

**CITY OF SAVANNAH
ANIMAL ORDINANCE**

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CHAPTER 9
ARTICLE A, SECTION 9-5001 – 9-5055

1. DEFINITIONS
ARTICLE A. IN GENERAL

Sec. 9-5001. Livestock And Fowl Not To Run At Large Or Be Kept In Public Place.

It shall be unlawful for the owner of any livestock or domestic fowl to permit the same to run at large within the corporate limits of the city or to keep the same in any manner in any street or other public place.
(Code 1977, §9-5001)

Sec 9-5002. Keeping Of Hogs Prohibited.

It shall be unlawful for any person to retain or keep hogs within the corporate limits of the city.
(Code 1977, §9-5002)

Sec 9-5003. Protection Of Birds.

The entire area embraced within the corporate limits of the city is hereby designated as a bird sanctuary; and it shall be unlawful to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob bird nests or wild fowl nests in such sanctuary; provided, however, that if pigeons, starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or a menace to health or property in the opinion of the proper health authorities of the city, such health authorities shall meet with representatives of the Audubon Society, Bird Club, Garden Club or Humane Society, or as many of such clubs as are found to exist in the city, after having given at least three days actual notice of the time and place of such meeting to the representatives of the clubs. If, as a result of such meetings, no satisfactory alternative is found to abate such nuisance, then such birds may be destroyed in such numbers and in such manner as is deemed advisable by the health authorities, under the supervision of the police chief.
(Code 1977, §9-5003)

Sec. 9-5004. Keeping Of Animals; Sanitation.

Any housing or enclosure used for the keeping of animals or fowl shall be well-drained, free from accumulations of animal excrement and objectionable odors, and otherwise clean and sanitary. Animal excrement shall be disposed of in a manner approved by the health officer. **All animals which are housed or enclosed shall be provided with a source of potable water.**
(Code 1977, §9-5004; Amended 02-15-07)

Sec. 9-5005. Distance of Animal Enclosures from Buildings.

- a. Any enclosure used for the keeping of animals or fowl outside of a building, shall be kept at the following minimum distances from any occupied building, except the dwelling unit of the owner, unless the permission of the occupant of the adjacent building and the health officer was given for a lesser distance prior to January 1, 2000:

[(1) Animal and fowl distance:]

Three to five mules, cattle, sheep, goats, and similar animals, 100 feet.

Three to five dogs over 90 days old, 100 feet.

Three to five rabbits, guinea pigs, hamsters and similar animals, 100 feet.

Up to five fowl, 100 feet.

The keeping of six or more of the above mentioned animals and fowl shall meet the requirements for an animal boarding place as set forth in Section 8-3025 (b), Use (25) of the City of Savannah Zoning Ordinance.

1. Horse stables (not enclosures or fences) shall be a minimum of 100 feet from any occupied building except the dwelling unit of the owner unless the owner of the adjacent building and the health officer give permission for a lesser distance. **Horse stables built on property prior to February 15, 2007, shall be at least fifty (50) feet from an occupied building, except the dwelling unit of the owner, unless the owner of the building and the health officer granted approval.**
- b. Animals and fowl not specifically mentioned in this chapter shall be kept at minimum distances deemed reasonable and necessary by the health officer.
- c. In case of bona fide licensed pet shops, veterinary hospitals, stockyards, poultry farms, and similar commercial establishments, the health officer may modify these requirements where undue hardship would result from their strict enforcement.

(Code 1977, §9-5005; Amended 02-15-07)

Sec 9-5006. Nuisances.

The owner of animals and fowl shall be responsible for correcting or abating any nuisance that may arise from the keeping thereof. **No person shall own, or possess or harbor any animal or fowl which howls, barks, or emits audible sounds that are plainly audible or disturbing the peace and quiet of the neighborhood. For the purpose of this article, “barking dog” shall mean a dog that barks, bays, cries howls or makes any other noise continuously and/or incessantly for a period of ten minutes or barks intermittently for one-half hour or more to the disturbance of any person at any time day or night regardless of whether the dog is physically situated in or upon private property; provided, however, that dog shall not be deemed a “barking**

dog” for purposes of this regulation, if at that time the dog is barking or making any other noise, a person is trespassing or threatening to trespass upon private property in or upon which the dog is situated or for any other legitimate cause which teased or provoked the dog.

(Code 1977, §9-5006; Amended 02-15-07)

Cross references: Nuisances, §9-2001 et.seq.

Sec. 9-5007. Definitions.

The following definitions shall apply in the interpretations and enforcement of this chapter:

1. *Animals.* Animals shall mean horses, ponies, mules, cattle, sheep, goats, swine, dogs, cats, rabbits, guinea pigs, hamsters and similar animals.
2. *Fowl.* Fowl shall mean chickens, turkeys, geese, ducks, pigeons, and similar fowl.
3. *Housing.* Housing shall mean any building, shed, cage, pen, or similar structure used for the housing of animals and fowl.
4. *Enclosures.* Enclosures shall mean any uncovered, enclosed parcel of land where animals or fowl are kept.
5. *Nuisances.* Nuisances shall mean whatever is dangerous or detrimental to human life or health and whatever renders or tends to render soil, air, water, or food impure or unwholesome.
6. *Person.* Person means any person, firm, partnership, corporation, association or agency.
7. *Health officer.* Health officer shall mean the commissioner of health of the County of Chatham or his authorized representative.
8. *Fence.* Any structure of wire, wood, stone or other material, which is of sufficient height and strength to act as a barrier against passage of the animal it is intended to enclose. A fence must be sufficient to prevent the animal from being able to jump, dig, or escape confinement.

Sec. 9-5008. Penalties.

Any person who violates any provision of the Animal Control ordinance shall, upon conviction in the Recorder’s Court of Chatham County or any other court of competent jurisdiction, be subject to the penalties provided in Section 1-1013 of the Code of the City of Savannah.

(Code 1977, §9-5008; Amended 02-15-07)

Sec. 9-5009. Dead Animals – Report to Department of Public Services.

It is hereby made the duty of all persons in the city losing an animal or having a dead animal on his premises to report the same to the bureau of public services within two hours after its death, which report shall specify where the animal may be found.

(Code 1977, §9-5009)

State law references: Dead animal disposal act, O.C.G.A. § 4-5-1 et seq.

Sec. 9-5010. Removal

It is hereby made the duty of the bureau of public services, without delay, to remove from the city all dead animals which may be brought to its attention or reported, and to dispose of the same as required by law or the proper corporate authority.
(Code 1977, §9-5010)

Sec. 9-5011. Deposit in Streets, Lanes, Etc.

It shall be unlawful for any person to throw or put into the streets, lanes, squares, or commons within or without the city any dead animal.
(Code 1977, §9-5011)

Sec. 9-5012. Keeping of Bees.

That no person shall establish, possess or maintain any hive or swarm of bees for any purpose whatsoever other than an expressly provided herein.
(Code 1977, §9-5012)

Sec. 9-5013. City Manager to Issue Permit.

Any nonprofit corporation, association, institution or agency of government, including any officer, employee or agent of such person, shall be excepted from the prohibition specified in section 9-5012 above with regard to possessing, establishing, or maintaining a hive of bees when the same is for the purpose of education or scientific research and provided that an application is submitted to the city manager for the issuance of a permit to engage in such application form as prepared by the city manager and upon approval of such application and obtaining a permit for such purpose from the city manager. Such application shall require in addition to other information as specified by the city manager the purpose of the proposed activity and the physical and protective characteristics that will ensure the control and isolation of any hive of bees from causing any danger to the general public and property owners adjacent to the applicant. The city manager shall specify the duration of such permit, not to exceed 12 months.

Sec 9-5014 – 9-5020. Reserved.

ARTICLE B. DOGS GENERALLY

Sec. 9-5021. Vaccination and Registration of Dogs and Cats.

- a. *Definitions.* The following definitions shall apply in the interpretation and enforcement of this article, and the following words shall have the following meanings:
1. *Cat.* The word “cat” shall mean all felines of either sex, whether vaccinated against rabies or not vaccinated.
 2. *Dog.* The word “dog” shall mean dog, animal or all canines of either sex, whether vaccinated against rabies or not vaccinated.
 3. *Rabies Certificate.* The word “rabies certificate” shall mean a certificate signed by a licensed veterinarian bearing a license number, ownership, name, address, breed, color and sex of dog or cat, which certificate shall be issued for each dog or cat vaccinated. The date of last vaccination of such dog or cat shall be clearly stated on such certificate, and a copy of such certificate is to be sent by the veterinarian to the city’s designated animal control center.
 4. *Vaccination and license tag.* The word “vaccination and license tag” shall mean a metal tag issued by authority of the City of Savannah and also a license or serial number to show that such dog or cat has been vaccinated as required by this article.
 5. *Vaccinate or inoculate.* The word “vaccinate” or “inoculate” shall mean the injection into the body of a dog or cat of an approved antirabies vaccine prescribed by the State of Georgia, such vaccine having a U.S. Government license number approval stamped on the label of the vaccine container and which vaccine has been approved by the health department. Vaccine used for vaccination of dogs or cats against rabies shall have been refrigerated and kept under proper conditions showing no signs of spoilage or otherwise being unfit for producing immunity against rabies.
 6. *Veterinarian.* The word “veterinarian” shall mean any person who has received a doctor’s degree in veterinary medicine from a school of veterinary medicine and holds license to practice the profession of veterinary medicine in the State of Georgia; the number of the aforesaid veterinary license shall be the same as that recorded by the Georgia State Board of Veterinary Examiners.
- b. *Vaccination and Licensing Required.* It shall be unlawful for any person to own, keep, maintain or harbor any dog or dogs or cat or cats four months of age or older without first having the dog or dogs or cat or cats vaccinated against rabies and obtaining from Savannah-Chatham Animal Control for each dog or cat the vaccination and license tag and the rabies certificate described in subsection a above. Such license tag is to be obtained either in person or by mail for each dog or cat from the Savannah-Chatham Animal Control within thirty 30 days of such animal’s annual inoculation.

1. Any person owning a dog or cat and does not comply with this provision shall be in violation of the Animal Control Ordinance provided that a person shall register their dog or cat within thirty days of the rabies vaccination, or thirty days after becoming a resident of the City of Savannah.
- c. When vaccination required; term of license. All dogs and cats which have become four months of age and all dogs and cats over four months of age shall be vaccinated against rabies, and their owners shall obtain a license for such dogs or cats every 12 months following the original vaccination and licensing of these dogs or cats.
- d. Tag to be attached; number of rabies certificate; term.
 1. Every dog or cat which has received a rabies vaccination as set forth in subsection an above shall have attached to a collar around its neck a vaccination and license tag described in subsection an above.
 2. The rabies certificate shall bear a license number identified with that of the tag attached to the collar of the dog or cat. Both certificate and tag will expire one year from date of issue.
- e. Fees. The veterinarian's fees for vaccination of a dog or cat shall be set by each individual licensed veterinarian or the State of Georgia. A license tag will be issued in exchange for a fee as set forth in the Chatham county Revenue Ordinance, which will be collected by the Chatham County Department of Building and Safety and Regulatory Services located in the Chatham County Service Center, 1117 Eisenhower Drive or at 295 Police Memorial Dr. in the Police Annex from the owner of each dog or cat who has received the anti-rabies vaccine and rabies certificate.

All fees raised by this licensing procedure shall be designated and used for Animal Control activities.

f Commercial Pet Animal License

(a) Definitions. The following definitions shall apply in the interpretation and enforcement of this article, and the following words shall have the following meanings:

- 1. Commercial Pet Animal Facility – The words “commercial pet animal facility” shall mean any premises, operation or business used for the commercial boarding, breeding, buying, selling, trading, training or rearing of animals, including guard dogs, except for animal hospitals or grooming facilities unconnected with such activities.**
- 2. Commercial Pet Animal Facility License – Any person who maintains within Chatham County a premises operations or business used as a**

commercial pet facility shall obtain a commercial pet animal facility license prior to the start of business operations. Any individual that shall sell more than one litter per year or the sale of three adult animals per year, shall deem to be operating a commercial pet animal facility and must comply with all provisions of pet animal license provisions.

- (b) The applicant for a commercial pet animal license shall submit the following, in person, to the Savannah-Chatham Animal Control:**
- 1. A copy of a current license from the Georgia Department of Agriculture permitting such operations.**
 - 2. A completed commercial pet animal license application.**
 - 3. A copy of a business license specifically authorizing commercial pet animal activities.**
 - 4. Proof of current rabies vaccination by a veterinarian for each dog and/or cat over 4 months of age on the premises including dog (s) or cat (s) on consignment.**
 - 5. Proof of satisfactory inspection by the Department of Agriculture.**
 - 6. A signed statement as described herein, agreeing to comply with all provisions of this chapter.**
 - 7. Payment of a fee established within the Chatham County Revenue Ordinance and collected by the Chatham County Department of Building and Safety and Regulatory Services.**

As part of the application process, it shall be the responsibility of the Savannah-Chatham Animal Control to review the application and make such necessary inspections and inquiries to confirm compliance with these provisions and all other provisions of this ordinance.

(c) The commercial pet animal license shall be valid for one year from date of purchase. The license shall be prominently displayed on the license premises.

(d) License Revocation and Refusal.

- 1. Savannah-Chatham Animal Control shall revoke any commercial pet animal license in the event any licensee is found to be in violation of any of the provisions of this chapter.**
- 2. Chatham County Department of Building Safety and Regulatory Services shall not issue a commercial pet animal license to any person, group, organization or business which has been convicted of violation of any provision of this chapter,**

or which keeps, maintains, or harbors any dog (s) designated dangerous or potentially dangerous, except for guard dogs.

3. No commercial pet animal license shall be issued to an application who has failed two separate consecutive inspections by Savannah-Chatham Animal Control for the balance of the year in which such inspections were failed, but said applicant may reapply for the balance of the year in which such inspections were failed, but said applicant may reapply for a license in the following calendar year. At the time of reapplication, the applicant shall show proof of rehabilitation, and said application may be refused for the failure of any requirements of the inspection.
4. Any person that acquires a commercial per license within unincorporated Chatham County or within the limits of the city pursuant to this provision, shall hereby grant, unto the Savannah-Chatham Animal Control officers, the right to inspect said commercial pet/animal facility, kennel or premises at any time as part of assurance of compliance with the provisions of State law and local laws pertaining to such businesses holding said license.
5. Loss of license with the Department of Agriculture which allows activities to be conducted by the applicants operation.

(*Note: A Kennel License is issued by the Department of Agriculture.)

- f. **Revaccination.** Where a license has been issued following vaccination, the owner of the dog or dogs or cat or cats shall be exempt from paying a late fee provided the revaccination and license are acquired on or before the expiration date on the certificate for animal rabies vaccination issued by a licensed veterinarian.
- g. **Puppies and kittens not to run at large.** Dogs or cats less than four months of age shall be confined to their owner's premises and not allowed to run at large.
- h. Only licensed veterinarians to vaccinate: inferior vaccinations.
 1. No person shall be allowed to vaccinate dogs or cats against rabies that is not licensed to practice veterinary medicine in the State of Georgia.
 2. A veterinarian or any person having vaccinated dogs or cats against rabies with inferior vaccines or any drugs, biologic, chemical or material, which is not specified in this chapter or that has not been approved by the health department, or who violates any provision of this chapter in whole or in part shall not be permitted to vaccinate dogs or cats against rabies.

- j. Exemptions. Dogs or cats entering the City of Savannah from outside the city only for the purpose of performing or temporary stay not exceeding 14 days and kept under direct control of their owners or handlers are exempt from the license or vaccination requirements of this article.
- k. Time limitation on obtaining license. Except as provided by subsection (b) above, it shall be the duty of all persons owing or having possession of a dog or cat brought into the City of Savannah from without the city to have the dog or cat vaccinated and to obtain the vaccination tag and the rabies certificate required by this article within a period of 14 days from the date of such entry.
- l. Impoundment of unlicensed, unvaccinated dogs or cats. Any dog or cat found within the city not wearing or displaying a valid, current vaccination tag and not confined within a fence on the premises of the owner with all gates and openings closed shall be immediately impounded, quarantined or otherwise disposed of as required by this chapter (article). Any dog or cat found within the City of Savannah not vaccinated as required by this chapter within the previous 12 months shall likewise be impounded, quarantined or otherwise disposed of as required by this chapter (article).
- m. Rabies cases to be reported.
 - 1. All animals, such as dogs, cats, horses, cattle, mules, goats, foxes, swine, raccoons and other animals of like species, showing symptoms of or having rabies within the City of Savannah shall be immediately reported to the Chatham County Health Department, the animal control center, or Chatham County Humane Shelter by the owner or the person having custody or any citizen having knowledge of these facts. It shall be the duty of every person having this knowledge to make immediately this report.
 - 2. Dogs, cats, or any animal being held under quarantine by the owner or by a veterinary hospital, boarding or breeding kennel, or any other person at any other place shall immediately upon discovery of the existence of rabies or its symptoms be reported to the Chatham County Health Department, Animal Control Center or Chatham County Humane Shelter with a history of the case and information regarding the name and address of the owner. It shall be the duty of every person having knowledge of the facts to see that the report required by this subparagraph (subsection) is made.
- n. Quarantine.
 - 1. Where rabies has been found to exist in any warm-blooded animal, or where its existence is suspected, the health department may designate an area within which quarantine shall be maintained as provided by the terms of this chapter. Every such animal shall thereupon be immediately confined to the premises designated by the health department, whether or not the animal has been vaccinated against rabies.
 - 2. No animal shall be removed from a quarantined area and no animal brought into a quarantined area without written permission of the health

department. The application for such permission shall be in writing, filed with the health department the reason for movement and the location at which the animal will be confined after movement.

3. When quarantine is ordered by the health department to increase or diminish the period as, in its uncontrolled discretion, the public safety and health may require.

4. Where an animal has been suspected of having rabies or has rabies symptoms, the area or premises where such animals are kept shall be posted by the health department with signs to read as follows: "rabies suspected" or rabies, keep away from animals." Such signs shall be conspicuously displayed on the premises, printed with type that is easily legible, and shall remain on the premises for the duration of the quarantine.

5. Persons living within a quarantine area having in their possession an animal subject to rabies or to the terms of this chapter shall be given written notice of the quarantine, the animals subject thereto and an order to confine their animals so subject to the premises of the owner, together with any other information the health department deems advisable. Such notice shall be signed by a duly authorized agent of the health department.

6. The violation by any person of any quarantine order issued by the health officer shall be a violation of this chapter, and the person so violating shall be subject to all the penalties prescribed by law for a violation.

- o. Examination of heads. The heads of all domestic animals and of all wild animals suspected of having rabies before their death or having rabies at time of death shall be submitted to the state laboratory for examination. Either human or animal exposure to these animals shall constitute sufficient reason for laboratory examination.

Sec 9-5022. Restrictions on Dogs Running at Large.

It shall be unlawful for any dog to be on the streets, lanes, highways, roads or squares of the city, or loose on vacant lots or unenclosed lots, so that he may freely have access to the streets, lanes, highways, roads, or squares of the city, unless such dog is held firmly on a leash held by a person. It shall be the duty of any owner or possessor or any person who harbors or keeps any dog to confine securely the same within the limits of his own premises and not to permit such dog to run or have access to run the streets, lanes, highways, roads, or squares or parks of the city except as above set forth or for hunting, field trials and the working of said dogs.

It shall be unlawful for any dog owner to keep or have within the city a dog which habitually or repeatedly chases, snaps at, or attaches pedestrians, bike riders or conducts itself so as to be a public nuisance. To effect the impounding of such a dog, if necessary, the animal control officer shall have the right to muzzle or employ such other methods as may be reasonable necessary to impound such animal.

Sec 9-5024. Impoundment of Dogs – Authorized.

Any dog found upon the streets, lanes, highways, roads, squares of the city, without the corporate limits of any municipality therein, in violation of this article, shall be caught by the humane officer or his assistant and impounded. The humane officer or his assistant shall have the specific right to enter upon any unenclosed private property to secure capture of any dog in violation of this article.

Sec 9-5025. Duty of Humane Officer.

Upon the failure of a person to comply with the notice given him as provided under this article within 24 hours after receiving same or should the person in charge of the premises upon which an unlicensed dog is found disclaim ownership of such dog, by himself or any member of his household when so notified, it shall thereupon become the duty of the humane officer to go upon the premises and take charge of and impound the dog.

Sec 9-5026. Dogs Kept Five Days.

Any dog impounded under the provisions of this Article shall be kept for five (5) days in some convenient place, to be known as the dog pound or humane shelter.

Sec 9-5027. Payment of Fees.

Within five (5) days after a dog and/or cat is impounded, the owner or possessor shall come forward and pay the annual license fee, if he has not paid the same, and an impoundment fee, and a boarding fee. Impoundment and boarding shall be paid before and impounded animal shall be released to the owner or possessor.

Sec 9-5028. Euthanasia.

When any animal impounded under this article whole (of which its) owner, possessor or representative shall not come forward within five days after the impoundment and pay the license tax and the fees specified in this article euthanasia shall be performed in some manner approved by the American Veterinarian Medicine Association or said animal may be adopted through licensed rescue and placement agency.

Sec 9-5029. Delegation of Animal Shelter.

The shelter and impounding of dogs found within the city in violation of this article may be delegated to and performed by such organization as shall be selected by the mayor and alderman.

Sec 9-5030. Disposal of Dog Excrement.

It shall be unlawful for any person who possesses harbors or is in charge of any dog not to immediately remove excrement deposited by the dog upon a common thoroughfare, street, sidewalk, tree lawn, play area, park, square, or upon any other public premises, and such is hereby deemed to be a public nuisance and prohibited. Dog excrement shall be disposed of in a sanitary manner as provided by section 9-5031.

Sec 9-5031. Equipment for Removal of Dog Excrement.

It shall be the duty of any person having custody of any dog on public property to have in such person's possession a device or equipment for the picking up and removal of dog excrement. An acceptable device shall include any plastic or metal mechanized or nonmechanized device constructed for scooping pet excrement; a hand shovel or trowel; a plastic or paper bag; a Styrofoam, plastic or paper cup; or any similar device that can contain and remove the excrement. The use of sheet paper, newspaper, paper napkins, or handkerchief deemed unacceptable and unsanitary for removing excrement and shall not be used. The provisions of this section shall not apply to a dog aiding the handicapped (i.e., guide dog) or to a dog when in police or rescue activities.

Sec 9-5032. Dog Fighting.

Dog fighting shall be enforced under the provisions of State Law.

Sec 9-5033. Animal Neglect.

A person that is the owner or custodian of any animal may be found to be guilty of animal neglect by a finding that anyone or more of the following conditions were allowed to exist;

(a) Lack of immediately available proper drinking water or inadequate supply of drinkable water.

(b) Lack of wholesome, palatable, and free from contamination food or sustenance to be provided in sufficient quantity.

(c) Failure to provide an animal sufficient space to stand to full height, turn around, lay down and make normal postural adjustments for comfort.

(d) The lack of providing a stationary shelter from weather such as sun, rain, wind or inclement weather or to maintain said shelter in a clean, sanitary condition free of excrement and unreasonable objectionable odors.

(e) Failure to make arrangements for veterinary care, or to have an animal in possession that is known to or suspected to have an injury, accidental or deliberate, or to exhibit any signs of disease, shock,

temperature fluctuations, tremors, swelling, open wounds, inability to eat, blistering or abnormal bleeding, partial paralysis, discharging blood or mucus.

(Code 2007 §9-5033)

Sec 9-5034. Animal Cruelty.

A person commits an act of animal cruelty when such person causes the death or unjustified physical pain and suffering of an animal or maliciously causes the death, physical harm to the animal rendering parts of the animal useless or seriously disfigured or with knowledge or intent commits any of the acts set forth in Section 9-5033. This provision shall not apply to any person euthanizing an animal due to a disease or action taken to avoid pain and suffering.

(Code 2007 §9-5034)

Sec 9-5035. Tethering.

It shall be prohibited in unincorporated Chatham County or within the limits of the City to retain or confine to property of dogs or cats in a manner achieved by tethering to stationary or non-stationary objects including but not limited to, dog houses, barrels or other stationary objects as such means of confinement within the property.

(Code 2007, §9-5035)

Sec 9-5036. Animal Transported by Vehicles.

No animals shall be transported on a public road in an open vehicle including an open top vehicle or open truck bed unless housed in a secured container designed for that purpose and having a provision for adequate ventilation, food and water. Said container shall have an open grille on one end, and a solid top and bottom and a minimum of 15% total accumulated side areas incorporated into an open grille for air circulation provisions.

(Code 2007, §9-5036)

Sec. 9-5037. Animal Confinement and Left Unattended in Parked Cars.

It shall be unlawful to leave an animal unattended in a parked vehicle without proper ventilation to prevent the animal from suffering physical distress from dangerous temperatures, lack of food or lack of water. Savannah-Chatham Animal Control or any other law enforcement shall take such action as is necessary including entry of the vehicle by any means to remove an animal from such jeopardy and may impound said animal and secure medical treatment for said animal as needed at the owner's expense. Savannah-Chatham Animal Control officers may take possession of any deceased animal found in any parked vehicle for purposes of determining the cause of death in question pursuant to animal neglect or cruelty of this code. (Code 2007, §9-5037)

Sec 9-5038. Limitation on Cats.

No person who is the owner or custodian of any single family residence shall have greater than eight (8) cats, unless all animals are permanently confined to the actual living space of the family residence. The owner or custodian in violation must also be in compliance with Chatham County provisions as stated in this chapter. This prohibition shall not include any cat that has a litter less than four months of age which will be confined to the actual living space of the family residence.

(Code 2007, §9-5038)

Sec. 9-5039. Stray Dog And Cat.

Any person who intends to provide care and sustenance for any dog or cat shall be deemed to be the custodian of said dog or cat unless a true and rightful owner is located. No person shall feed or provided sustenance to any animal, dog or cat upon the public property or private property of others, except with the express permission of the owner of said animal or property owner upon which said food or sustenance is being provided.

(Code 2007, §9-5039)

Sec. 9-5040. Abandonment.

No person shall knowingly abandon any animal whether healthy, old, maimed, infirm, and sick and disabled on their own property without daily care or by abandonment off the owners premises where it may suffer injury, hunger, exposure, or become a public charge.

(Code 2007, §9-5040)

ARTICLE C. DANGEROUS DOGS/ POTENTIALLY DANGEROUS DOGS

Sec. 9-5041. Definitions.

The following definitions shall apply in the interpretation and enforcement of this article, and the following words shall have the following meanings:

- a. Dangerous Dog means any dog that, according to the records of an appropriate authority:
 1. Inflicts a severe injury on a human being without provocation on public or private property; or
 2. Aggressively bites, attacks, or endangers the safety of humans without provocation after the dog has been classified as a potentially dangerous dog and after the owner has been notified of such classification.
- b. Owner means any natural person or any legal entity, including, but not limited to, a corporation, partnership, firm or trust owning, possessing, harboring, keeping, or having custody or control of a dangerous dog or potentially dangerous dog within this state.
- c. Potentially Dangerous dog means any dog, according to the records of an appropriate authority, that:
 1. Without provocation, bites a human being on public or private property; or
 2. Without provocation, chases any human being upon the street, sidewalk, or any public or private property, excluding that of its custodian, in an apparent attitude of attack.
- d. Proper Enclosure means an enclosure for keeping a dangerous dog or potentially dangerous dog while on the owner's property securely confined indoors or in a securely enclosed and locked pen, fence, or structure suitable to prevent the entry of young children and designed to prevent the dog from escaping. Any such structure shall have secure sides and a secure top, and if the dog is enclosed within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the dogs escape either from over or from under the fence. Any such enclosure shall also provide protection from the elements for the dog.
- e. Records of an appropriate authority means records of any state, county, or municipal law enforcement agency; records of any county or municipal animal control agency; records of any county board of health; records of any federal, state, or local court; or records of a dog control officer provided for in this article.

- f. Severe Injury means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery or a physical injury that results in death.
- g. Substantial Chain or Leash means a device used to restrain a dog that cannot be broken by the dog under its own power.

Sec. 9-5042. Exemptions; Investigation Of Reports.

A dog that inflicts an injury upon a person when the dog is being used by a law enforcement officer to carry out the law enforcement officer's official duties shall not be a dangerous dog or potentially dangerous dog within the meaning of this article. A dog shall not be a dangerous dog or a potentially dangerous dog within the meaning of this article if the injury inflicted by the dog was sustained by a person who, at the time, was committing a willful trespass or other tort or was tormenting, abusing, or assaulting the dog or had in the past been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

Upon receiving a report of a dangerous dog or potentially dangerous dog within the city from a law enforcement agency, animal control agency, rabies control officer, or county board of health, an animal control officer shall make such investigations and inquiries with regard to such report as may be necessary to carry out the provisions of this article.

Sec. 9-5043. Notice Generally.

When an animal control officer classifies a dog as a dangerous dog or reclassifies a potentially dangerous dog as a dangerous dog, the dog control officer shall notify the dogs owner in writing by certified mail to the owners last known address of such classification or reclassification. Such notice shall be complete upon its mailing. In the alternative, at the sole discretion of the Animal Control Officer, a personal service may be made.

Sec. 9-5044. Scope Of Procedures.

As applied to the owners of potentially dangerous dogs, the procedures provided for in this article must be carried out as a necessary condition for the enforcement of the provisions of this article against such owners. As applied to the owners of dangerous dogs, the procedures provided for in this article shall not be an essential element of any crime provided for in this article.

Sec. 9-5045. Notice To Owner of classification.

When a dangerous dog or potentially dangerous dog is classified as such, the dog control officer shall notify the dog's owner of such classification.

Sec. 9-5046. Requirements Of Notice To Owner.

The notice to the owner shall meet the following requirements:

- a. The notice shall be in writing and mailed by certified mail to the owner's last known address;
- b. The notice shall include a summary of the animal control officer's findings that formed the basis for the dog's classification as a dangerous or potentially dangerous dog;
- c. The notice shall be dated and shall state that the owner, within 15 days after the date shown on the notice, has a right to request a hearing on the animal control officers determination that the dog is a dangerous dog or potentially dangerous dog;
- d. The notice shall state that the hearing, if requested, shall be before the health department;
- e. The notice shall state that if a hearing is not requested, the animal control officers determination that the dog is a dangerous dog or a potentially dangerous dog will become effective for all purposes under this article on a date specified in the notice, which shall be after the last day on which the owner has a right to request a hearing; and
- f. The notice shall include a form to request a hearing before the health department and shall provide specific instructions on mailing or delivering such request to the agency.

Sec. 9-5047. Hearing.

When the health department receives a request for a hearing as provided in this article, it shall schedule such hearing within 30 days after receiving the request. The health department shall notify the dog owner in writing by certified mail of the date, time, and place of the hearing, and such notice shall be mailed to the dog owner at least ten days prior to the date of the hearing at the hearing, the owner of the dog shall be given the opportunity to testify and present evidence and hear such other testimony as the health department may find reasonable necessary to make a determination whether to sustain, modify, or overrule the animal control officer's classification of the dog.

Sec. 9-5048. Notice Of Determination After Hearing.

Within ten days after the date of the hearing, the health department shall notify the dog owner in writing by certified mail of its determination on the matter. If such determination is that the dog is dangerous dog or a potentially dangerous dog, the effective date will be 15 days from the date of the hearing.

Sec. 9-5049. Certificate Of Registration.

It is unlawful for an owner to have or possess within this state a dangerous dog or potentially dangerous dog without a certificate of registration issued in accordance with the following provisions:

- A. A proper enclosure to confine the dangerous or potentially dangerous dog.
- B. **Any dog classified as dangerous or potentially dangerous will be required to be microchipped for permanent identification by a licensed veterinarian at the owner's expense.** (Code 2007, §9-5049)
- C. **The animal found to be a potentially dangerous dog or dangerous dog shall be spayed or neutered within fifteen days of the Health Departments determination that said dog is a dangerous dog or a potentially dangerous dog.** (Code 2007, §9-5049)
- D. The owner shall be required to post the premises where the animal is located with a clearly visible sign, issued by the animal control agency, containing a symbol designed to warn all citizens, including children, that there is a dangerous or potentially dangerous dog on the property; the number of signs will be determined by the animal control officer.
- E. It shall be unlawful to display the above dangerous dog sign at locations or on premises where no such dangerous or potentially dangerous dog exists or is located.
- F. The registration fee shall be set forth in the Chatham County Revenue Ordinance, which will be collected by the Chatham County Department of Building and Safety Regulatory Services for a potentially dangerous dog annually and for a dangerous dog annually. One warning sign shall be issued and is included in this fee.
- G. In addition to the requirements above, the owner of a dangerous dog shall present to the dog control officer evidence that the dog has been spayed or neutered, and evidence of:
 - 1. A policy of insurance in the amount of a least \$25,000.00 or more issued by a surety company authorized to transact business in this state insuring the owner of the dangerous dog against liability for any personal injuries inflicted by the dangerous dog; or
 - 2. A surety bond in the amount of \$25,000.00 or more issued by a surety company authorized to transact business in this state payable to any person or persons injured by the dangerous dog.
- H. The owner of a dangerous dog or potentially dangerous dog shall notify the Animal Control Officer within 24 hours if the dog is on the loose, is unconfined, has attacked a human, has died, or has been sold or donated. If the dog has been sold or donated, the owner shall also provide the animal control officer with the name, address, and telephone number of the new owner of the dog.
- I. The owner of a dangerous dog or potentially dangerous dog shall notify the Animal Control Officer if the owner is moving from the dog control officer's jurisdiction. The owner of a dangerous dog or potentially dangerous dog who is a new resident of the State of Georgia shall register the dog as required in this Code section within 30 days after becoming a resident. The owner of a dangerous dog

or potentially dangerous dog who moves from one jurisdiction to another within the State of Georgia shall register the dangerous dog or potentially dangerous dog in the new jurisdiction within then days after becoming a resident.

- J. Issuance of a certificate of registration or the renewal of certificate of registration by Savannah-Chatham Animal Control does not warrant or guarantee that the requirements specified are maintained by the owner of a dangerous dog or potentially dangerous dog on a continuous basis following the date of the issuance of the initial certificate of registration or following the date of an annual renewal of such certificate.
- K. An animal control officer is authorized to make whatever inquiry is deemed necessary to ensure compliance with the provisions of this section. Law enforcement agencies of local governments and the sheriffs of counties shall cooperate with dog control officers in enforcing the provisions of this section.

Sec 9-5050. Restraint of Dangerous Dog.

It is unlawful for an owner of a dangerous dog to permit the dog to be outside a proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and is under the physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person.

Sec. 9-5051. Restraint of Potentially Dangerous Dog.

It is unlawful for the owner of a potentially dangerous dog to permit the dog to be outside a proper enclosure unless the dog is restrained by a substantial chain or leash and is under the restraint of a responsible person.

Sec. 9-5052. Confiscation Of Dangerous Dog.

A dangerous dog shall be immediately confiscated by the animal control officer or by a law enforcement officer or by another person authorized by the animal control officer if the:

- A. Owner of the dog does not secure the liability insurance or bond required in this article;
- B. Dog is not validly registered as required;
- C. Dog is not maintained in proper enclosure; or
- D. Dog is outside a proper enclosure without specified restraints.
- E. Should the owner fail to provide the document outlined in 9-5051 of this ordinance or the provisions of this subsection, the dangerous dog SHALL be impounded. The dangerous dog shall be held for 10 days during which time the owner may demonstrate compliance with 9-5051 and subsection (A) through (E) above. Should the

owner fail to comply with any provisions of the aforementioned section and subsections, the dog shall be subject to euthanasia.

Sec. 9-5053. Confiscation Of Potentially Dangerous Dog.

A potentially dangerous dog shall be confiscated in the same manner as a dangerous dog if the dog is:

- A. Not validly registered as required;
- B. Not maintained in a proper enclosure; or
- C. Outside a proper enclosure without specified restraints.

Sec. 9-5054. Return After Confiscation.

Any dog that has been confiscated under the provisions of the Article C shall be returned to its owner upon the owner's compliance with the provisions of this article and upon the payment of reasonable confiscation costs. In the event the owner has not complied with the provisions of this article within 20 days of the date the dog was confiscated, said dog shall be destroyed in an expeditious and humane manner.

Sec. 9-5055. Liability.

The owner of a dangerous dog or potentially dangerous dog shall be solely liable for any injury to or death of a person caused by such dog. Under no circumstances shall a local government or any employee or official of a local government which enforces or fails to enforce the provisions of this article be held liable for any damages to any person who suffers an injury inflicted by a dog that has been identified as being a dangerous dog or potentially dangerous dog or by a dog that has been reported to the proper authorities as being a dangerous or potentially dangerous dog or by a dog that a local government has failed to identify as a dangerous dog or potentially dangerous dog by a dog which had been identified as being a dangerous dog or potentially dangerous dog but has not been kept or restrained in the prescribed manner or by a dangerous dog or potentially dangerous dog whose (of which its) owner has not maintained insurance coverage or surety bond as required.

All ordinances or parts of ordinances, in conflict herewith are repealed.

MAYOR

ADOPTED AND APPROVED THIS 15 DAY OF February, 2007