

ORDINANCE NUMBER 2104

**AN ORDINANCE AMENDING CITY OF MENA ORDINANCE NO. 865,
CONCERNING DOGS, CATS, AND OTHER ANIMALS RUNNING AT LARGE,
PRESCRIBING PENALTIES FOR VIOLATION THEREOF, DECLARING AN
EMERGENCY, AND FOR OTHER PURPOSES**

WHEREAS, on May 16, 1989, the City Council of the City of Mena, Arkansas, adopted Ordinance No. 865, to establish regulations for animals running at large within the City of Mena, Arkansas; and

WHEREAS, the City Council of the City of Mena, Arkansas, has determined that in order to comply with Arkansas Codes and to create enabling legislation for the Mena Animal Control Department to successfully enforce the regulations set forth in City of Mena Ordinance No. 865, that Section 13, Authority, of this ordinance needs to be amended; and

WHEREAS, Section 13 gives authority to the Animal Control Officer to impound animals found to be in violation of Ordinance No. 865, but does not provide a means for the Officer to issue citations or institute legal proceedings for such alleged violations.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MENA, ARKANSAS,

Section 1: That Section 13 Authority of City of Mena Ordinance No. 865 is hereby amended as follows: the first paragraph under this Section will be become sub-paragraph (a) and the following sub-paragraph (b) is added: *The Pound Master, City Animal Control Officer, Enforcement Officer, or a duly authorized representative shall have the authority to institute legal proceedings, charging the person or persons, firm, corporation, or agent with a violation of the Ordinance pursuant to Ark. Code Ann. 12-9-108(b)(3).*

Section 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of that conflict.

Section 3: If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance.

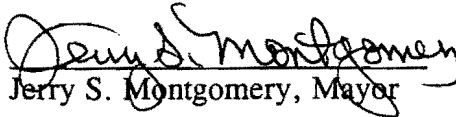
Section 4: That it is ascertained and declared that because it is necessary for the preservation of public peace, safety, and welfare of the citizens of the City of Mena, Arkansas, and for the efficient operation of the Mena Animal Control Department, an emergency is hereby declared to exist and this ordinance shall take effect and be in full force from and after its passage and publication.

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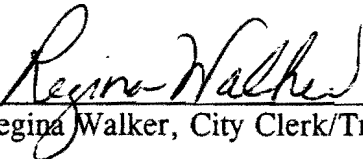
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APPROVED AND ADOPTED this 9th day of August, 2005.

CITY OF MENA, ARKANSAS


Jerry S. Montgomery, Mayor

ATTEST:


Regina Walker, City Clerk/Treasurer