

City of Lake Charles

Certified Copy

Ordinance: 16894

An ordinance amending Secs. 4-22 and 4-37 of Chapter 4 of the Code of Ordinances to provide for the initiation of a nuisance animal complaint by the additional option of the filing of a sworn statement with Animal Control Authority from one (1) witness along with a declaration obtained from the investigating officer.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE CHARLES, LOUISIANA, in regular session convened, that:

SECTION 1: Sec. 4-22 of Chapter 4 of the Code of Ordinances of the City of Lake Charles is hereby amended and reenacted to read as follows:

“Sec. 4-22. Nuisance animal - Generally.

Any animal which:

- (1) Molests or chases passers-by or passing vehicles;
- (2) Attacks other animals;

Trespasses on school grounds while not under direct control of the responsible owner;
Damages private or public property;
Barks, whines, or howls in an excessive, continuous or untimely manner; or
Causes unsanitary conditions or odors about the premises of the owner through urination or defecation;

is deemed and declared a public nuisance. An animal can be designated a public nuisance under this section if, after an investigation following receipt of: A) sworn statements from two (2) witnesses, not in the same household, in the immediate neighborhood, or B) a sworn statement from one (1) witness along with a declaration obtained from the investigating officer; the director or his designated agent determines that the animal is in violation of this section. The owner of the animal may be penalized as provided for herein. Said animal may be seized by the director or his/her designated agents and impounded at the Animal Control Shelter.

Provided further, upon the third offense by the owner of the animal, the owner shall be served written notice that upon the fourth offense the animal will be impounded by the director or his/her designated agents and destroyed by euthanasia or placed with a suitable, person upon proof that person shall prevent the animal from further nuisance offenses.”

SECTION 2: Sec. 4-37(a) of Chapter 4 of the Code of Ordinances of the City of Lake Charles is hereby amended and reenacted to read as follows:

Sec. 4-37. Nuisance animal.

The director or his designated agent may designate an animal a nuisance if it engages in any of the following nonexclusive behaviors or activities:

- (1) Molests passersby, moving vehicles, or other animals while at large;
- (2) Damages private or public property;
- (3) Barks, whines, or howls in an excessive, continuous, or untimely manner; or
- (4) Causes unsanitary conditions or odors about the premises of the owner or others through urination or defecation.

An animal can be designated a public nuisance under this section if, after an investigation following receipt of: A) sworn statements from two (2) witnesses, not in the same household, in the immediate neighborhood, or B) a sworn statement from

one (1) witness along with a declaration obtained from the investigating officer; the director or his designated agent determines that the animal is in violation of this section. The owner of the animal may be penalized as provided in Article IV of this chapter. The animal may be seized by the director or his designated agents and impounded at the animal services and adoption center. Repeat offenses shall have the same pattern and additional fees charged.”

SECTION 2: All other paragraphs, subsections, subparagraphs, clauses, phrases and words of this section, not specifically amended by this ordinance, are to remain the same.

SECTION 3: If any provision or item of this Ordinance and the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this Ordinance which can be given effect without the invalid provisions, items, or applications, and to this end, the provisions of this Ordinance are hereby declared severable.

SECTION 4: This ordinance shall become effective upon the signature of the Mayor, or if not signed or vetoed by the Mayor, upon expiration of the time for Ordinances to become law without signature by the Mayor.

I, Lynn F. Thibodeaux, Clerk of the Council, certify that this is a true copy of Ordinance number 16894 passed by the City Council on 3/19/2014.