

**ORDINANCE NO. 2012-2****AN ORDINANCE PROHIBITING PIT BULL BREEDS OF DOGS  
WITHIN THE CITY LIMITS OF LOCKESBURG, ARKANSAS**

**WHEREAS**, the City Council of Lockesburg, Arkansas recognizes that the City has a great number of domesticated dogs identified as "pit bulls" within the various neighborhoods in the City and that citizens and visitors must interact with such animals at times; and

**WHEREAS**, the unrestricted presence of "pit bulls" within the City of Lockesburg, Arkansas, poses a significant risk of injury to the citizens due to the aggressive nature of the breed and the threat of attack.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LOCKESBURG, ARKANSAS, that:**

**Section 1.** It shall be unlawful for any person to keep within the city of Lockesburg, Arkansas, any breed of dog identified as "Pit Bull" as defined below.

**Section 2. Definitions:** Banned breeds of pit bull dogs are any of the following:

- a. American Pit Bull Terrier
- b. Staffordshire Bull Terrier
- c. American Staffordshire Terrier
- d. American Bull Dog
- e. Any dog whose owner registers, defines, admits or otherwise identifies the dog as being of a banned breed.
- f. Any dog conforming or substantially conforming to the breed of American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier or American Bull Dog as defined by the United States Kennel Club or American Kennel Club.
- g. Any dog which is of the breed commonly referred to as "pit bull" and commonly recognizable and identifiable as such.

**Section 3. Exceptions.** It shall not be unlawful for a person to travel through the city of Lockesburg with a Pit Bull Breed provided that the dog is kept confined in a secure temporary enclosure during transport. It shall not be unlawful for a veterinarian to temporarily board a Pit Bull Breed dog for which he/she is providing care and treatment. Citizens of Lockesburg may keep such an animal, if it remains in a proper covered enclosure. Enclosures must be constructed with a concrete floor and fence posts set in concrete, with 9 gauge or larger chain link fencing, with a lock on the gate, which must be locked at all times. Each dog must be registered at City Hall yearly, with a fee of \$25.00.

**Section 4. American Kennel Club Standards.** For any breed which is banned by section 1, a copy of the standards of the American Kennel Club and United States Kennel

Club shall be kept on file in the City Clerk's office; and such standards shall be incorporated by reference and shall be on file for public review in the Clerk's office.

**Section 5. Penalties.**

a. It shall be unlawful and a misdemeanor for an owner or keeper of a Pit Bull breed dog to fail to comply with any of the provisions of this Ordinance. The owner or custodian of the animal, upon conviction, shall be subject to the maximum fine of \$500.00, or the maximum allowed by State for a misdemeanor. Each day that the owner remains in violation shall constitute a separate offence.

b. In addition, the dog found to be the subject of the violation of the regulations shall be subject to immediate seizure and impoundment.

c. A Pit Bull breed dog seized by the City of Lockesburg shall be held for a period of ten (10) business days and the owner may reclaim the dog by payment of a fee of \$20.00. The dog shall not be released unless the reclaim fee is paid AND the owner signs an affidavit or sworn declaration stating that dog will be moved outside the city limits immediately.

d. A dog released pursuant to the affidavit or sworn declaration, which remains in the city limits, is subject to immediate seizure and may be destroyed by animal control. The owner/keeper who knowingly fails to remove the dog as required, shall be subject to a fine of up to \$500.00 per day.

e. Upon authority of Animal Control personnel an animal not reclaimed or which is abandoned may be humanely destroyed.

**Section 6. Effective Date.** This ordinance shall be effective upon passage. However, the penalties noted above in paragraph 5 shall be enforceable on the 90<sup>th</sup> day after its passage.

**Section 7. Confinement pending enforcement of penalties.** During the period from date of passage until enforcement of penalties, each pit bull located in the city limits of Lockesburg, Arkansas, must be securely confined so as to pose no threat to humans or other animals. The owner of a Pit Bull Breed shall not allow the dog to go unconfined unless the dog is securely muzzled and restrained by leash, rope or chain and under the control of a person capable of restraining said dog. The owner/keeper of a Pit Bull shall display in prominent place on his/her premises a clearly visible sign warning the public that a Pit Bull is on the premises; e.g. "PIT BULL INSIDE" or CAUTION-PIT BULL" or similar sign.

**Section 8. Additional Penalties.** Any person violating the provisions of the ordinance relative to confinement after passage of this ordinance shall be issued a citation and, upon conviction, shall be punished in a sum not to exceed Five Hundred Dollars (\$500.00). Each day of violation after issuance of the citation shall constitute a separate

offense.

**Section 9. Enforcement.** This Ordinance may be enforced by either the Lockesburg Code Enforcement Officer or any law enforcement agency with jurisdiction within the city limits of Lockesburg, Arkansas.

**Section 10. Severability.** The provisions of the Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not effect the remainder of the sections, phrases or provisions.

**Section 11. Repeals.** Any ordinance and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 8<sup>th</sup> DAY OF MAY, 2012.

APPROVED: *Danny Ruth*  
DANNY RUTH, MAYOR

ATTEST: *Retia S. Thompson*  
Retia S. Thompson, Recorder/Treasurer

CLERK'S CERTIFICATION

I, Retia S. Thompson, Recorder/Treasurer of the City of Lockesburg, Sevier County, Arkansas, the duly elected and serving custodian of the official records of the City, hereby certify that the above and foregoing Ordinance No. 2012-1 was passed and approved by the City Council of the City of Lockesburg, Arkansas, on the 8<sup>th</sup> day of May, 2012, in regular session assembled, at which meeting a quorum, as required by law, was present and voting thereon.

WITNESS, my hand and seal of the City of Lockesburg, Arkansas, this 8<sup>th</sup> day of May, 2012.

*Retia S. Thompson*  
Retia S. Thompson, Recorder/Treasurer