

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 2 (ANIMAL CONTROL) OF THE NORTH LITTLE ROCK MUNICIPAL CODE REGARDING STERILIZATION OF IMPOUNDED DOGS AND CATS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

WHEREAS, an Animal Control Chapter 2 was adopted as part of the North Little Rock Municipal Code (“NLRMC”) pursuant to Ordinance No. 8180 (subsequently amended by Ordinance Nos. 8236, 8421, 8442, 8580 and 8607); and

WHEREAS, Section 3.1.5 of the Animal Control Chapter regulates the sterilization of impounded dogs and cats; and

WHEREAS, the Arkansas State Legislature adopted Act 994 of 2011 (codified at Ark. Code Ann. § 20-19-103) increasing the minimum age at which an impounded dog or cat may be released without sterilization, stating “...in any county in the state, it shall be unlawful for any pound, shelter, humane organization, or animal rescue group to release to a new owner any dog or cat over three (3) months of age which has not been sterilized ...”; and

WHEREAS, Chapter 2 of the NLRMC needs to be amended to reflect state law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That Section 3.1.5 of Chapter 2, Animal Control, of the North Little Rock Municipal Code, is hereby amended as follows:

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**3.1.5 Sterilization of impounded dogs and cats.** It shall be unlawful for any pound, shelter, or humane organization to release to a new owner any dog or cat over the age of ~~two~~-three (23) months which has not been sterilized, *except* when sterilization is not advisable as provided in this section herein below. Any delay in sterilization requires execution of an approved sterilization agreement to spay or neuter the animal signed by the person acquiring the animal.

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*Editor's note:* Additions are denoted by underline; deletions by ~~strikethrough~~.

SECTION 2: That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: That the provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 4: It is hereby found and determined that Ark. Code Ann. §20-19-103(b) specifically prohibits all animal shelters *in any county* from releasing any cat or dog over three months in age without sterilization; therefore, the passage of this Ordinance is necessary to insure the proper and orderly growth of this land and of the City of North Little Rock, Arkansas, and being necessary for the immediate preservation of the public health, safety and welfare; THEREFORE, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

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Mayor Joe A. Smith

SPONSOR:

ATTEST:

  
\_\_\_\_\_  
Alderman Murry Witcher

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Diane Whitbey, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>11:26</u>	A.M.	_____	P.M.
By	<u>City Atty Carter</u>			
DATE	<u>5-19-15</u>			
<b>Diane Whitbey, City Clerk and Collector</b> North Little Rock, Arkansas				
RECEIVED BY	<u>J. Mauldin</u>			