

RESOLUTION TO ADOPT AMENDED DOMESTIC ANIMAL CONTROL ORDINANCE
WITHIN WARREN COUNTY, MISSISSIPPI

WHEREAS, the Legislature of the State of Mississippi, in Section 17 Chapter 1 of the Mississippi Code of 1972, Annotated, empowers the County to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry, and;

WHEREAS, pursuant to the statutes of the State of Mississippi, Sections 41-53-1, et. seq., and 97-41-1et. seq., of the Mississippi Code Annotated, the County Board of Supervisors is given authority to control and regulate domestic animals; and

WHEREAS, based on the health, safety and welfare of the citizens of Warren County, Mississippi, the Board of Supervisors finds an immediate necessity to control and regulate the domestic animals within the unincorporated boundaries of Warren County, Mississippi; and
WHEREAS, the Board of Supervisors deems it necessary for the purpose of promoting the health, safety, and general welfare of the County to enact a regulation for control of domestic animals; and

WHEREAS, on October 3, 2022, the Warren County Board of Supervisors declared its intent to adopt such Amended Domestic Animal Control Ordinance within Warren County, Mississippi, and set for a public hearing such Ordinance, to be held at 9:00 a.m. on the 7th day of November, 2022; and notice of said hearing was posted in the Vicksburg Post on October 12, 2022, being at least fifteen (15) days prior to the public hearing; and

WHEREAS, on Monday, November 7, 2022, public hearing was held, and there being no objection, the following resolution was adopted and entered;

BE IT THEREFORE ORDERED AND RESOLVED BY THE WARREN COUNTY BOARD OF SUPERVISORS THAT FOLLOWING A PUBLIC HEARING AT 9:00 A.M. ON THE 7TH DAY OF NOVEMBER, WHICH WAS ADVERTISED IN THE VICKSBURG POST AT LEAST FIFTEEN (15) DAYS PRIOR, THE WARREN COUNTY BOARD OF SUPERVISORS HEREBY ADOPTS THE AMENDED DOMESTIC ANIMAL CONTROL ORDINANCE TO CONTROL AND REGULATE DOMESTIC ANIMALS WITHIN WARREN COUNTY, MISSISSIPPI, AS ATTACHED.

WARREN COUNTY BOARD OF SUPERVISORS

BY: _____

KELLE BARFIELD, President

ATTEST:

Beverly Johnson CC
Warren County Chancery Clerk



AMENDED DOMESTIC ANIMAL CONTROL ORDINANCE

PREAMBLE

The Warren County Board of Supervisors, in order to promote the health, safety and general welfare of the citizens of Warren County and to promote the humane treatment of domestic animals therein, hereby adopts this amended ordinance for the control of domestic animals in the area of Warren County outside the corporate limits of the City of Vicksburg. This Ordinance shall replace the Domestic Animal Control Ordinance passed November 3, 2003.

SECTION 1 – DEFINITIONS

- A. Domestic animal – any domestic dog or cat.
- B. Owner – any person having right of property in a domestic animal or who has custody or who keeps or harbors a domestic animal.
- C. Dangerous or vicious animal – any dog or cat which attacks, chases or bites a person or who habitually attacks other domestic animals or livestock or poultry without provocation or attempts such actions, except if teased, tormented or abused or in defense of its owner or his property or his domestic animals, livestock or poultry by a willful trespasser.
- D. Abused or neglected animals – any domestic animal that has been tortured, tormented, unjustifiably injured, neglected, abandoned or deprived of necessary sustenance, food or drink.
- E. Animal control agency – the Warren County Sheriff's Department and the Vicksburg-Warren Humane Society.
- F. Impounding official – the Warren County Sheriff's Department.

SECTION 2 – CONFINEMENT TO PREMISES

- A. The owner of any dangerous or vicious animal shall confine such animal to his or her property by chain, fence or other means and shall not permit the animal to roam at large. The owner of such animal shall post an appropriate sign on his or her property as a warning to the public.
- B. Any female domestic animal in heat shall likewise be confined so as not to come in contact with any like domestic animal of the opposite sex, except for intentional breeding purposes.

SECTION 3 – MANDATORY RABIES VACCINATION; TAG REQUIRED

- A. All domestic animals over the age of three (3) months shall be vaccinated for rabies pursuant to the requirements of Section 41-53-1, Mississippi Code of 1972, as amended “Inoculating Dogs and Cats for Rabies.” Further, it shall be the duty of the owner of such animals to securely attach the metal tag provided by the manufacturers of the rabies vaccine and/or the person performing the vaccination, as provided for under Section 41-53-1 (vaccination) and Section 41-53-7 (tag), Mississippi Code of 1972, as amended. Further, all domestic animals shall likewise wear a tag disclosing the name, address and telephone number of the owner.
- B. A veterinarian office must be contacted to ensure rabies vaccination is current.

SECTION 4 – IMPOUNDMENT

Any domestic animal may be seized and impounded if:

- 1. In accordance with State statute; or
- 2. It bites a person; or
- 3. It is a dangerous or vicious animal which is not confined; or

4. It is a female in heat which is not confined; or
5. It is an abused or neglected animal.

SECTION 5 – RELEASE FROM IMPOUNDMENT

- A. When a domestic animal has been impounded pursuant to SECTION 4 above, the Warren County Sheriff Department shall immediately notify the owner of such impoundment, if such animal is properly identified pursuant to SECTION 2 above, or if the owner can otherwise be identified.
- B. If the impounding official determines the domestic animal to be dangerous or vicious, or a female in heat, the owner must warrant that such animal will be confined or vaccinated, respectively, before release. A \$50.00 deposit shall be required to ensure compliance; upon verification of confinement or vaccination, whichever is required or if both are required, the deposit will be returned to the owner.
- C. A domestic animal that has been impounded may be released to the owner only upon payment of all fees and costs required by this ordinance.
- D. If an impounded animal has not been claimed by the owner within five (5) business days of its impoundment, it may be placed for adoption or destroyed pursuant to the policies and procedures of the Vicksburg-Warren Humane Society.
- E. Any domestic animal which is seriously injured, which has bitten a person and cannot be captured using ordinary means or which otherwise has been determined to be a dangerous and vicious animal that cannot be caught may be destroyed immediately by the appropriate law enforcement official.
- F. The owner of any domestic animal that has bitten a person shall be directed by

Warren County Sheriff's Department to immediately surrender for confinement for rabies observation or the owner may make private arrangements for confinement at a veterinary clinic for rabies observation for a period of time over which rabies symptoms will or will not become evident.

SECTION 6 – FEES

The following fees shall be charged for the impoundment of any domestic animal required under SECTION 4 above:

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| 1. | First redemption within one (1) calendar year | \$25.00 |
| 2. | Second redemption within one (1) calendar year | \$50.00 |
| 3. | Third or subsequent redemption within one (1) calendar year | \$100.00 |
| 4. | Per diem impoundment charge | \$20.00/day |
| 5. | Additional fees may be required for rabies confinement and observation. | |

These fees shall be paid at the Vicksburg-Warren Humane Society shelter and shall be made payable to Warren County Humane Society.

Any necessary veterinary expenses incurred for the treatment of sick or injured domestic animals impounded must be paid before redemption.

SECTION 7 – ENFORCEMENT

- A. The provisions of this ordinance shall be enforced by the Vicksburg-Warren Humane Society, serving as the animal control agency for the Warren County Board of Supervisors by contract, and also any law enforcement officer pursuant to Section 41-53-1 et seq, and Section 97-41-1 et seq, Mississippi Code of 1972, as amended. The animal control agency shall investigate incidents of animal abuse or neglect and may file charges for violation of law.

- B. The Vicksburg-Warren Humane Society, as animal control agency may make such rules, policies or regulations for the care, adoption or disposition of domestic animals taken into custody pursuant to this ordinance as it sees fit and said Society may set and revise appropriate fees or charges for its services.
- C. The Vicksburg-Warren Humane Society, in its role as animal control agency for the Warren County Board of Supervisors shall endeavor to educate the general public as to the provisions of this ordinance, to actively pursue the adoption of domestic animals in its care that are suitable for adoption, humanely dispose of the domestic animals in its care that are not redeemed or adopted and to promote the humane treatment of all animals, domestic or otherwise.
- D. It shall be the duty of the Warren County Prosecuting Attorney to prosecute all violators of this ordinance in the Justice Court of Warren County or in the County Court of Warren County. In the absence of the prosecuting attorney, the District Attorney of Warren County shall handle such duties.

SO ORDERED this the 7th day of November, 2022, by the Warren County Board of Supervisors.

WARREN COUNTY BOARD OF SUPERVISORS

BY: [Signature]

Its: President

ATTEST:

[Signature]
DONNA HARDY, Chancery Clerk

