



STATE OF ARKANSAS
City of Brookland

ORDINANCE NO. 2019-12

AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE PROPER DISPOSAL OF PET SOLID WASTE IN THE CITY OF BROOKLAND.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Brookland, Arkansas:

SECTION 1: Purpose: An Ordinance to establish requirements for the proper disposal of pet solid waste in the City of Brookland, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION 2: For the purpose of this ordinance, the following terms, phrases, and words shall have the meanings stated herein. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate - shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper - any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal or dogs used in police activities) kept for amusement or companionship.
- e. Pet solid waste - waste matter expelled from the bowels of the pet; excrement.
- f. Proper disposal - placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector.

SECTION 3: Requirement for Disposal. All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person, unless specifically allowed by the owner of said private property.

SECTION 4: Exemptions. Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this ordinance while such animal is being used for that purpose. Likewise, this Ordinance shall not apply to animals used by or with the permission of the Brookland Police Department.

SECTION 5: Enforcement. The provisions of this Ordinance shall be enforced by the Brookland Police Department or a Code Enforcement officer or by the filing of a Citizen Complaint form from a Brookland resident willing to testify in court.

SECTION 6: Violations and Penalty. Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$100.00.

SECTION 7: Severability. Each section, subsection, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

PASSED AND ADOPTED this 9 day of December 2019.

1st Reading September 9, 2019

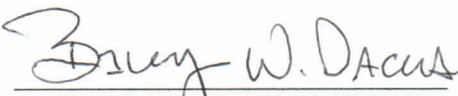
2nd Reading October 10, 2019

3rd Reading December 9, 2019




KENNETH D. JONES, MAYOR

ATTEST:


BILLY DACUS, CITY CLERK