

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 162

AN ORDINANCE to amend Ordinance 64 to identify and delineate the duties of the animal control officer, to prohibit animals from going upon a public playground, park, or schoolyard, or to be within the Community Convenience Commercial District at any time, and for other purposes.

BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and it is hereby ordained:

SECTION 1. Article II, Section 3 of Ordinance 64 is hereby deleted in its entirety and the following substituted in lieu thereof:

SECTION 3. AUTHORITY OF ANIMAL CONTROL OFFICER. The City of Lookout Mountain, Georgia, may appoint one or more animal control officers who shall have all powers and duties specified in this Ordinance and, in particular, the power and duty to take up and impound in the Animal Control Center any stray animal, any rabid animal, any vicious animal or any animal otherwise engaging in behavior contrary to the provisions of this Ordinance. Such animal control officer(s) may be an employee of the City of Lookout Mountain, an independent contractor retained by the City of Lookout Mountain, an employee of Walker County and/or a joint employee or independent contractor of both the City of Lookout Mountain and Walker County. The animal control officer(s) shall wear such identification as may be required to identify him (them) as an animal control officer.

SECTION 2. Article III, Section 4 of Ordinance 64 is hereby deleted in its entirety and the following substituted in lieu thereof:

SECTION 4. RESTRAINT OF ANIMALS. Between the hours of sunset and sunrise, animals are permitted on property other than the premises of the owner only if on a secure leash not exceeding eight (8) feet in length, or under the immediate physical control of the person having custody thereof. Between the hours of sunrise and sunset, a registered animal may be permitted to run at large within the City as long as said animal does not create or constitute a nuisance. No animal shall be allowed at any time upon a public playground, park, schoolyard, the Lookout Mountain Golf Club, or the Lookout Mountain Fairyland Club, or within the Tourist Oriented Commercial District or Community Convenience Commercial District unless the animal is on a secure leash not exceeding eight (8) feet in length, or under the immediate physical control of the person having custody thereof.

Nothing in this section shall be construed to allow any animal not under physical restraint, to commit any act defined as unlawful in this Ordinance.

SECTION 3. All other provisions of Ordinance 64, as amended, shall remain in full force and effect, unaffected by this Ordinance.

SECTION 4. Savings Clause. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be thereby affected since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.

SECTION 5. Repealer. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 6. Part of Code of Ordinances. It is the intention of the Council of the City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City, and the Sections of this Ordinance may be renumbered to accomplish such intention.

SECTION 7. Effective Date. This Ordinance shall be effective ten (10) days after its adoption and approval by at least three (3) members of the Council for the City of Lookout Mountain, Georgia, after two (2) readings at least one (1) week apart.

Approved on first reading on June 17, 1993.

James R. [Signature]
Member of City Council

James L. [Signature]
Member of City Council

Don N. [Signature]
Member of City Council

Member of City Council

Member of City Council

{ CAST TIE BREAKING
VOTE }

[Signature]
Mayor of Lookout Mountain,
Georgia

Approved and adopted on Second Reading on

July 15, 1993.

James R. Ruffalo
Member of City Council

James L. Ensign Jr
Member of City Council

Don N. Hain
Member of City Council

{ CAST TIE BREAKING
VOTE }

Member of City Council

Member of City Council



Don N. Hain

Mayor of Lookout Mountain,
Georgia

ATTEST:

Dorcas W. West

City Clerk