

AN ORDINANCE OF THE CITY OF MERIDIAN, MISSISSIPPI AMENDING THE CODE OF ORDINANCES OF THE CITY OF MERIDIAN (ORDINANCE NO. 3878, AUGUST 7, 1990) BY CHANGING SOME BOARD MEMBER NUMBERS AND TITLES

WHEREAS, the City Council of the City of Meridian, Mississippi, finds the need for some changes of the advisory board membership numbers and title changes of people serving on the board to realistically reflect needs and availability.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Meridian that Section 6-4 of the Code of Ordinances of the City of Meridian is hereby amended to change subsection (b) to read as follows:

SECTION 6-4. Advisory board, membership, duties.

(b) Membership; terms; quorum. The board shall consist of ten (10) members: One (1) local veterinarian, two (2) at large members, the supervisor of animal control, the assistant chief of police and one (1) citizen from each ward within the city. The local veterinarian and the two (2) at large members shall be appointed by the mayor and shall serve two (2) years. The supervisor of animal control and the assistant chief of police shall be permanent ex-officio members and shall not have voting powers. Of the remaining five (5) members, one (1) member shall be appointed by the council person from each of the five (5) wards within the city. Of the members appointed by the council, the initial appointments of wards 1, 2 and 3 shall be for one (1) year, and the initial appoints for wards 4 and 5 shall be for two (2) years. Thereafter, the members shall be appointed for two-year terms. Vacancies occurring during the terms shall be filled for the unexpired term in the same manner as the original appointments. The seat of any member of the board who, without good cause, fails to attend three (3) consecutive, regularly scheduled meetings shall be deemed vacated, and the board shall notify the appointing authority and request that the seat be filled. Appointees shall serve until their successors are appointed and qualify. Members shall serve without compensation. Four (4) voting members shall constitute a quorum for conducting business.

SO ORDAINED this the 4th day of October, 2022.

Motion by Councilman Norwood second by Councilman Thomas.

Yea: Thomas, Davis, Norwood, Walker, Lindsey.
Nay: None.

[Signature]

DWAYNE DAVIS, PRESIDENT
CITY COUNCIL, MERIDIAN, MS

10/5/2022
DATE

ATTESTED AND SUBMITTED TO THE MAYOR BY THE CLERK OF COUNCIL, ON THE 5th DAY OF OCTOBER, 2022.

[Signature]
CLERK OF COUNCIL

APPROVE () DATE 10/6/2022

VETO () DATE



ATTEST
[Signature]
CITY CLERK

BY: *[Signature]*
JIMMIE SMITH, MAYOR
CITY OF MERIDIAN

Sec. 6-4. - Advisory board, membership, duties.

- (a) *Created.* There is hereby created an agency of the city to be known as the "animal control advisory board."
- (b) *Membership; terms; quorum.* The board shall consist of ^{ten (10)} ~~nine (9)~~ members: One (1) local veterinarian, ^{two (2)} ~~one (1)~~ ^{9+ large members} ~~member of the county humane society~~, the supervisor of animal control, the ^{Asst.} ~~deputy~~ chief of police and one (1) citizen from each ward within the city. The local veterinarian and the ^{two (2)} ~~member of the county humane~~ ^{9+ large members} ~~society~~ shall be appointed by the mayor and shall serve two (2) years. The supervisor of animal control and the ^{Asst.} ~~deputy~~ chief of police shall be permanent ex-officio members and shall not have voting powers. Of the remaining five (5) members, one (1) member shall be appointed by the council person from each of the five (5) wards within the city. Of the members appointed by the council, the initial appointments of wards 1, 2 and 3 shall be for one (1) year, and the initial appointments for wards 4 and 5 shall be for two (2) years. Thereafter, the members shall be appointed for two-year terms. Vacancies occurring during the terms shall be filled for the unexpired term in the same manner as the original appointments. The seat of any member of the board who, without good cause, fails to attend three (3) consecutive, regularly scheduled meetings shall be deemed vacated, and the board shall notify the appointing authority and request that the seat be filled. Appointees shall serve until their successors are appointed and qualify. Members shall serve without compensation. Four (4) voting members shall constitute a quorum for conducting business.
- (c) *Review by board.* The board shall review all initial vicious dog classifications made by the supervisor of animal control. When the supervisor of animal control determines that a dog should be classified as vicious and subject to the requirements of section 6-14 of this chapter, he shall give written notice to the owner or person responsible for said dog of the reasons and facts supporting such classification. Such notice shall contain the date, time and place of a hearing before the board to review the supervisor's proposed classification. In reviewing and approving or denying the proposed classification of the supervisor of animal control, the board shall utilize the definitions, guidelines and standards set forth in this chapter. Failure of the board to approve a vicious dog classification shall not prevent the supervisor of animal control from seeking future classification of the dog or animal as vicious upon future violations of this chapter. The board, in reviewing any proposed classification, may consider any previously denied proposed classifications against the same dog or animal.
- (d) *Recommendations.* The board may make recommendations to the chief of police concerning the general affairs and operations of the animal control division and the animal control shelter. The board may from time to time, consult with the chief of police concerning the budget of the animal control division.
- (e) *Review of complaints.*
- (1) The board shall review all complaints of public nuisance violations, as "public nuisance" is defined in section 6-1 of this chapter, as may be filed with it by the animal control division or as may be requested by person(s) alleged to be in noncompliance.
- (2) (a) Upon receipt of a signed written complaint, the division of animal control shall issue a statement of noncompliance to the person(s) responsible for allowing the alleged nuisance conditions to exist. This statement shall give specific notice of the conditions that constitute the alleged violation(s) with notice that the person(s) have five (5) days after receiving the notice in which to correct the conditions so as to comply with this chapter. If the person(s) fail to make corrections within the five (5) days, the supervisor

of animal control shall give the person(s) written notice, including date, time and place to appear before the animal control board for a review hearing no less than seven (7) days prior to the date and time of the hearing. (b) Upon receipt of the statement of noncompliance from the animal control division alleging the facts of the violation, such person(s) may request a hearing before the Animal Control Board to contest the allegations. Such request shall be in writing and shall have attached to it a copy of the statement from the animal control division. The board shall schedule such hearing and shall give written notice thereof, including date, time and place, to such person(s) no less than seven (7) days prior to the date of the hearing.

- (3) In reviewing a statement of noncompliance conditions either as filed by the animal control division or as requested by the person(s) receiving the statement of noncompliance, the board shall allow evidence, including oral testimony, to be offered, subject to its direction and control, of the alleged violation(s) to include, but not be limited to, the person(s) making the complaint, the citing and/or investigating officer, the animal control supervisor and witnesses and documentary evidence in support of the position of the person(s) cited, the person(s) complaining or the city. The board, in its discretion, may hear testimony or receive documentary evidence of prior complaints or warnings. The board shall apply the definitions and elements of "public nuisance" as are set forth in section 6-1 of this chapter in reviewing all complaints.
- (4) Should the board find the person(s) charged to be in violation, it shall order the person(s) to correct the conditions constituting the nuisance within five (5) days after being informed in writing of the board's decision. If the person(s) do not so abate the nuisance, a petition for abatement shall be filed by the city in the municipal court of the city as provided in section 6-11(g) of this ordinance and the animal control division or any interested person(s) may apply for the immediate issuance of a warrant for the arrest of such person(s) for violating this chapter.
- (5) Should such person(s) either fail or refuse to appear before the board for the review hearing after being properly notified of the date, time and place, (a) a petition shall be filed by the city in the municipal court to abate the nuisance as provided in section 6-11(g) of this chapter; (b) the animal control division or any interested person(s) may apply for the immediate issuance of a warrant for the arrest of such person(s) for violating this chapter; and (c) such person(s) shall forfeit any and all rights to a review hearing by the board.

(Ord. No. 3878, § 4, 8-7-90; Ord. No 3939, § 3, 7-21-92; Ord. No. 3951, § 1, 4-6-93)

Cross reference— Boards, commissions, authorities generally, § 2-155 et seq.