" shall serve as voting members. The board members are to be selected by the local veterinary association as a representative of the association, and the selections shall be confirmed by the Columbus Council. Notwithstanding the provisions of Columbus Code Section 2-3.02, the veterinarians need not be a resident of Columbus provided that they have a practice at an office located within Columbus and have all required State of Georgia and Columbus professional and business licenses. The veterinarians shall be appointed for two-year terms, except the initial appointments when one veterinarian shall be appointed to a one-year term and one veterinarian shall be appointed to serve a two-year term. The veterinarian appointees shall be eligible to succeed themselves.
  - (2) A designated representative of PAWS Columbus, Inc. confirmed by the Columbus Council shall serve as an ex-officio non-voting member. The PAWS Columbus Board Member shall be appointed to serve a two-year term and may only serve two terms consecutively.
  - (3) A representative of an animal rescue operating a licensed shelter in Muscogee County shall serve as a voting member. The appointment shall be recommended by the animal rescue and then nominated and confirmed by the Columbus Council. The animal rescue board member shall be appointed to serve a two-year term and may only serve two terms consecutively.
  - (4) Five citizens to be selected by the Columbus Council shall serve as voting members. The citizen members shall be appointed to serve two-year terms, except for the initial appointments upon adoption of this chapter, one citizen shall be appointed to a one-year term and one citizen shall be appointed to a two-year term. The citizen board members may only serve two terms consecutively.
  - (5) An employee of the Environmental Health Division, Columbus Department of Public Health shall serve as a nonvoting member of the board. The board member is to be appointed by the county board of health and confirmed by the Columbus Council.
  - (6) The director of public works or a designee on his staff shall be a voting ex-officio member of the board.
  - (7) The Animal Services Director shall be a nonvoting ex-officio member of the board.
  - (8) The Animal Services Director shall designate an administrative officer of the Animal Services Division shall designate a staff member to serve as the recording secretary and provide other clerical and logistical support to the board.
- (d) *Schedule of board meetings.* The board shall meet at a time and place designated by the board chairman. The chairman is authorized to adjust the schedule, except that the board is required to meet at least semiannually.

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- (e) In any event, any member shall abstain from voting upon any issues which touch or bear upon matters in which the member has a pecuniary interest, either proprietorship, salary, or otherwise. In any matter called for a vote in which any member abstains, a failure to win a majority shall constitute a defeat of that issue.

#### **Sec. 5-4. Funding.**

- (a) All funds generated pursuant to enforcement of this chapter, by the designated Animal Services Division such as sale of animal permits, penalties and impoundment fees, and penalties from court fines shall be remitted to the city treasurer to be credited to the general fund.
- (b) The Animal Services Director shall prepare an annual proposed budget in accordance with policies and procedures of the Finance Department of the Consolidated Government . The proposed budget shall be reviewed by the animal control advisory board and submitted to the director of the department of public works who will forward the budget with his or her recommendations through the budget officer to the mayor.

#### **Sec. 5-5. Definitions.**

Except as specifically defined in this section, all words in this chapter have their customary dictionary definitions. For the purpose of this chapter, certain terms and words used herein are defined as follows:

Words used in the present tense include future tense.

Words used in the singular include the plural, and words used in the plural include the singular.

The words "shall, will and required" always mean mandatory.

The word "person" includes a firm, association, organization, trust, company, or corporation as well as an individual.

- (1) *Owner* shall mean any natural person or legal entity including, but not limited to, a corporation, partnership, firm or trust owning or having an interest in, permanently harboring or keeping, or having long-term custody or control of a dog or cat, or the head of household who has furnished or permitted a member of that household to so harbor, keep or have long-term custody of a dog or cat. Kennel keepers, veterinarians, professional groomers, pet shop owners, or similar entrepreneurs who keep dogs or cats as inventory or professionally render services thereto are not considered owners within the scope of this article if acting in such a capacity. Community cat colony caretakers, as defined in paragraph (25), shall not be considered owners for the purposes of this chapter.
- (2) *Private/hobby kennel*. A lot, establishment, residence, or premise or portion thereof where six or more dogs and/or cats combined total, over six months of age, are boarded or kept for any purpose whatsoever, including as personal or family pets, for recreational use, for exhibition and where breeding and sale of offspring is not the primary function. Veterinary hospitals or clinics are exempted.
- (3) *Commercial kennel*. A kennel, or retail or wholesale activity, maintained for the purpose of offering any service whatsoever, including but not limited to boarding, grooming, breeding, keeping for sale, selling, trading, training, renting, or leasing for guard purposes any dogs or other animals. Veterinary hospitals or clinics are excluded.
- (4) *Fences* shall mean a fenced enclosure constructed with sufficient height, strength, and secure closing devices to adequately secure the dog or dogs being contained therein.
- (5) *He/him* shall mean masculine or feminine and singular or plural.
- (6) *Dangerous dog* shall mean any dog defined as dangerous by O.C.G.A § 5-8-21(a)(2).

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- (7) *Vicious dog* shall mean any dog defined as vicious by the O.C.G.A § 5-8-21(a)(6).
- (8) *Proper enclosure* shall mean an enclosure for keeping a dangerous or potentially dangerous dog or cat, 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 [or cat] from escaping. Any such pen or structure shall have secure sides and a secure top, and, if the animal 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 animal's escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the animal.
- (9) *One-stop rabies vaccination—Pet registration* shall mean the chief of the animal control and enforcement division may authorize any veterinarian or veterinary clinic licensed to practice veterinary medicine in Columbus, Georgia, to act as an agent and issue animal registration permits.
- (10) *Annual pet registration* shall mean the registration is valid from January 1 through December 31 of the year in which issued.
- (11) *Anniversary registration* shall mean a pet registration period in concurrence with the term of the rabies vaccination. (A new registration permit is required on or before the expiration date of the rabies vaccination.)
- (12) *Three-year registration* shall mean when a three-year rabies vaccination is given to an animal a three-year registration permit is authorized upon payment of the three-year permit fee and such permit shall expire on the expiration of the rabies vaccination.
- (13) *Responsible pet ownership* shall mean:
- (a) Care of a pet in such a manner as to provide humane living conditions for the pet;
  - (b) Control of the pet so that the pet does not cause a nuisance or unsanitary conditions for the neighborhood or community;
  - (c) Such a pet would have current rabies and city registration tags.
- (14) *Unattended* shall mean any dog on the owner's property and not confined thereto by fence, chain, or other suitable and effective means, and when no responsible person is available to control such dog if said dog has been observed on public property or private property other than property of the owner, and not in voice control of a responsible person, by an enforcement officer at Columbus, Georgia, or by a complaint willing to testify in court.
- (15) *Probable cause* shall mean that prior to going onto private property, animal control enforcement officers must have knowledge of facts or circumstances that would make a prudent or reasonable person believe that a violation of this chapter has occurred or is occurring.
- (16) *Birds* shall mean any animal belonging to a class of warm-blooded vertebrates with wings and feathers.
- (17) *Fowl* shall mean domestic poultry which are normally propagated and fattened for the table or for their eggs, feathers, etc., such as chickens, turkeys, ducks, geese, and guinea fowls.
- (18) *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.
- (19) *Dog control officer* shall mean the senior animal control officer who is designated to fulfill the duties as outlined in this chapter.
- (20) *Tethering* shall mean the act of fastening or restraining a dog outside of the presence of its owner or caregiver by a mechanism appropriate to the circumstances and set forth in this chapter.

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- (21) *Caretaker* shall mean any person entrusted with the short- term responsibility for a domesticated animal. If an owner gives short term responsibility for an animal to a minor, the owner remains responsible for any liability in connection with the animal.
  - (22) *Feral cat* means a cat, regardless of sex or age, lacking owner identification, free-roaming, and appearing unsocialized.
  - (23) *Community cat* means a feral cat that has been trapped, sterilized, vaccinated, and ear tipped.
  - (24) *Ear tipping* means straight-line cutting of the tip of the left ear of a cat while the cat is appropriately anesthetized. A cat that has been ear tipped is presumed to be sterile, vaccinated against rabies, and a community cat.
  - (25) *Community cat rescue* means a non-profit rescue organization licensed in accordance with the laws of Georgia which has been designated by Animal Services Division as the organization(s) responsible for administering and keeping all required records for the community cat program.
  - (26) *Community cat colony* means an identified group consisting of more than five feral cats that have been or will be neutered or spayed, vaccinated, ear tipped and released back into the area from which they were taken.
  - (27) *Community cat colony caretaker* means a person who has identified his or herself to the Animal Services Division or its designated community cat rescue and has identified a community cat colony for which he or she is willing to provide sustenance, water and care for that community cat colony.
  - (28) *Community cat program* means a collaborative program involving Columbus Animal Services Division and such community cat rescues as they may designate, wherein feral cats are trapped, neutered, vaccinated and ear-tipped to become community cats to be managed and provided for in accordance with the guidelines set forth in Code Sections 5-20 through 5-23 below in accordance with policies and procedures developed by the Columbus Animal Services Division Director with approval of the contract administrator.

## **Sec. 5-6. Enforcement.**

- (a) The penalty for violation of any section, paragraph or provision of this chapter shall be in accordance with section 1-8 of the Columbus Code of Ordinances. Each day any violation of any provision of this chapter continues shall constitute a separate offense.
- (b) The Columbus Health Department, the Columbus Police Department, and the business license department are authorized and directed to cooperate in the enforcement of provisions of this chapter appropriately requiring action and investigation by their respective departments.
- (c) Animal enforcement officers, officers of the Columbus Police Department, officials of the business license department, and other law enforcement officers shall investigate violations of this chapter and shall secure all evidence and issue summons to defendants and witnesses for appearance in recorders' court in order that the recorders' court judge may be furnished with all essential and available facts upon trial of offenses under this chapter.
- (d) It shall be unlawful to resist, interfere with, hinder or molest any officer or agent of the Columbus Animal Services Division or any other persons charged with enforcement of any provision of this chapter.
- (e) It shall be unlawful to attempt to release any animal captured or impounded pursuant to the provisions of this chapter. Tampering with traps or other capture devices utilized by the animal enforcement officers is prohibited.

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- (f) It shall be unlawful to attempt to bribe, coerce, or otherwise influence an animal enforcement officer who is investigating an alleged violation of the provisions of this chapter. Officers subject to such attempts to influence their lawful investigations shall secure all evidence and issue summons to defendants and witness for appearance in recorders' court in order that the judge of recorders' court may rule on the case as provided for in the Columbus Code of Ordinances.
  - (g) Prior to going onto private property, animal enforcement officers must have knowledge of facts or circumstances that would make a prudent or reasonable person believe that a violation of this chapter has occurred or is occurring. The authority vested in an animal enforcement officer shall not be construed to provide said enforcement officer with the authority to enter a private building or dwelling house for any reason, unless permission is given by said owner of said property. Under no circumstances will the authority vested in an animal enforcement officer include the right of said enforcement officer to infringe on the rights and liberties of any citizen or to carry out any action contrary to any provision of the Constitution of the United States or the Constitution of the State of Georgia.
  - (h) Authority to shoot animals: In the event any animal subject to being impounded pursuant to the provisions of this chapter cannot be captured without actual danger to the officer, or public, designated officers of the Columbus Animal Services enforcement division, any vendors serving under a contract with the consolidated government to eradicate dangerous wildlife or the police department of Columbus, Georgia, are authorized to shoot such an animal when shooting can be done without endangering persons or property. In such cases that may necessitate shooting an animal suspected of having rabies, the person shooting the animal shall avoid damage to the head of the animal so as not to interfere with laboratory examination of the brain to determine rabies infection.
  - (i) Killing of animals prohibited: No person shall kill or cause to be killed any animal suspected of being rabid or any animal that has bitten a human, except as herein provided, nor shall any person remove such animals from Columbus, Georgia, without permission of the director of Columbus Department of Public Health or his authorized agent.

## ***ARTICLE II. DOMESTICATED ANIMALS***

### **Sec. 5-7. Owner responsibility.**

The owner (as defined by section 5-5) shall be held responsible for the actions of all domesticated animals under his or her ownership, custody, supervision, or control.

#### **Sec. 5-7.1. Outdoor facilities.**

An owner or caretaker of a dog who allows the dog to spend more than eight hours in a 24-hour period outside must provide the dog an outdoor facility that meets the following specifications:

- (a) Outdoor facilities for dogs shall include one or more shelters that are accessible to each dog and one or more separate outside areas of shade that is large enough to contain all the dogs at one time to protect them from the direct rays of the sun. Outdoor facilities shall be kept neat and free of clutter, including equipment, furniture and stored materials as well as accumulated trash, waste, junk, weeds and other discarded materials.
- (b) Outdoor shelters shall comply with the following:
  - (1) Include a roof, four sides and a floor;
  - (2) Be of sufficient size to allow each dog in the outdoor facility to sit, stand, lie in the fully stretched position, and to turn about freely;

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- (3) Provide an environment that will protect from the elements when the ambient temperature is below 50 degrees Fahrenheit or below ten degrees Celsius;
  - (4) Be constructed of materials that are impervious to moisture and easily cleaned and sanitized;
  - (5) Be structurally sound and kept in good repair, with no missing boards, jagged edges or excessive rust;
  - (6) Be cleaned weekly on all hard surfaces with which the dogs come into contact;
  - (7) Be free of accumulated trash, waste, junk, weeds and other discarded materials; and
  - (8) Crates or barrels are not acceptable outdoor shelters, and carports are not acceptable as the sole means of shelter available to the dog.
- (c) All outdoor areas to which a dog has access shall be kept clean and free of fecal matter and all other trash and waste.

### **Sec. 5-7.2. Restraint.**

- (a) It shall be unlawful for any owner or possessor of any dog to fail to keep the dog under restraint or control as provided for in this section.
- (b) A dog is considered not under restraint or control when it is running at large, whether wearing a collar and tag or not. Reasonable care and precautions shall be taken to prevent the dog from leaving the real property limits of its owner, possessor, or custodian, and to ensure that:
  - (1) 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. If a canine pulley system is being used, the animal must stay within the owner's property line and not have the ability to get caught up or hung due to the location of other tangible materials that could hinder the animal(s) from freely moving within the confines of the system;
  - (2) It is securely and humanely restrained by an invisible containment system. If using an invisible containment system, a sign must be posted on all entry points or identified entry points of the property indicating that the system is in place;
  - (3) It is housed on a lot zoned R-5 or R-10 of at least five acres in size and remains within the confines of its owners property in accordance with the provisions of 5-10(a); or
  - (4) It is on a leash and under the control of its owner or caregiver, or it is off leash and obedient to and under voice command of an owner or caregiver who is in the immediate proximity of the dog any time it is not restrained as provided for in subsection (1) or (2) above while on the owner's property.
- (c) It shall be unlawful to tether an animal outdoors, except when all of the following conditions are met:
  - (1) No animal shall be tethered and left unattended for more than 12 consecutive hours in a 24-hour period. However, for up to the 12-hour maximum an animal may be on an approved tethering system as outlined in this section;
  - (2) No animal shall be tethered except on a three-point pulley system;
  - (3) Only one animal may be attached to each tethering system;
  - (4) Any tethering device used to tether an animal shall not allow the animal to cross over the owner's property line;

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- (5) Tethers must be made of commercial approved leash or tethering material which cannot be chewed by the animal and shall not weigh more than five percent of the body weight of the animal; ropes and chains are not considered appropriate tethering material;
  - (6) The tether must be at least five times the body length of the dog and mounted no more than seven feet above the ground level;
  - (7) The length of the tether from the running cable line or pulley system to the animal's harness should allow access to the maximum available exercise area allow the animal free access to food, water, and shelter;
  - (8) The animal must be attached to the tether by a properly fitted harness or collar with enough room between the collar and the animal's throat through which two fingers may fit. Choke collars and pinch collars are prohibited for the purpose of tethering an animal;
  - (9) The tethering system must be a sufficient distance from any other objects or animals to prohibit the tangling of the cable, to prohibit the cable from extending over an object or an edge that could result in injury or strangulation of the animal and be of sufficient distance from any fence so as to prohibit the animal from having access to the fence;
  - (10) The animal is not tethered outside during periods of local extreme weather which shall include but not be limited to an excessive heat warnings issued by the National Weather Service, temperatures at or below 32 degrees Fahrenheit (0 degrees Celsius), thunderstorms, tornados, tropical storms, or hurricanes;
  - (11) The animal is at least six months of age;
  - (12) The animal is not sick or injured; and
  - (13) Animals transported in the rear of open vehicles shall be placed on a tether anchored securely and of appropriate length to prevent the animal from jumping off or being thrown from a vehicle.

### **Sec. 5-8. Rabies vaccination.**

- (a) *Responsibility.* The owner or person having custody or control of any dog or cat four months of age or older shall be responsible for having each dog or cat vaccinated for rabies by a licensed veterinarian. Dogs and cats shall be revaccinated within ten days of the "rabies expiration date" recorded on the certificate of rabies vaccination issued for the animal. Three-year rabies vaccinations are authorized and encouraged.
- (b) *Certificate of rabies vaccination.* The veterinarian administering rabies vaccinations set forth in this chapter shall execute a certificate of rabies vaccination which has been approved by the Georgia Department of Human Resources and furnished to the veterinarian by the Animal Services Division. No other rabies vaccination certificates are authorized for use for dogs and cats that are residents of Columbus, Georgia. The certificate of rabies vaccination shall be executed in accordance with administrative instructions issued by the Director of Animal Services There shall be three copies of the certificate. The original copy shall be given to the owner of the animal; the second copy shall be forwarded to the Animal Services Division within 15 days of vaccinating the animal; and the third copy shall be retained by the veterinarian.
- (c) *Out-of-state certificates of rabies vaccinations recognized.* The valid certificates of rabies vaccination issued by licensed veterinarians of any of the 50 states will be accepted as evidence of vaccinations which is prerequisite to registration of the dog or cat with the Columbus Animal Services Division. In these cases the owner of a dog or cat is required to register the pet at the animal services division's main office.
- (d) *Records.* In addition to maintaining a computerized data file of rabies vaccinations and pet registrations, the Animal Services Division shall maintain an orderly indexed file of certificates of rabies vaccination for three years.



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(e) *Rabies vaccination tag:*

- (1) The term "rabies vaccination tag" shall mean a tag approved by the Georgia Department of Human Resources and furnished to each veterinarian or veterinary clinic by the Columbus Animal Services Division.
- (2) Concurrent with the issuance of the certificate of rabies vaccination, the person authorized to issue the certificate shall also furnish to the owner of the vaccinated dog or cat the serially numbered rabies vaccination tag described above. The serial number of the tag shall be entered in the appropriate space of the corresponding certificate of rabies vaccination.

(f) *Requirement to display rabies vaccination tag:*

- (1) *Dogs.* The rabies vaccination tag issued for a dog shall be attached to a collar or harness and worn by the dog at all times, except under the special circumstances listed below:

Exceptions authorized. Exceptions are authorized as follows; however, the owner shall be required to produce evidence of the rabies vaccination upon the request of an animal enforcement officer:

- a. A dog, while within the confines of the walls of the owner's house or apartment, is exempted from wearing the rabies tag.
  - b. Hunting or stock dogs and show dogs while being worked, conditioned, groomed and/or shown under the direct supervision and control of their owner, agents or employees of the owner are exempted from wearing the rabies tag. The rabies certificate must be available at the site of such activity for inspection on the request of an animal enforcement officer.
  - c. A dog, which for medical or physical reasons is unable to wear a collar or harness, is exempted from wearing the rabies tag. Documentation from a licensed veterinarian must be presented as proof for this exemption.
- (2) *Cats.* The wearing of rabies tags by cats shall be left to the discretion of the owners. If tags are not worn, evidence of vaccination must be produced upon the request of an animal enforcement officer.

## **Sec. 5-9. Registration of dogs and cats.**

(A) *Registration required.* In addition to the requirement for rabies vaccination, owners of dogs and cats four months of age and older are required to register each such dog and/or cat with the Animal Services Division. The dog and/or cat must be vaccinated for rabies before registration is authorized and valid certificate of rabies vaccination must be presented before a dog or cat may be registered, except in the following specially exempted circumstances. A dog or cat may be registered without the required rabies vaccination when:

- (1) A licensed veterinarian has examined the animal and certified that at the time of registration such vaccination would endanger the animal's health because of age, infirmity, debility, illness, or pregnancy. The exemption certificate must include the date when a rabies vaccination can be administered.
- (2) The owner shall be required to have the exempted dog or cat vaccinated within ten days of the expiration date of the veterinarian's certificate.
- (3) Veterinarians issuing exemption certificates are authorized to charge the pet owner a medical examination fee.
- (4) Veterinarians registering animals under the provision of this exemption authorization shall attach a copy of the certificate to the animal registration form which shall be forwarded to the animal services division in accordance with administrative instructions issued by the animal services division. The owner of the animal will be provided with a copy of the certificate of exemption and the owner will be required to present the certificate for inspection on request of an animal control officer.

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- (B) *To be worn.* The dog shall wear the city registration tag as required by this ordinance and when a dog is vaccinated after expiration of the exemption certificate, the rabies vaccination tag shall also be worn as required by this ordinance.
- (C) *One-year and three-year registration:*
- (1) One-year permits are valid from the date of registration and expire on the date of expiration of the one-year rabies vaccination pursuant to subsection (F) below.
  - (2) Three-year permits may be issued only in conjunction with a three-year rabies vaccination. The three-year permit shall be valid from the date of registration and expire on the date of expiration of the three-year rabies vaccination.
- (D) *Certificate of registration.* The certificate of rabies vaccination, when authenticated by the addition of the city registration tag number issued to a particular animal, shall serve the dual purpose of "certificate of rabies vaccination" and "animal registration."
- (E) *Requirement to display animal registration tag:*
- (1) *Dogs.* The animal registration tag issued for each dog shall be attached to a collar or harness and worn by the dog at all times, except under the special circumstances listed below:  
  
Exceptions authorized. Exceptions are authorized as follows; however, the owner shall be required to produce evidence of the registration upon the request of an animal enforcement officer:
    - a. A dog, while within the confines of the walls of the owner's house or apartment, is exempted from wearing the registration tag.
    - b. Hunting or stock dogs and show dogs and cats, while being worked, conditioned, groomed and/or shown under the direct supervision and control of their owner, or agents or employees of the owner are exempted from wearing the animal registration tag while engaged in the exempted activity. The animal registration tag must be available at the site of such activity for inspection on request by an animal enforcement officer.
    - c. A dog, which for medical or physical reasons is unable to wear a collar or harness, is exempted from wearing the registration tag. Documentation from a licensed veterinarian must be presented as proof for this exemption.
  - (2) *Cats.* The wearing of registration tags by cats shall be left to the discretion of the owners. If tags are not worn, evidence of registration must be produced upon the request of an animal enforcement officer.
- (F) *Registration issuance; permit term, expiration; delinquent registration.* One-year registration will be issued in conjunction with the rabies certificate. The one-year permit shall be valid from the date of registration and shall expire on the date of expiration of the one-year rabies vaccination. The permit must be purchased within 15 days of the rabies vaccination date or it will be considered delinquent.
- (1) *New residents.* Upon presentation of a valid rabies vaccination certificate with six months or less remaining before vaccination due date, a new resident may purchase a permit for one-half the regular registration fee.
  - (2) *Exceptions to delinquent registration.* When the following specific circumstances exist, a registration shall not be considered delinquent:
    - a. A new resident of the city who is registering a pet for the first time in Columbus and has a valid current certificate of rabies vaccination and/or a valid current animal registration from another city, county, or state. The new resident must register the pet within 30 days of establishing residency.

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- b. Any newly purchased or acquired dog or cat which is registered within 15 days of the date purchased or acquired. Documentation showing the date of purchase or acquisition and a description of the animal must be presented at the time of registration to be eligible for this exemption.
- (G) *Registration fees.* All dogs and cats four months of age or older must be registered. Effective July 1, 2014, the registration fees shall be as follows:
- (1) *Altered dogs and cats.* All dogs and cats which have been altered (spayed/neutered); or are less than nine months of age; or have a medical problem (certified by a licensed veterinarian) which would preclude surgery for a year or longer. A copy of the record from a licensed veterinarian certifying the animal has been spayed/neutered and a valid certificate of rabies vaccination must be presented at the time of the registration.
    - a. One-year registration\$ 10.00
    - b. Three-year registration\$ 30.00
  - (2) *Non-altered dogs and cats.* All non-altered (spayed/neutered) dogs and cats nine months of age or older; or without a veterinarian-certified medical exemption:
    - a. One-year registration\$ 40.00
    - b. Three-year registration\$ 120.00
  - (3) *Free registration authorized.* Free city registration is hereby authorized and free registration tags may be issued for dogs trained specifically to assist a person with disability when such dog is actually being used by a disabled person as an aid for that disability. A valid certificate of rabies vaccination must be presented along with the application for a free registration.
- (H) *Registration procedures; one-stop rabies vaccination—Pet registration:*
- (1) *Agents.* The Director of Animal Services division may authorize any veterinarian or veterinary clinic licensed to practice veterinary medicine in Columbus, Georgia, to act as agent and issue animal registration permits. The agents so designated shall comply with all provisions of this chapter and administrative instructions of the animal control and enforcement division. A veterinarian or veterinary clinic authorized to issue permits may collect a handling charge of up to \$5.00 from the animal owner for each registered permit issued.
  - (2) *List.* The Animal Services Division will maintain a list of veterinarians participating in the "one-stop rabies vaccination—pet registration" program and shall disseminate the list to the public.
  - (3) *Other pet registration locations authorized.* Dogs and cats may be registered at the main office of the Animal Services Division. A current certificate of rabies vaccination must be presented before registration
  - (4) *Registration by mail authorized.* Application forms for registration by mail will be available at the Animal Services Division office and will be made available to each veterinarian licensed and practicing in Columbus.
  - (5) *Replacement of lost rabies tag or city registration tag.* Replacement of lost rabies tags or city registration tags is hereby authorized. Application for replacements shall be made at the main office of the Animal Services Division, and a fee of \$2.00 for each replacement tag is hereby authorized.
  - (6) *Notice of change of ownership required.* Registered dogs and cats sold, adopted, traded, or otherwise released to new owners, persons, kennels, or any other businesses or shelters shall be reported by such new owner to the Animal Services Division's main office within ten days of such sale or release.

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## Sec. 5-10. Control of domestic animals.

(a) *[Generally.]*

- (1) Irrespective of and/or in addition to impoundment provisions, including assessment of penalty fees relating to impoundment of animals as prescribed in other sections of this chapter, it shall be unlawful for owners of dogs to allow, permit, or by negligence to permit, their dogs to be unattended. Any dog on the owner's property and not confined thereto by fence, or other suitable and effective means, and when no responsible person is present to control such dog, shall be considered unattended and in violation of this chapter only if said dog has been observed on public property or private property other than property of the owner, and not in voice control of a responsible person, by an enforcement officer of Columbus, Georgia or by a complainant willing to testify in court. Dog and cat owners residing in rural areas of the city and whose lots are zoned RE-5 or RE-10 and whose said lots are five acres or more in area, are exempt from the requirements to keep dogs penned, or on a leash, and/or under voice control. These exempted owners are required to ensure that their dogs and cats do not leave the limits of the owner's property, and these owners are subject to all other provisions of this chapter.
- (2) Upon the third conviction during a two-year period for a violation of subsection (a)(1), above, the individual so convicted shall pay a fine of not less than \$100.00 nor more than \$600.00.

(b) *Female dogs.* It shall be unlawful for any person to allow a female dog, when it is breeding season, to go upon or have access to the streets, roads or public areas of Columbus, Georgia. Female dogs shall be confined in such places and manner as will avoid nuisances being caused by the attraction of male dogs to the premises of others or under any circumstances.

(c) *Use of a leash on all public property.* No owner or caretaker shall allow any canine, "dog" on any public property unless such animal is restrained by an appropriate leash and under the control of a responsible person. This restriction does not apply to local, state or federal public safety canine officers, to licensed search and rescue operations or to properly licensed animal shows or government-owned animal care facilities or properly licensed animal adoption facilities.

(d) *Nuisance control.* Without regard to other provisions of this article or other sections of the Columbus Code, it shall be unlawful for owners of dogs, cats, or other animals to allow, permit, or by negligence fail to prevent such animals from acting or performing in such a manner as to cause damage or unsanitary conditions to the property of another, public streets, public parks and recreation areas, or otherwise to cause a nuisance in Columbus. Animal owners residing in rural areas of the city on lots zoned A-1 (agricultural) and which lots are two and one-half acres or more in area, are exempt from nuisance control provisions contained in section 5-10(d)(4). Acts deemed to be nuisances shall include, but are not limited to, the following:

- (1) Any animal to enter any place where food is stored, prepared, served or sold to the public except dogs trained specifically to assist a person with a disability when such dog is actually being used by a disabled person as an aid for that disability.
- (2) Any dog to chase, run after, or jump at vehicles moving on public streets and alleys.
- (3) Any dog to attack, bite or injure a person, or to snap, growl, snarl, jump upon or otherwise threaten persons without provocation, unless in defense, protection or assistance of its master or other persons, except when such person is using the dog in conjunction with a criminal activity. These acts shall be considered a violation of this chapter whether or not the dog is confined by fence, chain or leash, or under the voice control of a responsible person.
- (4) Any animal to howl, yelp, whine, or bark in such manner as to reasonably disturb any person or neighborhood.
- (5) Any animal to feed from, turn over, or otherwise disturb garbage containers.

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- (6) Any animal to scratch or dig in flower beds or to soil or damage any property other than that of the owners.
  - (7) Male animals to have access to female animals or vice versa during breeding season, except within enclosures so arranged as to obstruct such animals entirely from view of persons outside of such enclosures.
  - (8) Any dog or cat to go onto the property of another or onto public sidewalks, streets, alleys, parks and recreation areas, or onto other public or private ways, and attack another animal or fowl.
  - (9) It shall be a violation of this chapter if, when a dog or cat deposits fecal matter on public ways or private property, the owner of the animal does not promptly remove such waste and deposit it in a sanitary manner. This requirement is applicable whether or not the animal is on a leash and/or under voice control.
  - (10) Cats or dogs to crawl upon, sleep on, scratch or otherwise soil furniture, porches, automobiles or other tangible property of a neighbor or person other than the owner.
  - (11) *Transportation of animals.* It shall be a violation of this chapter for a canine animal to be transported in the back of an open bed vehicle unless such animal is securely tethered by a cross tie to prevent such animal from jumping off or being thrown from the vehicle.
  - (12) *Fencing.*
    - (A) Owners that rely upon a fence to secure their canine animal must use a fence with a minimum height of four feet or of sufficient height and structural support to ensure that such animals are restrained within the confines of their property. The individual size and abilities of any canine animal shall determine the height of the fence. If such animal evades the fence, the owner shall be in violation of section 5-10(a).
    - (B) Owners may use electronic fencing as long as said fencing is operational to ensure that such animals are restrained within the confines of their property. If such animal evades the electronic fencing, the owner shall be in violation of section 5-10(a).
- (e) *Controlled access public events.* It shall be unlawful for animals to be permitted at controlled access public events or in the immediate area where spectator sports events are held in city parks including practice events for spectator sports. The Animal Services Division shall be authorized to erect appropriate signs under this provision. Exceptions are authorized as follows; however, the owner shall be required to produce evidence of rabies vaccination upon the request of an animal control officer:
- (1) Dogs trained and used as a guide or seeing eye dog for a blind person.
  - (2) Dogs trained and used as a hearing dog for a deaf person.
  - (3) Police K-9 dogs.
  - (4) Caged animals being sponsored by the Animal Services Division or any licensed animal rescue organization.
  - (5) Animals competing or performing in the event.

### **Sec. 5-11. Dangerous or vicious dogs.**

- (a) All requirements concerning the classification, registration and maintenance of dangerous and vicious dogs will be enforced in Columbus as set forth in O.C.G.A Article 2 of Chapter 8 of Title 4, ("Responsible Dog Ownership Law"). The Animal Services Director shall serve as the dog control officer for purposes of implementing the requirements of the state law. The animal control advisory board is hereby designated as

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the authority in Columbus charged with making all determinations and hearing all appeals required by the state law.

- (b) The fee for registering dangerous or vicious dogs in Columbus, effective July 1, 2015, shall be \$150.00 annually. The required collar and up to two warning signs shall be issued and are included in this fee. If additional signs are required, the cost is \$5.00 per sign.
- (c) The Animal Services Director and the animal control advisory board are hereby authorized to regulate cats or other household pets which it determines to be dangerous or vicious in a manner similar to that specified by the Responsible Dog Ownership Law referenced above.
- (d) It shall be unlawful to display a dangerous/vicious dog or animal sign at locations or on premises where no such dangerous/vicious animal exists or is located.
- (e) The dog control officer, any animal enforcement officer or any sworn law enforcement official is authorized to make whatever inquiry is deemed necessary to ensure compliance with the provisions of the State law and such officers may confiscate any dangerous or vicious dog in the case of any violation of the law.

### **Sec. 5-12. Cruelty to animals and failure to aid injured animals.**

It shall be unlawful for any person, willfully and cruelly, to injure or kill any animal by any mode or means causing it unnecessary fright or pain, and it shall further be unlawful for any person, by neglect or otherwise, to cause or allow any animal to endure pain, suffering or injury. Acts violating this section shall include but are not limited to:

- (1) Any violation of the Columbus Code Section 5-7.1 on shelter shall be guilty of a city ordinance violation, punishable as set forth in section 1-8 of the Columbus Code.
- (2) Failure to provide animals food for a period of more than 24 hours and/or water or care for more than 18 hours.
- (3) Abandoning any animal on private or public property.
- (4) Failure on the part of the driver of a motor vehicle to stop or call the police or other agencies for assistance after striking or injuring an animal by the motor vehicle.
- (5) Leaving or exposing any poisonous substance, food or drink, for man, animal or fowl or to aid or abet any person in so doing, except insect or rodent poison when used for control of insects, mice or rodents.
- (6) It shall be unlawful for any person to bait, to attack with violence to, provoke, or to harass an animal, domestic or wild, with one or more animals or humans, for the purpose of training such an animal for, or to cause or to sponsor or to promote such an animal to engage in fights, wrestling or similar contests with or among other animals or between animals and humans. Nothing in the foregoing sentence, however, shall prevent the lawful training of guard dogs or other animals, provided the same in no way conflicts with other provisions of this Code or state law. The minimum fine for violating this subsection (6) shall be \$500.00.
- (7) Tethering that does not meet the requirements of section 5-5(20).
- (8) It shall be a violation of this section for an animal to be left unattended in a vehicle if the inside temperature of the vehicle exceeds 80 degrees.

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### **Sec. 5-12.1. Revocation of licenses of trainers, breeders, boarders and sellers of dogs or other animals convicted of cruelty to dogs or other animals.**

Any person convicted of or pleading guilty or nolo contendere to O.C.G.A. Section 4-8-5 (Cruelty to dogs) or O.C.G.A. Section 16-12-4 (Cruelty to animals) or any other comparable criminal prohibition against cruelty to animals that may be later enacted shall not thereafter be issued a license to train, breed, board or sell dogs or other animals in Columbus, Georgia, and the licenses of those persons being convicted of or entering guilty or nolo contendere pleas to said offenses shall immediately stand revoked, in addition to other penalties prescribed by law.

### **Sec. 5-13. Impoundment.**

- (a) *Animals subject to impoundment.* Dogs, cats or other animals within any of the following classes may be captured and impounded in Columbus, Georgia:
- (1) Dogs and other animals whose ownership is unknown.
  - (2) Vicious dogs and animals of all kinds.
  - (3) Female dogs in breeding season not confined to the premises of the owners in such manner as to avoid nuisances and prevent access to other animals.
  - (4) Dogs or other animals that have been bitten by an animal suspected of having rabies.
  - (5) Dogs, cats, or other animals that are causing nuisances in violation of other sections of this chapter.
  - (6) Any dog not wearing a valid city registration and rabies vaccination tag.
  - (7) Any dog on the owner's property and not confined thereto by fence, chain, or other suitable and effective means, and when no responsible person is present to control such dog shall be unattended and in violation of this chapter only if said dog has been observed on public property or private property other than the property of the owner, and not in voice control of a responsible person, by an animal enforcement officer or by a complainant willing to testify in court. Section 5-10(a) of this chapter exempts owners of dogs and cats whose residence is in rural Columbus from the requirement to have the animal under constant control by a responsible person. Animals in these exempted areas are subject to impoundment if the animal is observed on property other than the owner's property.
- (b) *Notice of impoundment.* Immediately upon impounding dogs, or other animals, the animal enforcement officer responsible for having the animals impounded or other animal services division staff shall make reasonable efforts to notify the owners of such dogs, or other animals, so impounded and inform such owners of the conditions whereby they may regain custody of such animals.
- (c) When a resident of Columbus is no longer able to maintain a cat or dog of which he or she is the documented owner, he or she may surrender the animal to the Columbus Animal Services Division. A surrender fee of \$20.00, will be charged upon surrender, and the owner will sign a document releasing all ownership rights to the animal and waiving any future notices concerning the disposition of the animal.

### **Sec. 5-13.1. Disposition of animals.**

- (a) *Holding time.* Any impounded animal, not under observation for rabies, that is not claimed within five days of the date of impoundment or five days after the owner of the animal is notified, shall be disposed of in a manner approved by the director of the Animal Services Division. However, if the owner is incarcerated at the time of impoundment, the animal shall be held for ten days. After the tenth day the animal shall become

the property of Columbus, Georgia and be disposed of in a manner approved by the director of the Animal Services Division.

(b) *Adoption of animals.*

- (1) At the time of adoption of non-altered (spayed/neutered) animal from the Animal Services Division. the individual adopting said animal shall purchase, for the sum of \$50.00, a spay/neuter voucher to be presented to the veterinarian of their choice to defray a portion of the cost of spaying or neutering the animal. The veterinarian may redeem said voucher by presenting same to the Finance Department for the consolidated government. Effective July 1, 2010, adoption fees shall be \$75.00 and said voucher shall be worth \$50.00.
  - (2) No unclaimed dog or cat which is not neutered or spayed shall be released from the Columbus Animal Services Division office without a written agreement from the person adopting the animal that such animal will be sterilized within 30 days from the date of adoption, unless a later date is indicated on the adoption agreement due to the age or health condition of that particular animal. Within 45 days of the adoption or 15 days of the alternative date indicated on the adoption agreement, said owner will file with Columbus Animal Services Division office the signed statement of a licensed veterinarian that the animal in question has been neutered or spayed. Failure of the owner to file such a signed statement will result in a fine of \$100.00 and constitute a presumption that there has been a failure to spay or neuter the adopted dog or cat. Upon such failure to comply with the provisions of this subsection, a citation may be issued under O.C.G.A. § 4-14-3(c) to be prosecuted in environmental court as a misdemeanor by animal enforcement officers pursuant to O.C.G.A. § 4-14-4.
- (c) *Escape, injury or pilfering.* The animal control officers, pound-masters and pound custodians shall exercise every reasonable care to prevent injury, escape or pilfering of any dogs or cats which they deal with in carrying out the provisions of this chapter, but they shall not be responsible for any such occurrence.
- (d) When municipal or county agencies from outside of Muscogee County require the service of euthanasia, it may be provided at a cost of \$10.00 per animal with an additional body disposal fee of \$10.00.
- (e) When euthanasia is requested by a resident of Muscogee County that is an animal owner, it may be provided at a cost of \$10.00 per animal with an additional body disposal fee of \$10.00.

**Sec. 5-14. Fee for recovery of impounded animals.**

- (a) *Impoundment fee.* In addition to city registration fees and board fees required by this chapter, there shall be an impoundment charge assessed against owners who recover their animals which are impounded under the provisions of this chapter. The impoundment fee shall be in accordance with the following schedule:

First Impoundment	Altered (Spayed/Neutered) \$50.00 ea	Not Altered (Not Spayed/Neutered) \$95.00 ea
Second Impoundment	Altered (spayed/neutered) \$75.00 ea	Not Altered (Not Spayed/Neutered) \$125.00 ea
Each subsequent Impoundment within a two year period	\$100.00 ea	\$125.00 ea

(Subsequent impoundments are levied against the animal owner and not necessarily for the same animal.)

- (b) *Board fee.* In addition to city registration fees and impoundment fees required by this chapter, there shall be a board fee of \$10.00 per day, payable before an impounded animal will be released to the owner.



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### **Sec. 5-15. Private/hobby kennels (noncommercial).**

- (a) Any person who maintains within or adjoining his property a combined total of six or more dogs and/or cats over six months of age as personal or family pets, or for recreational use, or for exhibition, breeding, and where sale of offspring is not the primary function shall be required to have a private/hobby kennel permit.
- (b) Private/hobby (noncommercial) permits shall be issued by the Director of Animal Services . Such permits will be valid for one calendar year and shall be valid from January 1 through December 31 of the year in which issued. Permits shall be renewed each year between January 1 and February 28. Applications received after February 28 shall be considered delinquent.
- (c) Locations of private/hobby kennels shall comply with the zoning ordinance of Columbus, and before a private/hobby kennel permit will be issued the applicant must obtain a certificate of occupancy from the code enforcement officer authorizing the private/hobby kennel at the address specified in the application.
- (d) There shall be a \$100.00 inspection and permit fee for each private/hobby kennel permit.
- (e) The Director of the Animal Services Division shall have the authority to revoke private/hobby kennel permits when sanitation standards prescribed by this chapter and other ordinances are not maintained.
- (f) *Kennel permits (pets—nonbreeding):*
  - (1) Such permits issued prior to July 1984 shall be valid until revoked by proper issuing authority or terminated by applicant.
  - (2) Actions upon complaints. Upon receipts of complaints of nuisance (section 5-10(d)) caused by maintaining a pet nonbreeding kennel, the chief of animal control and enforcement division shall have an inspection made of such facilities. After a notice allowing reasonable time to correct the nuisance has been issued to the responsible person, and such notice has failed to produce compliance, the permit for maintaining such kennel may be revoked by the issuing authority.
  - (3) Any person whose kennel permit is revoked must within ten days comply with existing ordinances regarding number of animals maintained and show proof of the manner of humane disposal of all animals over the legal number authorized by current ordinance.
- (g) Appeals of denial or revocation of a permit may be made to the animal control advisory board at the board's next scheduled meeting. Notice of intent to appeal a decision of the Director of the Animal Services division must be made in writing and filed with the administrative officer of the Animal Services division. Final action on a denial and/or revocation of a permit shall be delayed pending a decision of the animal control advisory board. The decision of the advisory board shall be final as to administrative processing of the application or revocation. Denial of a certificate of occupancy by the code enforcement division is not subject to review by the animal control advisory board.

### **Sec. 5-16. Commercial kennels.**

- (a) *Commercial kennel defined.* Section 22-3 of the zoning ordinance of Columbus defines a Commercial Kennel as follows:

"A kennel maintained for the purpose of offering any service whatsoever, including, but not limited to, boarding, grooming, breeding, keeping for sale, selling, trading, training, renting, or leasing for guard purposes any dogs or other animals.

- (b) *Business license required.* It shall be unlawful for any person, business, or kennel (as heretofore defined), regardless of the number of the animals kept, to engage regularly in the sale of cats, dogs, kittens, or

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puppies, regardless of the age of the animals, without having a business license which specifically authorizes commercial kennel activities.

- (c) *Certificate of occupancy required.* The business license department shall require a valid and current certificate of occupancy for commercial kennel before such business license is issued.
- (d) *Maintenance of yards and pens.* In addition to the minimum requirements for lot size and structural specifications required by the zoning ordinance and building code of Columbus, yards and pens for dogs shall be in accordance with the standards for such dog yards and pens as required by this chapter.
- (e) *Waste disposal.* Fecal matter and urine from animals shall be disposed of into the city sanitary sewerage system and shall not be allowed to drain or leak into the rainwater sewerage system.
- (f) *Kennel sanitation.* It shall be unlawful to keep or maintain within Columbus, Georgia, any kennel that is unsanitary, nauseous, foul, or offensive, or in any way detrimental to public health and/or safety.
- (g) *Rabies vaccination.* The owner, manager or person in charge of a commercial kennel (as herein defined) shall be responsible for ensuring that all dogs and cats four months of age or over that are on the premises and offered for sale have been vaccinated for rabies. This requirement applies even if the animals are on consignment. The certificate of rabies vaccination and the rabies tag for each such animal shall be available for inspection on request by an animal enforcement officer.
- (h) There shall be a \$100.00 inspection and permit fee for each commercial kennel permit.

#### **Sec. 5-17. Complaints against animal control procedures or personnel.**

Any complaints about animal enforcement procedures or personnel should be brought to the animal control advisory board at the regularly scheduled meeting. If the complaint is particularly urgent and concerns allegations of wrongdoing or impropriety against an animal enforcement officer, the complaint should be brought immediately to the chairman of the animal control advisory council. He will refer the case to a panel composed of three members of the animal control advisory board for their deliberation. The panel will function in the same manner as the personnel review board currently functions. A hearing will be held where those presenting the complaint will have ample opportunity to come before the board, explain their complaint and bring whatever witnesses and documentation forward. The Animal Services Division will make available whatever personnel necessary to provide required information. Based on the facts as presented to them, the panel will render a finding in the case, either that the allegations are unsubstantiated or that the allegations are substantiated. If the panel finds the allegations substantiated, then they will recommend appropriate remedial action.

#### **Sec. 5-18. Animal bites; quarantine of animals.**

- (a) *Animal bites defined.* The breaking of the skin of a human being by an animal shall be considered a bite case.
- (b) *Reporting procedure.* All bite cases must be reported to the Columbus Department of Public Health. During nonbusiness hours, the report shall be made to the 911 Emergency Center. The bite report should be made as soon as possible, and in no case more than 24 hours after the bite. Animal enforcement officers will assist in making bite reports but the responsibility rests with the owners and the person bitten to ensure that a complete report is made to the Columbus Department of Public Health. Failure to make the bite report as required shall constitute a violation of this chapter. Each day that shall pass after the bite without the animal bite being reported as required, shall constitute an additional violation.
- (c) *Quarantine required:*
  - (1) Any animal which has broken the skin of a human or is suspected of being rabid shall be quarantined for at least ten days, and no such animal shall be released to the owner or humanely euthanized until

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the animal has been examined by a veterinarian or the rabies control officer at the expiration of the ten-day period and released from quarantine.

- (2) The animal may be quarantined at the owner's residence at the discretion of the rabies control officer.
- (3) The rabies control officer is authorized to require that the animal be quarantined at the Animal Services Division facility, or the animal owner is authorized to request that the animal be quarantined in a veterinary clinic. In this instance the owner is responsible for all board and veterinary medical costs incurred pursuant to the quarantine.

### **Sec. 5-19. Guard dogs.**

- (a) *General.* Control and identification of guard dogs in the interest of protection of law-abiding citizens from attack from such dogs is of paramount importance.
- (b) *Registration of guard dogs required:*
  - (1) Individuals, firms, companies, or corporations who own, rent, lease, or otherwise provide dogs for the purpose of guarding property or establishments within the city limits of Columbus are required to register each guard dog with the Division of Animal Services. This registration shall be required even if the guard dog(s) are trained or housed outside of Columbus while not actually guarding premises or property.
  - (2) In addition to the requirements for rabies vaccination, section 5-8, and city registration tag, section 5-9, each guard dog residing in or rented, leased, or used for guarding in Columbus shall be required to wear a distinctive red leather collar with a numbered identification tag fastened thereon.
  - (3) The distinctive guard dog collars shall be available at the animal care and control center at a cost of \$50.00.
- (c) *Control of guard dogs.* Guard dogs shall be controlled or confined so that they cannot come into contact with law-abiding citizens who are lawfully using public and private premises.
- (d) *Reporting loose guard dogs.* In the event a guard dog escapes its place of containment and is running loose in public areas or on property other than the owner's, the person employing such dog and the owner of such dog shall immediately report all facts and circumstances, including the collar number of the dog, to the animal services division. After normal business hours the report shall be made to the 911 Emergency Center.

### **Sec. 5-20. Requirements for community cat colonies and caretakers.**

A community cat caretaker is exempt from the responsibilities of an owner under this chapter and shall not be required to meet the requirements of sections 5-15 or 5-16 of this article; however, all community cat colonies must be registered with Columbus Animal Services Division or the designated community cat rescue, and the community cat colony caretaker must comply with all of the following:

- (1) The community cat rescue organization has inspected the area in which the colony will be housed and has approved;
- (2) Regular feeding of the colony will be maintained throughout the year;
- (3) Adult cats and kittens over 12 weeks of age that can be captured will be neutered or spayed and vaccinated against rabies. A three-year vaccine will be administered whenever feasible;
- (4) Every reasonable attempt will be made to have kittens removed from the colony and fostered before they reach the age of 12 weeks for domestication and placement when placement is a possibility;

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- (5) Whenever reasonably possible, sick or injured cats will be removed from the colony by the colony caretaker and taken to a licensed veterinarian for evaluation. The decision either to treat or euthanize shall be at the entire discretion of the veterinarian;
  - (6) Cats will be ear tipped for recognition as members of a community cat colony;
  - (7) Records of sterilization, vaccination and animal identification will be maintained by the community cat rescue for a minimum of three (3) years and made available to the Columbus Animal Services Division or state licensing authorities for review upon request;
  - (8) If colonies are established on private property, permission has been given to the community cat rescue or colony caretaker from the owner of the premises upon which the community cat colony is located for the community cat colony to be located on the owner's property; and
  - (9) Compliance with the policies and procedures governing the community cat program.

**Sec. 5-21. Removal of community cats from colony.**

Columbus Animal Services Division has the right to immediately seize and remove all or parts of any community cat colony for public health and public safety concerns including rabies, other zoonotic disease epidemics, and certain fatal animal to animal diseases as identified by the Division's veterinarian or the state veterinarian.

**Sec. 5-22. Unlawful interference with identified community cat colony.**

Except as provided in section 5-21 of this article, it is unlawful for any person knowingly to prevent, interfere with, or obstruct the management of an identified community cat colony. However, nothing herein shall prohibit a property owner from taking lawful steps to control or restrict community cats within the limits of the owner's property.

**Sec. 5-23. Disposition of community cats—Generally.**

Columbus Animal Services Division may impound feral cats which are not identified as community cats by ear tipping and place those cats for adoption or make such other humane disposition of the animal in accordance with this chapter; however where feasible, the cat may be vaccinated, neutered and ear tipped and released to the community cat rescue which will place the cat in a community cat colony, or placed with an individual who is willing to be identified as responsible for that cat's welfare.

**Secs. 5-24—5-29. Reserved.**

***ARTICLE III. HOOFED ANIMALS***

**Sec. 5-30. Compliance with Code required.**

It shall be unlawful for any person to keep within the corporate limits of the City of Columbus, any hoofed animal, except in compliance with the provisions of this chapter of the Code of Ordinances, and the zoning ordinance.

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### **Sec. 5-31. Restrictions on keeping certain hoofed animals.**

- (a) Keeping of hogs and cows is permitted only in the rural areas of Columbus which are specifically designated and zoned A-1 (agriculture) in the zoning atlas of Columbus in accordance with Chapter 22 of the Columbus Code, entitled "The Zoning Ordinance."
- (b) In addition to the restrictions established by the zoning ordinance as to location, it shall be unlawful to maintain or keep a hog closer than 900 feet of any private residence, other than that of the owner, or public building.
- (c) In addition to restrictions established by the zoning ordinance as to yard or pen location, it shall be unlawful to maintain or keep a cow closer than 500 feet of any private residence, other than that of the owner, or any public building.

### **Sec. 5-32. Transporting through city.**

The preceding section hereof is not to apply where such animals are being carried through the city for bona fide sale or transportation or for slaughter, and only temporarily kept in the city.

### **Sec. 5-33. Running unattended.**

It shall be unlawful for any person to allow any horses, mules, jacks, cattle, hogs, goats or sheep to run unattended on public property or private property other than the property of its owner.

### **Sec. 5-34. Cleanliness of pens.**

Any place, including yards, pens, enclosures, lots or premises within the City of Columbus at which fowl or animals are kept shall be maintained in a clean condition free of obnoxious odors and fly-breeding media or attraction. For the purposes of this article, the definition of "animals" shall include dogs and rabbits as well as any other animals kept for any reason whatsoever.

### **Sec. 5-35. Stable requirements.**

All hoofed animals kept within the City of Columbus shall be kept in a stable which meets the following requirements:

- (1) The stables shall be not less than 50 feet from the owner's dwelling and not less than 150 feet from any other residence; however, the distance requirements to other residences may be waived in writing by adjoining property owners whose residences are within 150 feet of stables, but in no event may the distance be less than 75 feet. A change in ownership shall not affect the right to continue to maintain a stable without consent of the new adjoining owners.
- (2) The stable shall be screened and fly-proofed to minimize contamination from flies and other insects.
- (3) The stable shall be floored with packed clay or other durable material covered with suitable disposable materials to allow removal of droppings and urine.
- (4) The stable area shall be well drained, dry, and reasonably odor-free.
- (5) The disposable waste products from the stable shall be removed in covered containers, temporary storage of waste shall be limited to seven days' accumulation, and the storage area shall be vermin-proofed and established at a distance from residence equal to or greater than that prescribed for the stable.

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- (6) Exercise areas, riding rings, and areas surrounding the stable shall be free of animal droppings and maintained under sanitary conditions which preclude accumulation of wastes which produce offensive odors.
  - (7) The stable areas shall be fenced with either a high single fence or double fence which prevents the animal from cropping foliage or grasses beyond the owner's boundaries.
  - (8) Animal food, grain, or grain products, except hay or other forage shall be kept in covered metal containers under vermin-free conditions.

**Sec. 5-36. Vans and trailers.**

The maintenance and parking of vans and animal trailers shall be limited to off-street areas in a manner which shall not detract from the general appearance of the neighborhood.

**Sec. 5-37. Inspection by health department.**

Health authorities shall have the right to inspect the premises on which animals are stabled at all times, and should it be found that animals are not kept in compliance with the provisions of this chapter, or are a health and sanitation hazard, the health officers shall have the authority to order the animals removed from the city.

**Secs. 5-38, 5-39. Reserved.**

**ARTICLE IV. POISONOUS SNAKES**

**Sec. 5-40. Keeping in city limits.**

- (a) *Distance from residences.* Possession of live poisonous snakes within 300 feet of a residence is prohibited.
- (b) *Exception.* It shall be unlawful to possess live poisonous snakes within 300 feet of a residence within Columbus, Georgia, except by public institutions for research or education.

**ARTICLE V. WILD BIRDS**

**Sec. 5-41. Protection.**

- (a) *City designated bird sanctuary.* The entire area embraced within the corporate limits of the City of Columbus is hereby designated as a bird sanctuary.
- (b) *Signs.* Appropriate signs are hereby authorized to be erected designating the City of Columbus as a bird sanctuary.
- (c) *Trapping, etc., unlawful.* It shall be unlawful to trap, shoot, hunt, or attempt to shoot or molest in any manner any bird or wild fowl or to rob bird's nests, except that shooting of game birds may be allowed during hunting seasons in accordance with regulations of the Game and Fish Division of the Georgia Department of Natural Resources.
- (d) *Destruction of nuisance species.* In the event any species of bird is found to be a nuisance in the opinion of the Columbus Department of Public Health, then said species of bird may be destroyed in such manner as is deemed advisable by the Columbus Department of Public Health under the supervision of the police department of the City of Columbus.

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## Sec. 5-42. Keeping of fowl.

- (a) *When permitted.* The keeping of fowl shall be allowed as an accessory use on any lot two acres or more in size. The keeping of such domestic fowl shall be in accordance with the following:
- (1) The number of domestic fowl kept on a given lot shall not exceed the ratio of one bird unit per one acre, with a bird unit identified as follows:
    - 32 chickens equals one bird unit.
    - 16 ducks equals one bird unit.
    - 8 turkeys equals one bird unit.
    - 8 geese equals one bird unit.
  - (2) When determining the number of domestic fowl permitted, only fowl six weeks or older in age shall be counted.
- (b) *Compliance with zoning ordinance.* The keeping of racing, homing or exhibition (fancy) pigeons shall be allowed as an accessory use of a residential lot only in accordance with the "minimum requirements" set forth in the zoning ordinance and the distance from adjacent dwelling requirement established by paragraph (c)(3) of section 5-42.
- (c) *Location of accessory structures.* All accessory structures associated with the keeping or housing of animals shall be located in accordance with the provisions stated as follows:
- (1) Barns or other structures used in connection with agriculture, to include structures for the keeping, confining or sheltering of any poultry as defined in subsection (a)(1) above, shall be located no closer than 100 feet to any lot line. In no instance shall such structures be used for retail sales, except as permitted under the business license section of this Code.
  - (2) Barns or other structures used for the confining or sheltering of domestic fowl not in connection with agriculture shall be no closer than 50 feet to any lot line.
  - (3) Cages, lofts, pens and other structures which are used for the keeping of homing, racing or exhibition (fancy) pigeons shall be located no closer than 150 feet from the nearest part of a house occupied by a person other than the keeper of the birds.
- (d) *Fowl commonly excepted.* Subject to the provisions of paragraph (f) of this section, exotic chickens, ducks and geese six weeks old, birds such as canaries, parakeets, doves, and parrots or other exotic birds normally kept as pets or primarily for hobby purposes shall not be subject to the remaining provisions of this section.
- (e) *Businesses excluded.* Retail stores properly licensed under other provisions of this Code which maintain exotic chickens, ducks and geese six weeks of age, canaries, parakeets, doves, parrots, and other exotic birds for the purpose of retail sales from inventory, and other properly licensed poultry related industries other than retail sales to pet owners shall not be subject to the provisions of this section, except for paragraph (f).
- (f) *Noise and odors.* Notwithstanding any of the provisions contained herein, at no time shall an owner of domestic fowl place a structure or keep domestic fowl in any fashion which would cause emission of noise or odor detrimental to other property or individuals residing thereon in the area. Further, it shall be unlawful to allow domestic fowl or other exotic fowl or birds to run on public property or private property other than the property of its owner.
- (g) *Notice of violation.* Any owner of birds or fowl in Columbus, or any owner of property used for the keeping of birds or fowl in the city, shall be notified in writing of any violation of this section by the Division of Animal Services or the health department, and shall be given 30 days to correct stated violation. If after 30 days from the date of the notice, the owner of the birds or fowl or the property owner or occupant of the

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premises where the birds or fowl reside fails to comply with the provisions of this section, a citation to appear in the recorder's court may be issued to such person.