

CITY OF LOOKOUT MOUNTAIN, GEORGIA

ORDINANCE NO. 131

AN ORDINANCE to amend Ordinance No. 64 to prohibit additional animal activities regarded as nuisances within the City, to increase the fines for certain violations of the ordinance, 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 I, Section 2, Paragraph H of Ordinance No. 64 is hereby deleted in its entirety and the following substituted in lieu thereof:

H. An animal shall create or constitute a "nuisance" for purposes of this ordinance if on one or more occasions it commits any of the following acts of nuisance:

(i) If it is observed damaging any property other than that of its owner or custodian;

(ii) If by threatening or vicious behaviour it obstructs pedestrian travel or the free passage of any bicycle, motorcycle, moped or other two-wheeled vehicle;

(iii) If it is found running in a group of dogs which threatens the well being of person or property;

(iv) If, without provocation, it bites a person;

(v) If it is found on the premises of a person other than that of its owner or custodian without the consent of such person;

(vi) If it is observed running at large on any public playground or schoolyard;

(vii) If it is observed scattering any garbage located on public or private property;

(viii) If it defecates on the property of any person other than its owner or custodian; or

(ix) If by loud and frequent barking, whining or howling it disturbs the peace and quiet of any neighborhood.

Section 2. The third unnumbered paragraph of Article V, Section 2 of Ordinance No. 64 is hereby deleted in its entirety and the following substituted in lieu thereof:

Any animal owner convicted for violation of this Section 2 shall be subject to a fine of Twenty-Five Dollars (\$25.00) for the first offense and Fifty Dollars (\$50.00) for the second offense. The procedure to be followed on third and subsequent offenses is hereinafter set forth in Section 3 of this Article V.

Section 3. All other provisions of Ordinance No. 64 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 February 18,

1988.

James D. Rowling  
Member of City Council

James A. Cheney  
Member of City Council

[Signature]  
Member of City Council

[Signature]  
Member of City Council

Susan W. Petterway  
Member of City Council

[Signature]  
Mayor of Lookout Mountain,  
Georgia

Approved and adopted on Second Reading on

March 24, 1988.

[Signature]  
Member of City Council

[Signature]  
Member of City Council

James D. Rowling  
Member of City Council

Susan W. Petterway  
Member of City Council

Member of City Council

[Signature]  
Mayor of Lookout Mountain,  
Georgia

ATTEST:

Brenda J. Steeler  
City Clerk