

## Chapter 8 ANIMALS AND FOWL<sup>1</sup>

### ARTICLE I. IN GENERAL

#### Sec. 8-1. Applicability.

This chapter shall be effective in and apply within the parish, outside the boundaries of incorporated municipalities and within the boundaries of any incorporated municipalities which pass ordinances adopting the provisions of this chapter and shall hereinafter be referred to as "The Animal Control Ordinance for Caddo Parish." (Ord. No. 5580 , 5-19-2016)

#### Sec. 8-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned* means to completely forsake and desert an animal previously under the custody or possession of a person without making reasonable arrangements for its proper care, sustenance, shelter and medical care for a period of 24 hours. This includes abandoning an animal at an animal shelter, animal welfare organization's facility or veterinarian's office.

*Adequate grooming* means that animals shall be groomed in such a manner to maintain health. Animals shall be provided with hair, hoof, claw, nail, tooth and beak care as appropriate and as necessary to maintain health and comfort.

*Administrator of Caddo Parish* means that person appointed by the parish commission under section 4-01 of the Home Rule Charter.

*Adopted* means the transfer of a canine or feline from a shelter to a new owner.

*Animal* means any living vertebrate creature except human beings, including, but not limited to, mammals, birds, fowl, reptiles and fish, except when referring specifically to the control of rabies where the meaning of the term "animal" shall be limited to mammals, domestic and wild.

*Animal establishment* means a facility operated as a pet shop, grooming shop, commercial kennel, commercial livery stable, permanent or transient zoo, circus or performing animal act, or for the boarding of dogs and cats or the training of dogs for any purpose. Animal shelters operated by public and private authorities and veterinary medical facilities are exempt from this definition.

*At-large stray* means:

- (1) Dog: any dog that is not within the confines of its owner's home, dog yard, dog pen, primary enclosure, proper invisible fencing area identified by flags or automobile and that is not on a chain or tether which restricts the animal to the confines of its owner's property, nor on a leash not longer than six feet long shall be considered at large.

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<sup>1</sup>Editor's note(s)—Ord. No. 5580, adopted May 19, 2016, and effective Jan. 1, 2017, amended Ch. 8 in its entirety to read as herein set out. The former Ch. 8 pertained to similar subject matter and derived from Code 1985, §§ 4-1-4-17.1, 4-19-4-24, 4-41-4-44, 4-51; Ord. No. 4395, 9-22-2005; and Ord. No. 5172, 2-9-2012. See the Code Comparative Table for a detailed analysis.

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- (3) Hunting or stock dogs, show dogs and cats, government or law enforcement dogs actively being worked or trained or other animals being worked or trained or shown under the physically present supervision of their owners or agents or employees of the owners are exempt. During active work or training sessions, orange vests are required to properly identify animals in training.

*Backyard breeder* means a person or persons who breed animals without the required permits.

*Bite* means the breaking of the skin of a human being by an animal's teeth, mouth, or beak.

*Breeder* means any person who breeds a female dog or cat for the purpose of obtaining a monetary gain from the sale of any portion of the litter produced.

*Carrier* means any airline, railroad, motor carrier, shipping line, or other enterprise engaged in the business of transporting for hire.

*Cat* means any member of the Felidae (feline) family.

*Cat yard* means an owner's yard or an enclosure which shall be used to confine a cat.

*Circus* means a commercial variety show featuring animal acts for public entertainment.

*Collar* means a band, harness, or other device worn around the neck of an animal in a humane way to which a rabies vaccination tag may be affixed. Collars, harnesses, halters and the like shall be monitored so as to ensure proper fit and prevent discomfort or injury.

*Commercial kennel* means any person, partnership, or corporation engaged in the commercial breeding of dogs or cats or both for sale individually or in litter lots, or in the boarding, training, sale or hire of dogs or cats for compensation, or operation of a guard dog service. Animal hospitals operated by licensed veterinarians as a part of the practice of veterinary medicine, shelters operated by public authorities, and tax-exempt humane organizations shall not be considered commercial kennels.

*Commercial livery stable* means any establishment where one or more horses are let for hire to be ridden or driven, or where one or more horses are boarded for a fee.

*Cruelly-ill-treat* means every act or failure to act whereby unjustifiable physical pain or suffering is caused or permitted.

*Dangerous dog* means any dog that when unprovoked, shall be deemed a dangerous dog if it:

- (1) Bites, injures, or inflicts a bite on a human being or domestic animal either upon public property or those areas of private property that are unfenced and normally accessible to the public.
- (2) Chases or approaches a person upon the streets, sidewalks or public grounds in a terrorizing or menacing fashion or apparent attitude of attack.
- (3) Bites or injures animals or persons authorized to enter upon the owner's premises such as letter carriers, meter readers, trash collectors, repair persons, delivery persons or business customers provided that the persons authorized to enter upon the owner's premises shall not include unauthorized intruders such as burglars or trespassers in the owner's business, house or apartment or within a fenced area on the premises not normally accessible to the public. The director and/or his agents shall make all determinations that a dog is a dangerous dog.

*Dealer* means any person, not a public entity, who, as a business, sells, exchanges, or donates or offers to sell, exchange, or donate animals to any person.

*Department* means the department of animal services and mosquito control, also referred to as Caddo Parish Animal Services (CPAS).

*Director* means that person designated by the parish administrator or his agent as responsible for the administration of the parish animal services and mosquito control department, and, except where clearly limited

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by the context, shall include duly-appointed officers and others duly authorized and acting under the authority of the director.

*Dog* means any member of the *Canis lupus familiaris* family.

*Dwelling* means the house or other structure in which one or more persons live. For determining the maximum number of dogs, only one dwelling per subdivided lot will be used to establish the number of dogs permitted.

*Euthanasia* means humanely terminate an animal's life in a manner consistent with the AVMA euthanasia guidelines.

*Excessive barking* means unprovoked animal noises of such a loudness, intensity and duration as to prevent or interfere with a person's ability to enjoy his property, included, but not limited to, situations where:

- (1) On more than one occasion has awakened the complainant up from sleep; or
- (2) Continues in such a manner so as to cause mental anguish or suffering, loss of sleep or a disturbance of the peace.

*Feral* means a cat not socialized to humans and is not an owned cat.

*Grooming shop* means a commercial establishment where animals are bathed, clipped, plucked, or otherwise groomed, excluding animal shelters.

*Guard dog* means any dog that is utilized at a commercial establishment or that is used by a commercial entity to provide security protection for employees, employers, property, goods and/or equipment.

*Horse* means any horse, pony, donkey, or mule.

*Indoor dog* means any dog that:

- (1) Lives inside a dwelling.
- (2) Is not left outside unattended.
- (3) Eats and sleeps in a dwelling.

*Isolation* means the secure, humane confinement of a dog or cat that has been bitten by a known rabid animal so as to prevent such dog or cat from coming in contact with any other animal. Isolation enclosures shall be so constructed and secured that entry will be limited to the owner of the confined dog or cat, with the primary enclosure so located within a secondary enclosure to prevent accessibility to the public.

*Micro-chip* means an identification device approved by Caddo Parish Animal Services which is intended to be implanted within an animal for identification purposes.

*Neuter* means permanently render an animal incapable of reproductive function.

*Noncommercial kennel* means a private residence which exceeds the maximum allowable number of dogs in which the director of Caddo Parish Animal Services has deemed it appropriate to issue a noncommercial permit. The kennel must be in compliance with all applicable local, state and federal laws.

*Nuisance by an animal* means the damaging, soiling, defiling, urinating or defecating upon, or repeatedly trespassing upon property other than its owner's, excessive barking or noise making so as to disturb the peace and repose of persons living or working nearby, molesting, threatening, attacking or interfering with persons on private or public property, chasing motor vehicles or bicycles, attacking other domestic animals, or disturbing or turning over garbage or trash containers, or causing unsanitary conditions or odors on or about the premises of its owner by urination or defecation.

*Owner* means any person who has a right of property in an animal, or who keeps an animal in his care, harbors an animal, acts as custodian for an animal, or who permits an animal to remain on or about his premises.

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*Pet shop* means any person who obtains animals for sale, exchange, or barter, to the general public, or who grooms animals, as a principal or agent, or who holds himself out to be so engaged.

*Primary enclosure* means any structure used to immediately restrict an animal to a limited amount of space such as a house, room, pen, run, cage, compartment, or hutch.

*Private animal welfare society* means an organization organized and operated exclusively for the prevention of cruelty to animals.

*Proper food* means the daily food of sufficient quality and quantity provided for each animal to prevent unnecessary or unjustifiable suffering by the animal.

*Proper shelter* means adequate shelter provided for each animal from the elements as required, preventing unnecessary or unjustifiable suffering by the animal.

*Proper veterinary care* means veterinary care provided for each animal sufficient to prevent unnecessary or unjustifiable physical pain or suffering by the animal.

*Proper water* means daily water of sufficient quality and quantity provided for each animal to prevent unnecessary or unjustifiable suffering by the animal.

*Public carrier* means and includes any motor vehicle used for the transportation of passengers or freight for hire over any streets by a route or to a destination controlled by the hirer. Nothing herein contained shall be construed to include carriers by motor vehicle subject to the jurisdiction of the Louisiana Public Service Commission under R.S. 45:161 et seq., or engaged solely in interstate commerce.

*Rabies vaccination registration tag* means a suitable tag, issued by a licensed veterinarian or Caddo Parish Animal Services, indicating the year for which the tag was issued. Rabies vaccination registration tags are issued only upon vaccination or proof of vaccination against rabies.

*Rescue organization* means any person or organization that is a 501(c)(3), has signed a Caddo rescue partner agreement and that accepts pet animals for the purpose of finding permanent adoptive homes for the animals.

*Signage* means signs or a system of signs used to show information.

*Spay* means to permanently render a female animal reproductively infertile.

*Sterilization* means the act of spaying and neutering an animal.

*Vaccination against rabies* means the injection subcutaneously or otherwise by a licensed veterinarian, or by a person under his supervision, of animal rabies vaccine approved by the state health officer or the director.

*Vaccination certificate* means a serially numbered certificate on a form approved by the director, and signed by a veterinarian or his representative, stating the name of the owner of the dog or cat to which issued and a description of the dog or cat to which issued, indicating the year for which issued, certifying that such dog or cat was inoculated or vaccinated against rabies, and stating the date thereof. Vaccination certificates are required to register dogs, cats and ferrets in Caddo Parish.

*Vicious dog* means a dog which has:

- (1) Attacked and caused severe and gross injuries or death to a human being.
- (2) Previously been classified as "dangerous" and subsequent thereto a violation of section 8-67(a) occurs.
- (3) Previously been classified as "dangerous" and is found to be at large two or more times.
- (4) Exhibited behavior which enables the director or the animal advisory board to reasonably conclude that the animal may not safely coexist with people. No dog shall be deemed vicious simply by its breed.

*Working days* means, for purposes of computing time periods referenced in chapter 8 of this Code, Mondays through Fridays, excluding legal holidays recognized by the parish commission.

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( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-3. Penalty.**

Except as otherwise provided in this chapter, any person violating any of the provisions of this chapter shall be punished as provided in section 1-8.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-4. Authority and duties of director.**

- (a) The director shall administer the department, shall have the authority and duty to enforce the provisions of this chapter, and shall be authorized to represent the parish in all actions resulting from enforcement or attempted enforcement of this chapter.
- (b) The director shall appoint animal control officers who shall have the authority to investigate complaints and to enforce the requirements of this chapter.
- (c) The director shall exercise every reasonable care to prevent injury, illness, death, escape, or pilfering of an animal with which he deals in carrying out the provisions of this chapter.
- (d) If, in the opinion of the director, the incidence of rabies or other disease transmissible by animals to man, either directly or indirectly, is such as to justify control measures more stringent than provided herein, the director shall determine and proclaim the existence of a state of emergency in the interest of public health. All parish departments and agencies and personnel therefrom shall be made available to assist in carrying out necessary control measures during the existence of such emergency.
- (e) The director shall grant, deny, revoke and suspend permits required by section 8-41.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-5. Animal services board.**

- (a) The parish commission shall appoint an animal services board which shall serve without pay, meet not less than six times per year and which shall consist of seven persons including a veterinarian actively practicing in the parish for a minimum of five years immediately preceding his appointment, a law enforcement officer from a law enforcement agency located in the parish, an at-large citizen representing a parish municipality other than the City of Shreveport; a representative nominated by the Caddo Parish Health Unit, a representative from a tax-exempt humane organization; an at-large member residing in the City of Shreveport; a representative nominated by the Caddo Parish Health Unit, a representative from a tax-exempt humane organization; an at-large member residing in the City of Shreveport and recommended by the parish administrator, and a permitted animal establishment operator. The director of the animal services and mosquito control department shall serve as an ex officio, non-voting member of the board.
- (b) The animal services board shall:
  - (1) Conduct hearings pursuant to duly adopted procedures to consider the director's decision of declaring any animal vicious as specified in section 8-67 and to require owners of vicious animals to have the same destroyed or surrendered to the director to be humanely euthanized;
  - (2) Conduct hearings pursuant to duly adopted procedures to consider the director's decision of declaring any dog as dangerous as specified in section 8-67 and instruct the owners of the dangerous dogs to

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- either adhere to the requirements as set forth, have the dog euthanized, or surrender it to the director;
- (3) Conduct hearings pursuant to duly adopted procedures to consider the director's decision to restrict the number of indoor dogs or his denial of a noncommercial kennel permit as specified in section 8-37 and instruct the owner to comply with restriction as set forth;
  - (4) Elect from its voting members a chairperson whose term shall run from January 1 through December 31 of each year; and
  - (5) Operate in all respects as a public body as contemplated by R.S. 42:13 and 44:1.
  - (6) Publish minutes on the [www.caddo.org](http://www.caddo.org) website.
- (c) Each member appointed shall serve for a term of four years. Upon the occurrence of any vacancy, the parish commission shall appoint a person from the same category as the person vacating the position to fill the unexpired term.
- (d) Board members may be removed from office for cause. Such cause shall include, but not be limited to, failure to attend three consecutive meetings of the board, or a majority of the meetings held by the board during a calendar year, or a clearly demonstrated conflict of interest.
- ( Ord. No. 5580 , 5-19-2016)

#### **Sec. 8-6. Keeping of wild, exotic or vicious animals.**

- (a) For the purpose of this section, the following shall be designated wild or exotic animals: tigers, lions, cougars, leopards, jaguars, cheetahs, lynx, bobcats, bears, wolves, chimpanzees, gorillas, orangutans, poisonous snakes, komodo dragons, African buffalo, hyenas, coyotes, deer, any crocodilian including, but not limited to, alligators, crocodiles and gavials, any other species of nonhuman primates, raccoons, skunks, squirrels, foxes, ratite birds, hybrid species consisting of wolves, coyotes, or jackals interbred with domestic dogs and ocelots or margays interbred with domestic cats.
- (b) No person shall keep or permit to be kept on his premises any vicious, wild, or exotic animal for display or for exhibition purposes whether gratuitously or for a fee.
- (c) No person shall keep or permit to be kept on his premises any wild or exotic animal as a pet as defined in this section except such animals that were acquired prior to the effective date of Ordinance No. 2432 (January 1, 1988).
- (d) No person shall take or possess any wild animal by illegal methods.
- (e) No person may offer for sale a wild or exotic animal as defined in this section, except such animals that were purchased prior to the effective date of Ordinance No. 2432 (January 1, 1988).
- (f) Persons following state or federal regulations and holding such permits or licenses which include, but are not limited to, Chimp Haven and the Louisiana State Fair, shall be exempt from this section. Cruelty and sanitation laws shall apply to all persons holding such permits and licenses.
- (g) Qualified educational institutions, zoological parks, public-operated parks or displays, performing animal exhibitions, circuses, scientific organizations, veterinary clinics, law enforcement and commercial guard dogs shall be exempt from this section.
- (h) Dual violations. Violations of this section shall be dual violations in reference to violations of title 56 of the state department of wildlife and fisheries.

( Ord. No. 5580 , 5-19-2016)

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### **Sec. 8-7. Hindering, or interfering with officers.**

- (a) No person shall hinder, or interfere with any officer or agent of the animal services and mosquito control department engaged in, or because of, the performance of any duty provided for, directly or indirectly, by this chapter. Any person who violates this section shall be fined up to \$500.00, or shall be imprisoned for a term not to exceed 180 days, or both.
- (b) It shall be unlawful for any person to knowingly interfere with or damage any animal trap owned or used by Caddo Parish Animal Services or to molest or release an animal caught therein.
- (c) Caddo Parish Animal Services officers may enforce any provision of this chapter by instituting a suit for injunctive relief and use of summary process, including all temporary restraining orders permitted by law.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-8. Enforcement.**

- (a) The department shall have the authority to appoint animal control officers and such other personnel as it deems proper for maintaining a public animal shelter and to enforce the provisions of this chapter.
- (b) The director shall appoint and duly commission animal control officers, who have successfully completed training offered by the State of Louisiana Animal Control Academy. Additionally, each animal control officer must receive euthanasia certification through the State of Louisiana State University Veterinary School.
- (c) The director and duly appointed animal control officers shall have authority to exercise the following limited police powers:
  - (1) Issue citations for the enforcement of this chapter, as well as take action necessary to enforce state statutes regarding animals.
  - (2) Obtain warrants for such violations and assist law enforcement personnel in making arrests for such violations.
  - (3) Submit affidavits to the courts regarding such violations.
- (d) In enforcing the provisions of this Code, the director or his authorized representatives are authorized to enter private property without warrant to pursue, capture, or otherwise apprehend animals subject to impoundment or restraint under the provisions of this chapter. If an animal enters an uninhabited structure and the officer can safely gain entry in the same manner as the animal, the officer may enter the structure to capture the animal. If the animal enters the structure through an opening such as a window, hole in the wall or like entrance, the structure will be secured and the officer will obtain permission to enter from the owner/tenant or obtain a warrant to enter the structure. If human safety is a legitimate and immediate concern, the officer may enter the uninhabited structure to capture the animal. This authority to enter does not include inhabited structures unless other justifications dictate immediate entry.
- (e) All parish sheriffs, police officers employed by municipalities within the parish, and the parish animal control officers have authority to enforce provisions of this section.
- (f) For any prosecution of a violation of this chapter which results in a conviction, district attorney probation, or nolo contendere, there shall be an administrative fee in addition to any other fees. This fee shall be as established by the parish commission, from time to time, and shall be dedicated to the operation of Caddo Parish Animal Services and shall not be waived.

( Ord. No. 5580 , 5-19-2016)

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**Sec. 8-9. Service or assistance dog.**

A person requiring the use of a service or assistance dog shall be allowed to possess and use such animal in accordance with the provisions of the Code of Federal Regulations, the Americans with Disabilities Act and the Fair Housing Amendments Act.

( Ord. No. 5580 , 5-19-2016)

**Secs. 8-10—8-36. Reserved.**

***ARTICLE II. OWNER AND DEALER RESPONSIBILITIES***

**Sec. 8-37. Owner's responsibilities.**

- (a) No person shall own, keep or harbor any dog, cat or ferret over the age of three months within the parish without having:
- (1) The dog, cat or ferret vaccinated against rabies by a licensed veterinarian at three months of age initially, revaccinated one year later and then on at least a triennial basis thereafter, except in case of injury or any other medical condition that would preclude proper rabies vaccination of the dog or cat or endanger the health of the animal and only upon receipt by Caddo Parish Animal Services of a letter signed by a licensed veterinarian requesting an exception until the medical condition is resolved to the point that vaccination is no longer a threat to the health of the animal.
  - (2) Registered the dog, cat or ferret with Caddo Parish Animal Services upon presentation of a certificate of such rabies vaccination, as hereinafter specified.
  - (3) Tagged or microchipped the animal as hereinafter specified.
- (b) Rabies vaccination registration. It shall be the duty of the owner of every dog, cat or ferret to register the same with Caddo Parish Animal Services directly or through a Caddo Parish veterinarian, and to obtain and to retain at all times the certificate of rabies vaccination registration, giving the name and address of the owner, a description of the animal by sex, color, date of birth or estimated approximate age and weight, the breed of the dog or cat if known and the name of the animal. All Caddo Parish veterinarians and Caddo Parish Animal Services shall record all such information in the CPAS computerized database. The rabies vaccination registration tag shall be securely fastened at all times to a collar or harness which must be worn at all times by the dog or cat for which the registration tag was issued.
- (1) Exemptions from wearing rabies registration tags:
    - a. Law enforcement and fire department dogs.
    - b. Hunting dogs while being worked or trained.
    - c. Show dogs or cats while being worked or trained and/or shown under the supervision of their owners or owners' employees.
    - d. Ferrets.
    - e. Dogs or cats while under veterinary care.
  - (2) The rabies vaccination registration renewal date shall be one year from the date of rabies vaccination and initial registration, on an annual basis. There is no fee for annual rabies vaccination registration.

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- New residents must make application for rabies vaccination registration within 30 days of establishing residence in the parish.
- (3) Persons failing to obtain a rabies vaccination registration certificate within the yearly period specified in this section will be subjected to a fine of \$50.00.
  - (4) A 30-day grace period shall apply to owners who have failed to fulfill the requirements of this section after the rabies vaccination registration due date has expired. If the owner fulfills the requirements within the grace period, the \$50.00 fine shall be waived. However, all other fees shall still apply.
  - (5) All establishments where animal vaccines are sold shall post a sign, supplied by Caddo Parish Animal Services, in a conspicuous location stating:
    - a. All animals must be vaccinated against rabies by a licensed veterinarian at three months of age initially, revaccinated one year later and thereafter vaccinated at least triennially.
    - b. All animals must be registered annually with Caddo Parish Animal Services.
    - c. All animals must be tagged with the rabies vaccination registration tag on a collar or harness, except ferrets.
    - d. All animals must be prevented from running at large and/or causing a nuisance.
- (c) Rabies vaccination registration tags/microchips. It shall be the duty of all Caddo Parish veterinarians and Caddo Parish Animal Services to issue rabies vaccination registration tags or microchips containing the registration number and the year for which such tag is issued. The color and shape of tags shall be changed each year. Each tag is valid only for one year from the date of issue.
- (1) In lieu of a rabies registration tag, an owner may elect to have their animal permanently microchipped. An annual rabies registration shall still be required.
  - (2) Tags issued by legal registering authorities of other parishes of this state and counties of another state shall be recognized if the animal owner is able to produce a certificate of rabies registration from the other jurisdiction issued within the preceding year.
  - (3) Any person who attaches a tag to an animal that was not registered with that tag shall be subject to the penalties provided in section 1-8.
- (d) Owners of dogs and cats shall be responsible for compliance with the following:
- (1) All dogs and cats, except cats which have been properly vaccinated for rabies, neutered or spayed and properly registered and tagged, except any dog that is being trained for, or being used for the common and accepted practices associated with search and rescue and the legal hunting of game, including birds and animals, and the herding of livestock, shall be kept from running at-large and must be confined. The owner of a cat or dog which causes damage to another person's property shall be responsible for that damage. If a cat is shown to have damaged, with its claws, another person's property, the director of Caddo Parish Animal Services (CPAS) may instruct the owner to either have the cat declawed, claws trimmed or confine the cat indoors. If a dog causes damage to another person's property, the director may classify the dog as dangerous and enforce the guidelines as set forth in this chapter. Failure of the owner to follow the instructions of the director may result in the animal being seized and humanely disposed of.
  - (2) Owners shall be responsible for practicing a flea and tick program.
  - (3) Owners of animals that bite an individual are responsible for notifying CPAS.
  - (4) It shall be the responsibility of the owner to confine outside animals in an enclosed area. The primary enclosure should contain a minimum of 48 square feet (six feet by eight feet) per animal. Note: There shall be no tethering of animals with chains, cables, ropes or any other such device in lieu of a proper

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enclosure. Outside animals that reside in a neighborhood with fencing restrictions must be kept inside or confined in an outside kennel with the minimum square footage as stated in this subsection (4). Any animal found in violation will be seized. The owner will have five days to correct the discrepancy or the animal will become the property of CPAS. Whether or not the animal is redeemed, the owner will be responsible for all fees. Whoever is found to be guilty of failing to provide the proper enclosure shall be fined not less than \$250.00 nor more than \$500.00 or serve five days in jail.

- (5) The owner of any dog housed outside shall provide a proper shelter which will provide adequate protection from the elements. This includes, but is not limited to, a doghouse, enclosure, or ready access to an already existing structure. The shelter must provide basic protection from the elements. In addition, the owner shall provide the dog access to an adequate water supply. The owner shall provide adequate food for the dog and must feed the dog at least once per each 24-hour period. Any fenced or walled enclosure will consist of a chain link, wood, brick, vinyl fencing or any other material deemed appropriate by the director of Caddo Parish Animal Services. The barrier will be a minimum of four feet high but at all times will be of a sufficient height to preclude the dog from escaping over the barrier. No fence or wall will have openings greater than two inches in diameter.
- (6) No owner shall tether a dog to a moveable object in which the dog must physically move the object in order to move about the enclosure.
- (7) No owner shall position his dogs in a manner that would prevent emergency personnel from gaining safe and immediate access to main entrance to the residence.
- (8) It shall be unlawful for any occupant or owner of a dwelling to keep or allow to be kept outdoors on the premises of any dwelling more than four dogs, except that a litter of pups may be kept for a period of time not exceeding five months from birth. This provision shall not apply to any establishment where dogs are lawfully kept for breeding, sale, sporting purposes or boarding. In a case where the number of dogs exceeds the legal limit, the owner may apply to the director for a noncommercial kennel permit. The director will approve the permit if the following conditions exist:
  - a. There is adequate space to house the dogs.
  - b. The additional dogs do not create a health risk for the humans or other animals which occupy the residence.
  - c. The additional dogs do not degrade the environment for the surrounding residences.
  - d. All animals on the property have been properly vaccinated and registered with CPAS.
  - e. There is an adequate tick and flea control program and heartworm preventative program.
  - f. The applicant is in compliance with all other portions of this chapter.
  - g. The applicant and/or owner/caretaker of the dwelling have not been convicted of any offenses involving animals.

If the director finds that all of the conditions listed under this subsection exist, he may issue a noncommercial permit. If the director finds that one or more of the conditions as listed under this subsection are not in compliance, he may deny the permit and the applicant will be required to come into compliance. If the applicant disagrees with the decision of the director he may appeal that decision as stated in subsections (e)(1) and (2) of this section.

- (e) For indoor dogs, there shall be no limit unless those dogs create a nuisance. The director may enforce the maximum limits as stated for outdoor dogs for any owner who permits his indoor dogs to create a nuisance.
  - (1) If the owner disagrees with the decision of the director, he may appeal that decision to the animal services board. The director's decision shall be revoked only by a majority vote of the animal services board. If the board does not revoke the decision, the owner will have an additional ten days to request

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an appeal. If an appeal is not requested, the owner must comply with the director's decision and the number of dogs must be brought into compliance. The owner must be present or legally represented at the hearing or any right to the appeal will be deemed waived and the ruling of the director will be final.

- (2) Any person aggrieved by any action of the animal services board may appeal said action to the parish commission. Written notice of such appeal must be submitted to the clerk of the parish commission within three working days of the action of the animal services board from which the appeal is taken or the right of appeal will be deemed waived and the ruling of the board will be final. The parish commission shall hear the appeal at the first available regularly scheduled meeting after receipt of said notice of appeal by the clerk of the parish commission. To overturn the rulings of the animal services board, it will require a majority vote of the parish commission. An issue so appealed shall be taken to the First Judicial District Court by filing an appropriate petition within ten days of receipt of notice of the decision of said body. Failure to timely file said petition shall constitute a waiver of the right of appeal and the decision of the parish commission will be final.
- (f) Must ensure that any guard dog is registered with the CPAS.
  - (g) Owners of dogs that have been declared dangerous must register the dogs with CPAS and abide by the provisions set forth in section 8-67.
  - (h) Owners are responsible for limiting the number of cats in their possession as to when they will not create a nuisance.
  - (i) Minimum requirements for dog and cat pens.
    - (1) Dog and cat pens shall meet the following minimum requirements:
      - a. Pen floors shall be constructed of concrete or other impervious material and shall be constructed so as to prevent animal escape.
      - b. Dogs housed in any primary enclosure shall be provided as a minimum floor space equal to the mathematical square of the sum of the length of the dog in inches as measured from the tip of the nose to the base of its tail plus six inches expressed in square feet. Cats housed in a primary enclosure shall be provided a minimum of two and one-half square feet of floor space.
      - c. Dog pens shall be sloped to a drain connected to a sanitary sewer or an approved individual sewerage system. This requirement shall not apply to dog pens containing less than two dogs.
      - d. Dog pens shall be equipped with a curb at least three inches high around the perimeter. The top of the curb shall be at such elevation that the surrounding surface water cannot drain into the pen.
      - e. Dog pens shall be provided with a hose bib and water under pressure.
      - f. Cleanliness.
        1. All dog pens shall be hosed down, thoroughly cleaned and disinfected as often as needed and in no case less than once a day.
        2. It shall be unlawful for any person keeping or harboring animals to fail to keep the dog or cat pen where such animals are kept free from offensive odors to the extent that such odors are disturbing to any person residing within reasonable proximity of said premises.
        3. It shall be unlawful to allow animals or pens where animals are kept to become infested with ticks or fleas or other animal-related parasites by failing to diligently and systematically apply accepted methods of insect/parasite control as indicated.
      - g. Dog pens shall be located a minimum of ten feet from the nearest property line and a minimum of 50 feet from any residence other than that of the owner.

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- h. The pen must meet all subdivision restrictions or zoning laws or ordinances.
  - i. The above requirements shall only apply to pens located in recognized subdivisions in the parish.
  - j. Pens located outside of a recognized subdivision shall meet the specifications as set forth in b., f., g. and h. of this subsection.
  - k. Town houses, apartments or condominiums need only comply with paragraphs b., f.2. and 3. of this section.
  - l. Caddo Parish Animal Services shall be empowered to order all animals removed from affected pens until the owner comes into compliance with this section. The animal shelter shall be entitled to charge a reasonable boarding fee for animals so held to be set and published in accordance with this section.
  - m. Animal establishments are exempt from the requirements of this section.
- (2) Tethering as a secondary means of restraint to a proper enclosure. As a secondary means of restraint in a proper enclosure, an animal may be attached to a running cable line or trolley system providing that:
- a. Subsection (d) of this part is complied with:
  - b. A running cable line or trolley is set inside a proper enclosure.
  - c. Only one animal may be attached to each running cable line or trolley system.
  - d. This device must provide for humane, unrestrained range of movement for the animal to ensure that the animal is not exposed to hazard or injury and shall not prevent the animal from having food, water, shelter, adequate ventilation, protection from the elements.
  - e. Tethers and cables attaching the animal to the running cable line or trolley system must be made of a substance which cannot be chewed by the animal.
  - f. No animal may be attached to a running cable line or trolley system for more than 15 hours in a 24-hour period.
  - g. The tether must be attached to a properly fitted harness or non-choke collar that weighs no more than one-eighth of the animal's body weight. The running line must be at least ten feet in length and provide the animal with a minimum of 64 square feet of space to freely move about.
  - h. The area must be kept free from unsanitary conditions and vermin-harboring debris.
  - i. The dog may not be tethered outside during periods of extreme weather, including extreme heat or near-freezing temperatures, thunderstorms, tornadoes, tropical storms or hurricanes.
  - j. While participating in training sessions for hunting or competitive events, dogs shall be tethered with leashes of a minimum of ten feet. The tether must allow the dog ample room to sit, lay down and turn around. Water shall be provided at all times. No dogs shall be left unsupervised by the responsible party when tethered for these purposes.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-38. Nuisance; owner to maintain clean premises.**

- (a) No person shall willfully or knowingly harbor or keep on his premises or elsewhere any animal which causes an unreasonable disturbance of the peace of the neighbors or occupants of adjacent premises, or suffer or permit any animal to create a nuisance as defined in this chapter. This includes excessive barking. A person shall be deemed to have willfully and knowingly violated this section, if such person, having been notified by the department or law enforcement officers of such disturbances, shall have refused for a period of 24 hours

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to correct same and prevent reoccurrence. In the matter of excessive barking, the remedy shall be immediate upon notification.

- (b) The owner of any animal shall maintain his premises in such a manner as not to constitute either a private nuisance to adjoining property or a nuisance to the public generally. Pens or yards in which animals are confined or maintained shall be cleaned regularly so that they are kept free from offensive odors which would disturb any person residing within a reasonable distance of said premises; and the animals themselves shall be restrained in such a fashion that noise emanating therefrom shall not be disturbing to such persons.
- (c) Premises on which animals are kept shall be maintained so as to prevent disagreeable odors arising therefrom, or the presence or breeding of flies, mosquitoes, and other pests. Provisions shall be made for the removal and disposal of animal and food wastes, bedding, dead animals and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors, and disease hazards.
- (d) If any part of a public street or the private property of a person other than the owner of the animal shall be soiled by the excreta of that animal, whether such nuisance shall take place in the presence of the owner or not, the owner shall, upon becoming aware thereof, promptly remove such excreta and dispose of it in a sanitary manner.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-39. Cruelty to animals prohibited.**

- (a) Any person who intentionally or with criminal negligence commits any of the following shall be guilty of simple cruelty to animals:
  - (1) Overdrives, overloads, drives when overloaded, or overworks a living animal.
  - (2) Torments, cruelly beats, or unjustifiably injures any living animal, whether belonging to himself or another.
  - (3) Having charge, custody, or possession of any animal, either as owner or otherwise, unjustifiably fails to provide it with proper food, proper drink, proper shelter, or proper veterinary care.
  - (4) Abandons any animal. A person shall not be considered to have abandoned an animal if he delivers to an animal control center an animal which he found running at large.
  - (5) Impounds or confines, or causes to be impounded or confined in a pound or other place, a living animal and fails to supply it during such confinement with proper food, proper drink, and proper shelter. No animal shall be left unattended in a vehicle if it subjects the animal to cruel conditions. An animal control officer, upon a complaint of this nature and in the presence of at least one witness shall be permitted to use all reasonable means, including breaking a window, in order to free a suffering animal in the following circumstances, all of which must be met:
    - a. The animal shows physical signs of heat exhaustion, convulsions, or other symptoms which require immediate action by the animal control officer in order to save the animal's life.
    - b. The animal control officer receives approval from a supervisor prior to taking the action, provided that a supervisor is readily available and obtaining approval will not seriously impede the rescue of the animal. Prior approval is not necessary if, in the judgment of the animal control officer, the delay in obtaining such approval would jeopardize the life of the animal.
    - c. Reasonable effort to contact the owner or driver of the vehicle has been attempted and is unsuccessful.
  - (6) Carries, or causes to be carried, a living animal in or upon a vehicle or otherwise, in a cruel or inhumane manner.

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- (7) Unjustifiably administers any poisonous or noxious drug or substance to any domestic animal or unjustifiably exposes any such drug or substance, with intent that the same shall be taken or swallowed by any domestic animal.
  - (8) Injures any animal belonging to another person.
  - (9) Mistreats any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering or death is caused to or permitted upon the animal.
  - (10) Causes or procures to be done by any person any act enumerated in this subsection.
- (b) Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report the injury or death of the animal to the animal's owner, if the identity of the owner is apparent. If the owner cannot be ascertained or located, such motor vehicle operator shall report the accident to the department or the appropriate law enforcement agency.
  - (c) No person shall color, dye, stain, or otherwise change the natural color of baby chickens, ducklings, other fowl or rabbits; nor shall any person possess for the purpose of sale any chickens, ducklings, other fowl or rabbits which have been so colored.
  - (d) Ponies used at concessions consisting of a wheel-like device to which they are attached must be given sufficient resting time. Resting time shall be one-half hour after working one hour.
  - (e) No one previously convicted of cruelty to an animal shall be issued an animal establishment or kennel permit, or be permitted to adopt a pet pursuant to the provisions of this chapter.
  - (f) This section shall not apply to the lawful hunting or trapping of wildlife as provided by law, accepted veterinary practices, accepted livestock and poultry production practices, and activities carried on for scientific or medical research governed by accepted standards. Steel leg hold traps are banned, except if permitted by Caddo Parish Animal Services to remove dangerous or nuisance animals and permits are current from any other pertinent agency.

( Ord. No. 5580 , 5-19-2016)

#### **Sec. 8-40. Reserved.**

#### **Sec. 8-41. Animal establishment permits; standards.**

- (a) No person shall operate an animal establishment without first obtaining, and subsequently maintaining, a valid permit in compliance with this section. In the event any person shall own or operate more than one facility, they shall be required to obtain a permit for each facility.
- (b) Applications for such permits shall be made to the department on application forms provided by same.
- (c) Upon receipt of a properly completed application, the department shall promptly investigate the applicant and the facilities sought to be permitted, to determine if they are in compliance with provisions and requirements of this chapter. They shall report its findings and recommendations to the animal services board which shall, within 30 days of its receipt of same, issue or deny the permit applied for. If the permit is denied, the applicant shall be given written reasons for such denial.
- (d) Each permit shall be initially effective from the date of issuance through December 31 of the year of issuance.

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- (e) Each permit shall be renewed annually and an application for renewal shall be filed with the department between October 1 and December 1. Renewed applications shall be effective from January 1 to December 31 of the following year.
  - (f) Permittees must comply with the standards and regulations adopted by the department based on standards set forth in Title 9 of the Code of Federal Regulations. The department may amend such standards and regulations from time to time for purposes of public health and safety and the protection of animals. The standards and regulations shall be amended only after allowing permittees an opportunity to be heard on the proposed amendments. Notice of said hearing shall be mailed to each permittee at least ten days prior to the hearing date and at least 30 days prior to the effective date of the amendment. The notice shall set forth the amendment in its entirety and shall advise of the date, time and purpose of the hearing and the effective date of the amendment.
  - (g) The department shall provide a copy of applicable standards and regulations with each permit application. Each applicant shall acknowledge, in his application, receipt of said standards and regulations.
  - (h) A representative of the department shall have the right of entry, at reasonable hours, upon the premises of permittees and into all areas thereof where animals are kept and maintained, for inspection to ascertain whether the permittee is in compliance with the provisions of this chapter and the standards and regulations established under same. Failure of any owner to comply with said provisions, standards, and regulations, or allow reasonable entry and inspection by animal services and mosquito control department representative shall be grounds for revocation of the owner's permit.
  - (i) If, upon inspection, department representatives determine that a permittee is in violation of this chapter, the department shall advise said permittee in writing of the violation and shall inform the permittee that its failure to comply with the provisions of this chapter within 14 days of receipt of said notice shall constitute grounds for removal of all animals from the premises or area subject to violation. If the permittee fails to comply within said period, department representatives may, with the approval of the animal services board and pursuant to a proper court order, proceed to remove the animals from said premises or area. Extended periods for compliance may be granted by the department for good cause shown. In the event it shall become necessary for the department to remove any animal as provided herein, it shall return the animals to the permittee upon termination of the violation for which the animals were removed unless the director determines that the violation justifies revocation of the permittee's permit. Such return, however, shall be contingent upon payment by the permittee of board fees incurred by the removal as established by section 8-73. Removed animals will become the property of the department 14 days after removal unless the violation is terminated and the board fees incurred as paid or an extension is granted by the director. In the event that such an extension is granted, failure to terminate the violation and pay all boarding fees incurred, including fees for the period of the extension, by the end of said extension shall result in forfeiture of the seized animals to the department. The director may, however, waive all or any portion of the boarding fees incurred under this section for good cause shown.
  - (j) If the owner disagrees with the decision of the director to revoke the permit, he may appeal that decision to the animal services board. The director's decision shall be revoked only by a majority vote of the animal services board. If the board does not revoke the decision, the owner will have an additional ten days pending a request for appeal by the owner. If an appeal is not requested the owner must comply with the director's decision to revoke the permit. The owner must be present or legally represented at the hearing or any right to the appeal will be deemed waived and the ruling of the director will be final. If the permittee disagrees with the decision of the animal services board he may request an appeal as stated in section 8-37(e)(2). The effect of any decision to revoke an animal establishment permit shall be suspended during the appeal period, except that the revocation shall take effect immediately where the board finds, and so states in its written decision, that immediate revocation is necessary for protection of public health or safety.

( Ord. No. 5580 , 5-19-2016)

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### **Sec. 8-42. Breeders; permits required.**

No private person shall breed a female dog for the purpose of selling any portion of the litter for profit without first obtaining a permit from Caddo Parish Animal Services. The applicant will provide CPAS with the dog's breed, date of birth and a copy of registration papers, if any. Fees for permits are listed in section 8-73. Any additional licenses and permits required by local, state, and federal law, if any, must be obtained prior to the issuance of a breeder's permit.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-43. Commercial livery stables.**

In the operation of commercial livery stables:

- (1) No horse shall be let for riding purposes when it has any injury, illness, or sore which may be negatively affected by such use, or when it is suffering from overheating or exhaustion.
- (2) All sick horses shall be segregated so as to prevent illness or disease from being transmitted to other animals or to humans.
- (3) No condition which is injurious to the health of any horse shall be knowingly permitted or maintained.
- (4) All buildings and sheds used for the stabling and/or boarding of horses shall provide adequate light, ventilation, and protection from the weather, and shall be kept clean and in good repair.
- (5) All stable and corral areas where horses are kept shall be sloped and drained so as to keep the surfaces thereof reasonably dry.
- (6) All riding equipment furnished shall be in a safe condition and shall properly fit the horses and riders for which provided.
- (7) All horses shall have hooves kept properly cleaned and trimmed and shall be properly shod.
- (8) Horses shall not be worked in temperatures of 95 degrees Fahrenheit or greater.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-44. Keeping of snakes.**

- (a) Pythons and boas of any type in excess of three feet must be registered with the Caddo Parish Animal Services.
- (b) Any pet store within the parish that sells a snake described in subsection (a) of this section must notify CPAS within three business days of the sale. Information must include the new owner's name, address, and the type and approximate length of snake.
- (c) The owner/caretaker must notify CPAS if any snake covered in this section escapes, dies, or has a change of ownership.

( Ord. No. 5580 , 5-19-2016)

### **Secs. 8-45—8-61. Reserved.**

## ***ARTICLE III. ANIMAL CONTROL***

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## **Sec. 8-62. Vaccinations of dogs and cats.**

- (a) It shall be unlawful for rabies vaccine to be administered by anyone other than a licensed veterinarian, or a person acting under the direct supervision thereof.
- (b) It shall be unlawful for anyone other than a licensed veterinarian to sell rabies vaccines except for livestock purposes.

( Ord. No. 5580 , 5-19-2016)

## **Sec. 8-63. Impoundment of dogs and cats; disposition, identification and classification.**

- (a) It shall be the duty of the director to seize and impound any at-large stray dog or cat not tagged with the current official Caddo Parish rabies vaccination registration tag or microchip. Any dog or cat so seized and impounded shall be held for a period of at least four working days during which time the owner may reclaim the dog or cat. The director may also seize and impound tagged dogs which are at large in violation of section 8-69. Any tagged or microchipped dog which is impounded shall be held for a period of seven working days during which time the owner may reclaim the dog. To reclaim an impounded dog or cat, the owner must pay redemption and board fees as provided in section 8-73, and provide satisfactory proof of ownership which may include:
  - (1) Rabies registration certificate.
  - (2) Photo ID of animal as provided by said animal's veterinarian.
  - (3) Animal demonstrates recognition of owner.
  - (4) Owner can provide photo of pet.
  - (5) Detailed description of said animal from veterinarian records.

If the dog or cat is not legally vaccinated, the owner shall be required to pay an additional fee as provided in section 8-73 to cover the cost of rabies vaccination registration fees.

- (b) Whenever an animal has been impounded and the owner thereof is known or can be ascertained from the rabies registration tag, microchip or identifying collar or of any other means such as a tattoo or brand, Caddo Parish Animal Services, shall, within 24 hours, notify the owner, in writing, of the conditions upon which the animal may be reclaimed. After written notification has been given and the owner has not reclaimed the animal within seven working days, the rights of the owner are relinquished and the animal becomes property of Caddo Parish Animal Services. Exceptions can be made at the discretion of the director. At the discretion of the director, animals that have not been reclaimed by their owner and become property of Caddo Parish may be processed for adoption, foster care, and rescue or humanely euthanized.
- (c) The director may order the timely euthanasia for any animal lawfully taken into custody at the animal shelter which, in the opinion of the director or shelter veterinarian, is necessary by reason of physical condition of the animal or as is required for other humane reasons. The director, with the concurrence of the shelter veterinarian, may order the timely euthanasia for any animal lawfully taken into custody at the animal shelter which, in the opinion of the director, is appropriate by reason of the animal's temperament.
- (d) Owners of unwanted animals may bring the animals to the animal shelter and release them to be disposed of at the discretion of the director or shelter veterinarian. Should an owner want to redeem an animal which has been released, all impoundment, board, rabies vaccination, and rabies vaccination registration fees as applicable, must be paid.

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- (e) It shall be the duty of the director to seize any domesticated animal, in addition to dogs and cats, found to be at large, and any non-domesticated (wild) animal that is a potential public health hazard, a nuisance, or is sick or injured.
  - (f) Domesticated animals other than dogs, cats, ferrets and livestock will be held for a period of at least four working days during which time they may, after payment of impoundment and board fees, be claimed by their owners. If the owner does not claim any such animal, the animal may be disposed of at the discretion of the director.
  - (g) Non-domesticated animals shall be relocated or humanely euthanized at the discretion of the director.
  - (h) Any animal reclaimed by owner from Caddo Parish Animal Services has the option to have their animal spayed or neutered prior to it leaving the shelter, for a fee.
  - (i) At-large stray animals impounded for the second time will be required to be spayed or neutered for a fee, and microchipped, prior to being reclaimed by their owners.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-64. Adoptions.**

- (a) All animals to be adopted from Caddo Parish Animal Services must be spayed or neutered by a licensed veterinarian, vaccinated against rabies, registered, tagged or microchipped and given one month of heartworm prevention treatment prior to leaving the animal shelter. Adoption fees will be set at reasonable rates and published in the Code of Ordinances.
- (b) Within 14 days of adoption, the owner may exchange the adopted animal.
- (c) All animals over four months of age adopted from animal welfare organizations must be spayed or neutered by a licensed veterinarian prior to release to a new owner.
- (d) A letter of agreement must be signed by the adopter of a puppy or kitten less than four months of age guaranteeing that the animal will be spayed or neutered within 14 days of when the animal reaches four months of age. A spay/neuter voucher will be issued to the adopter by the animal welfare organization at the time of the adoption for redemption at the time of surgery.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-65. Animals which bite or scratch persons.**

- (a) If any person shall report to the police department, sheriff's office, Caddo-Shreveport Health Unit or the parish animal services and mosquito control department that a dog or cat has bitten or scratched him or any other person, the director shall seize the animal and confine it for a ten-day observation period in the rabies observation cages maintained on the premises of the department of animal services shelter. If the owner of the dog or cat having bitten or scratched a person cannot be determined, the animal will be observed for four days, at which time the dog or cat will be euthanized and its head submitted to the laboratory for testing for rabies.
- (b) An owner may choose to confine his cat or dog within a veterinary hospital, if the animal is current on its rabies vaccines and the owner provides proof of vaccination to the director. When an owner chooses to confine his dog or cat within a veterinary hospital, the owner shall have 12 hours from the time of the bite or scratch to do so. The animal must be confined in Caddo Parish. The owner shall advise the director in which veterinary hospital the dog or cat will be confined and shall advise the veterinarian that the dog or cat is to be placed under observation for biting or scratching. If the dog or cat is not confined within 12 hours, the

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director may issue a citation to the owner or the dog or cat shall be apprehended and confined by the department.

- (c) Each veterinarian caring for a dog or cat quarantined for biting or scratching shall submit a report to the director as to the health status of the dog or cat observed by him at the end of the ten-day observation period.
- (d) If any dog or cat dies during the ten-day observation period, whether at the veterinary hospital or at the animal shelter, the director shall have the head of such dog or cat submitted to the state department of health and human resources laboratory for examination for rabies.
- (e) If any dog or cat placed under observation for biting or scratching has been injured or becomes sick, in such a state that its recovery is seriously in doubt, or if the sickness of such dog or cat endangers the health of other animals or persons, the director shall have said dog or cat euthanized and its head submitted to the department of health and human resources laboratory for examination for rabies.
- (f) Home confinement for observation of a dog or cat involved in a bite or scratch may be allowed, at the discretion of the director, if the following conditions are met:
  - (1) The dog or cat is currently registered and vaccinated with an approved rabies vaccine.
  - (2) The owner was in compliance with the applicable leash or confinement and restraint requirements of this chapter at the time of the bite.
  - (3) The confinement and conditions thereof have specific approval of the bitten or scratched party, or his proper legal representative, as evidenced by a signed, written agreement, which agreement shall hold the director and the parish harmless for any loss or damage whatsoever which may result from the allowance of such confinement.
  - (4) The dog or cat is examined by a licensed veterinarian after the bite or scratch and written certificate by said veterinarian that the animal appears to be in good health is supplied to the director within 24 hours after the bite or scratch.
  - (5) Immediately upon expiration of the ten-day observation period, a licensed veterinarian shall examine the dog or cat and certify to the director in writing the health and condition of the animal.
  - (6) If the director determines that a dog or cat may be confined at the home of its owner, the owner shall notify the Caddo-Shreveport Health Unit's medical director or the department immediately if the animal shows any symptoms of sickness or abnormal behavior or escapes or dies during confinement. Persons having custody there shall surrender the carcass of the dog or cat which dies during confinement to the health unit or the department.
- (g) In order for an animal to remain impounded, the victim must have the bite or scratch verified by a licensed medical doctor. Proof of the visit must be provided to the CPAS.
- (h) Any doctor, hospital, clinic, or other medical facility within the parish that examines and/or treats an animal bite of any nature must notify the CPAS.
- (i) Any certified enforcement dog belonging to a law enforcement agency is exempt from the requirement of this section. Rabies vaccination status of all enforcement dogs shall be retained by the agency involved.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-66. Release of dogs or cats impounded for observation; fees.**

- (a) The owner shall also be responsible for redeeming their animal as soon as the quarantine period is over. On the 12th day, the animal becomes the property of CPAS.

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- (b) Any owner redeeming a dog or cat impounded for a ten-day observation period shall pay an impounding fee and board fee as provided in section 8-73.
  - (c) When an animal not otherwise in violation of this title and upon being provoked, breaks the skin of a human being, there will be no fees applicable if the animal is held for observation at the animal shelter.
- ( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-67. Dangerous and vicious dogs.**

- (a) *Dangerous dogs.*
  - (1) The animal control center may investigate reported incidents involving dogs that may be dangerous. Upon such investigation, if the director finds the dog to constitute a dangerous dog as defined in this section and section 8-2, said dog shall be so classified. The owner shall receive written notification of the animal control center's classification of the animal. A record of the dog will be maintained in the dangerous dog database and file system at CPAS.
  - (2) Appeal process.
    - a. Any owner aggrieved by the director's decision to classify the dog as dangerous may appeal that classification to the animal services board within ten days of notification. The appeal must be heard by the animal services board within ten days after the owner has submitted a notice of appeal. The classification of a dog as dangerous shall be revoked only by a majority vote of the animal services board.
    - b. Any person aggrieved by any action of the animal services board may appeal said action to the parish commission as stated in section 8-37(e)(2).
    - c. If the owner fails to appeal the classification, all restrictions concerning the dangerous dog must be adhered to. Failure to abide by the restrictions will result in the seizure of the dog. Upon seizure, the dog will become property of animal services and disposed of as deemed appropriate by the director.
  - (3) The owner of a dog that has been classified as "dangerous" shall abide by the following mandates within 30 days after the dog has been so classified:
    - a. A dangerous dog collar supplied by the animal control center shall be purchased and affixed to the dog to be worn at all times.
    - b. A computerized microchip will be surgically implanted by the CPAS at the owner's expense. If the dog already has a chip, that chip will be registered with the CPAS.
    - c. The owner shall immediately notify the animal control center when a dangerous dog:
      - 1. Is loose or unconfined;
      - 2. Has bitten a human being or attacked another animal;
      - 3. Was sold, given away, or died; or
      - 4. Has moved to another address.
    - d. A dangerous dog must be securely confined indoors or in a securely fenced enclosure and locked pen or structure, suitable to prevent the dog from coming into contact with either a human being other than the owner or any other animal, and designed to prevent the animal from escaping. The pen or structure must have minimum dimensions of six feet by eight feet or an enclosure not less than 48 square feet. Such pen shall have secure sides of sufficient design to prevent the dog

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from escaping over, under, or through the structure. The enclosures shall provide a humane existence for the dog and protection from the elements. The pen shall meet all of the requirements of a dog pen. The enclosures must be physical in nature, not invisible or electronic.

- e. The owner shall prominently display a sign to be provided by the animal control center at the owner's expense on his premises at all entry points warning that there is a dangerous dog on the property.
  - f. A dangerous dog may be off the owner's premises or out of its enclosure only if it is muzzled and restrained by a substantial chain or leash not exceeding four feet in length and under the control of an adult (person who has attained the age of 18 years). The muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.
  - g. The animal control center, in its discretion, may require a dangerous dog to be spayed or neutered.
  - h. The animal control center, in the exercise of its discretion, shall have the authority to make whatever inspections are deemed necessary to ensure that the provisions recited herein are complied with.
  - i. Prior to a dangerous dog being sold or given away, the owner shall provide the name, address, and phone number of the new owner to the animal control center. Each owner shall execute a document to be supplied by the animal control center, acknowledging that said owner is aware of the "dangerous dog" classification, and that said owner shall comply with the requirements of this chapter.
  - j. An owner of a dangerous dog shall have the option to have said dog humanely euthanized at his expense by the animal control center or licensed veterinarian if said owner is unable to comply with the requirements recited herein.
  - k. It shall be unlawful for any person to keep, harbor or possess a dangerous animal on a porch, patio or in any part of a house or building that would allow the animal to exit or escape on its own volition. Screened windows or screened doors alone are considered inadequate.
  - l. The animal control center shall have the right to inspect the premises of dangerous animals' enclosures to ensure compliance with this part.
  - m. The owner or keeper shall sign a hold-harmless and indemnification clause in favor of the city-parish.
  - n. The owning, keeping or harboring of a dangerous animal in violation of this chapter.
  - o. If the animal control center reasonably believes that an owner cannot or will not abide by the requirements of subsection (a)(2)c., the dog may be seized.
- (4) Continuation of declaration as a dangerous dog. Any dog which has been declared a dangerous dog by any agency or department of this parish, another parish, municipality, county or state shall be subject to the provisions of this chapter for the remainder of its life. The person who owns or possesses any dog declared a dangerous dog by any parish, municipality, county, or state government must notify Caddo Parish Animal Services, if so delegated, of the dog's address and restrictions of maintenance, within ten days of moving the animal into the parish. The restrictions and conditions of maintenance of any dog declared dangerous by this parish, another parish, city, county or state will continue to remain in force while the dog is in this parish.

(b) *Vicious dogs.*

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- (1) A dog will not be classified as "vicious" if the threat, injury or damage was sustained by a person who, at the time, was unlawfully on the property with the intent to commit a crime or tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or if the dog was defending or protecting its owner from unjustified attack or assault, or was protecting or defending its young or other animals from harm or attack.
  - (2) The animal control center may investigate reported incidents involving dogs that may be vicious. Upon such investigation, if the animal control center finds the dog to constitute a vicious dog as defined in this chapter, said dog shall be so classified. The owner shall receive written notification of the animal control center's classification of the animal. Said notification shall include the procedure for appeal through the animal services board.
  - (3) Any dog that has been classified as "vicious" shall be impounded by the animal control center. The animal will be kept at the animal control center and placed in rabies quarantine, if necessary, for the proper length of time, or held for ten days after the owner's receipt of notification, and then shall be euthanized unless the owner initiates an appeal procedure within this ten-day period.
  - (4) Appeal process.
    - a. The animal will remain impounded at the animal control center until such time as the animal services board hears and decides the appeal of the owner. The appeal must be heard by the animal services board within ten days after the owner has submitted a notice of appeal.
    - b. The classification of a dog as "vicious" shall be revoked only by a majority vote of the animal services board. If the board does not revoke the "vicious dog" classification, the dog will be kept an additional ten days pending a request for appeal by the owner. If an appeal is not requested, the dog will then be humanely euthanized at the expense of the owner by the animal control center. If the animal services board revokes the "vicious dog" classification, such dog shall then be classified as "dangerous" and its owner shall be required to comply with subsection (a) of this section. The owner must be present or legally represented at the hearing or any right to the appeal will be deemed waived and the ruling of the director will be final.
    - c. Any person aggrieved by any action of the animal services board may appeal said action to the parish commission as stated in section 8-37(e)(2).
    - d. The owner will be responsible for payment of all boarding costs and other fees as may be required to humanely and safely keep the animal at the animal control center through the appeals process.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-68. Impounding or destruction of dogs and cats bitten or scratched by known rabid animals.**

- (a) When a dog or cat has been bitten or scratched by a known rabid animal and the dog or cat is currently vaccinated with an approved rabies serum:
  - (1) The owner shall have the dog or cat examined by a licensed veterinarian and revaccinated.
  - (2) The veterinarian shall submit a written report to the department as to the health of such animal.
  - (3) The owner shall place the dog or cat that has been bitten in strict isolation for a 90-day period.
  - (4) The dog or cat may be isolated with a licensed veterinary clinic or at the owner's home with the approval of the director after inspection of the home isolation facility. If the owner elects to isolate the animal on his premises, the director shall inspect the security of the animal without notice at least once

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each week. If the security of the animal is not as approved by the director, the animal shall be seized and transported to the Caddo Parish Animal Shelter and the owner shall be subject to the penalties set forth in section 8-7 and applicable fees set forth in section 8-73.

- (5) The owner shall have the dog or cat examined by a licensed veterinarian at the expiration of the 90-day isolation period, and the veterinarian shall submit a written report to the director as to the health of such dog or cat.
- (6) If the owner of the dog or cat does not desire to have it isolated, he may surrender it to the department for euthanization, after which the head of such animal shall be submitted to the department of health and human resources for analysis.
- (b) When a dog or cat is bitten or scratched by a known rabid animal and the dog or cat is not currently vaccinated with an approved rabies serum, the owner shall have the dog or cat humanely euthanized by a licensed veterinarian or the department and the head of such animal submitted to the state department of health and human resources for analysis; or alternatively, the owner shall have the dog or cat placed in isolation for a period of six months at a licensed veterinary clinic, which shall examine such animal, render a written report on the health thereof to the department. The department shall cause such dog or cat to be euthanized and the head of such animal shall be submitted to the department of health and human resources laboratory for analysis.
- (c) If the dog or cat should become sick during a period of isolation after being bitten by a known rabid animal, the owner, if the dog or cat is isolated on the owner's premises, or the veterinarian, if the dog or cat is isolated at a veterinary clinic, shall immediately advise the department. The department shall cause such dog or cat to be euthanized and the head of such animal shall be submitted to the department of health and human resources laboratory for analysis.
- (d) Guard dogs must be kept within a structure or a fenced enclosure at all times. Any premises guarded by a dog shall be prominently posted with a sign containing the wording "guard dog" or words of similar import. It shall be the owner's responsibility to immediately notify Caddo Parish Animal Services when a guard dog has escaped and is running at large.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-69. At-large dogs in municipalities, subdivisions, and other areas.**

- (a) No person shall suffer or permit any dog in his possession, or kept by him about his premises, to run at large on any unenclosed land, or trespass upon any enclosed or unenclosed lands of another.
- (b) At-large dogs not in compliance with the foregoing shall be subject to impoundment.
- (c) No dog at large in violation of this section shall be harbored or withheld from animal control officers by any person.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-70. Seizure and disposition of animals cruelly treated; search warrant; animal cruelty offenses.**

- (a) When a person is charged with cruelty to animals, said person's animal may be seized by the arresting officer and held pursuant to this section.
- (b) The seizing officer shall:

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- (1) Notify the owner of the seized animal of the provisions of this section by posting written notice at the location where the animal was seized or by leaving it with a person of suitable age and discretion residing at that location within 24 hours of the seizure.
  - (2) Contact Caddo Parish Animal Services to care for any such animal. CPAS shall retain custody of the animal or find a suitable custodian to care for the animal. A suitable custodian can be defined as a CPAS approved 501(c)(3) private animal welfare society, animal rescue organization or approved CPAS foster care home. The custodian shall retain custody of the animal for the purpose of evidence at trial, subject to order of the court.
  - (3) Photograph the animal within 15 days after posting of the notice of seizure and shall cause an affidavit to be prepared in order to document its condition in accordance with R.S. 15:436.2.
- (c) The seized animal shall be held by the custodian provided for in subsection (b)(2) of this section for a period of 15 consecutive days, including weekends and holidays, after such notice of seizure is given. Thereafter, if a person who claims an interest in such animal has not posted bond in accordance with subsection (d) of this section, the animal may be humanely disposed of by sale, adoption, or euthanasia.
  - (d) A person claiming an interest in any animal seized pursuant to this section may prevent the disposition of the animal as provided for in subsection (b) of this section by posting a bond with Caddo Parish Animal Services within 15 days after receiving notice of such seizure in an amount sufficient to secure payment for all reasonable costs incurred in the boarding and treatment for any seized animal for a 30-day period commencing on the date of initial seizure. Such bond shall not prevent the department, agency, humane society, or other custodian of the animal from disposing of the animal in accordance with subsection (c) of this section at the end of the 30-day period covered by the bond, unless the person claiming an interest posts an additional bond for such reasonable expenses for an additional 30-day period. In addition, such bond shall not prevent disposition of the animal for humane purposes at any time, in accordance with subsection (f) of this section. The amount of the bond shall be determined by the department, agency, humane society or other custodian of the animal as authorized by the court in accordance with the current rate for board and on the condition of the animal after examination by a licensed veterinarian.
  - (e) Upon a person's conviction of cruelty to animals, it shall be proper for the court, in its discretion, to order the forfeiture and final determination of the custody of any animal found to be cruelly treated in accordance with this section and the forfeiture of the bond posted pursuant to subsection (d) of this section as part of the sentence. The court may, in its discretion, order the payment of any reasonable or additional costs incurred in the boarding or veterinary treatment of any seized animal prior to its disposition, whether or not a bond was posted by the defendant. In the event of the acquittal or final discharge without conviction of the accused, the court shall, on demand, direct the delivery of any animal held in custody to the owner thereof and order the return of the bond posted pursuant to subsection (d) of this section, less reasonable administrative costs.
  - (f) Nothing in this section shall prevent the euthanasia of any seized animal, at any time, whether or not any bond was posted, if a licensed veterinarian determines that the animal is not likely to survive and is suffering, as a result of any physical condition. In such instances, the court, in its discretion, may order the return of any bond posted, less reasonable costs, at the time of trial.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-71. Transportation and importation of dogs and cats by public carrier.**

- (a) No dog or cat three months of age or older shall be delivered in the parish from out of state by any public carrier unless there is a certificate of a licensed veterinarian at the point of shipment accompanying the dog

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or cat and the bill of lading therefore, showing that the dog or cat is in good health and has an active rabies vaccination.

- (b) All dogs or cats less than three months of age brought into the parish from out of state by a public carrier shall be accompanied by a health certificate signed by a licensed veterinarian at place of shipment origin.
- (c) No animal shall be moved, transferred or transported in a cruel or inhumane manner.
- (d) No animal shall be transported in the open bed of a truck when being transported on a highway or interstate within the parish unless the animal is enclosed properly in a kennel.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-72. Commerce in live animals.**

It shall be unlawful for any person to sell, trade, barter, exchange, lease, rent, donate or display a live animal on a roadside, public right-of-way, sidewalk, street, parkway or any other public property or any property dedicated to public use, a commercial parking lot, or at an outdoor special sale, swap meet, flea market, fair, parking lot sale or similar event, regardless of whether the event is authorized by the property owner. This section shall not apply to humane societies, animal welfare groups, animal control agencies or non-profit organizations sponsoring animal adoption events, whether on public or private property. It further does not apply to any activity undertaken by the department of animal services and mosquito control. Anyone found guilty of violating this provision shall be punished as provided in section 1-8.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-73. Fees.**

- (a) All fees authorized and collected under this article for impoundment, board, and issuance of permits shall be dedicated and used for the operation of the parish animal services and mosquito control department.
- (b) Redemption fees for dogs and cats confined for being improperly at large shall be as established by the parish commission and evaluated annually. Fees should be clearly written into the ordinance for the public to view. Fees should be assessed by fertile or infertile determination.
- (c) Permit fees shall be assessed on an annual basis for the calendar year. Anyone falling into more than one category shall be required to obtain permits in each category, but shall be charged only one fee, that being for the highest fee category applicable. Annual permit fees shall be as established by the parish commission, and evaluated annually.
- (d) Miscellaneous fees regarding dangerous dogs shall be as established by the parish commission and evaluated annually.
- (e) Impounded dogs and cats may be released to the owner or keeper upon payment of all relevant fees and fines as set forth:
  - (1) Board, per day or part of a day, shall be charged a reasonable rate set and published by the CPAS.
  - (2) First infraction by owner requiring impoundment of any animal for running at large:

Infertile\$30.00

Fertile\$40.00

- (3) Second infraction. At-large stray animals impounded for the second time will be required to be sterilized and microchipped prior to being reclaimed by their owners. Spay and neuter surgery services will be offered at a reduced fee.
- (4) Third infraction fee\$120.00
- (5) Each subsequent infraction\$160.00
- (6) Failure to register with CPAS or vaccinate for rabies\$50.00
- (7) Impoundment fee for dangerous dogs:

	Spayed or Neutered	Unaltered
First offense, per animal	\$50.00	\$100.00
Second offense, per animal	Mandatory spay/neutered required	\$300.00
Per day, per dog impoundment at animal shelter	Shall be charged a reasonable rate set and published by Caddo Parish Animal Services	

- (8) Owners of dogs and cats impounded at the animal shelter who cannot produce proof of rabies vaccination and rabies vaccination registration will be required to pay the fees as established by the Caddo Parish Animal Ordinance in addition to any fines imposed for failure to vaccinate the animal(s).
- (9) Upon proof of current rabies inoculation from other parishes or states, the animal shelter will apply only those requirements as stated in section 8-37.
- (10) Any animals that are seized, except dogs and cats, livestock or wildlife and exotics, may be released to the owner upon payment of a \$30.00 fine.
- (11) All other animals, except dogs and cats and livestock, may be held for a period of five working days before disposing of said animal.
- (12) The director of the animal shelter may reduce the adoption cost of animals for special events in which CPAS is involved, as long as the rabies vaccination registration, rabies vaccination and spay/neuter requirements are met.
- (13) Fee for rabies vaccination \$10.00.

( Ord. No. 5580 , 5-19-2016)

**Secs. 8-74—8-98. Reserved.**

***ARTICLE IV. LIVESTOCK***

**Sec. 8-99. Running at large prohibited.**

- (a) It shall be unlawful for any horses, mules, cattle, hogs, sheep, goats or geese to run, roam or be at large or on any of the public highways or commons or on any land other than that of the owner of such animals, within the parish.
- (b) The owner of any horses, mules, cattle, hogs, sheep, goats or geese, who shall suffer or permit any of such animals to run, roam or be at large, or on any of the public highways or commons, or on any land other than that of the owner of said animals, within the parish, shall be deemed guilty of a misdemeanor.

( Ord. No. 5580 , 5-19-2016)

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**Sec. 8-100. Impoundment—Generally.**

- (a) It shall be the duty of any authorized sheriff, constable or justice of the peace of the parish to seize and impound any cattle, horses, mules or other stock running at large within the parish. Any of the animals enumerated that may run, roam or be at large in violation of the provisions of this article may be taken up or confined by any resident or property owner, or any agent or employee of any resident or property owner.
- (b) The person taking up or confining livestock running at large under provisions of this article shall, within 12 hours thereafter, notify the sheriff, constable or justice of the peace of such taking up or confinement and shall thereupon notify the owner of such livestock, if known, by posting in two conspicuous places along the public road nearest the place of taking up or confinement for ten days and by publication in the official journal of this parish within one week following the day of such taking up or confinement.
- (c) No person shall be liable for any injury which an animal may receive while it is being taken up as provided in this article.

( Ord. No. 5580 , 5-19-2016)

**Sec. 8-101. Impoundment—Fees.**

The person taking up or confining any of the animals as provided in this article shall receive \$50.00 per head for the first impounded animal and \$25.00 per head for each additional animal impounded per trip for each head of horses, mules, cattle, hogs, sheep or goats so taken up, together with \$10.00 per head per day for keeping any horses, mules, cattle, hogs, sheep or goats, or geese so taken up.

( Ord. No. 5580 , 5-19-2016)

**Sec. 8-102. Impoundment—Sale.**

- (a) At the expiration of one week following notice of taking up or confinement of animals as provided in this article, should the owner fail to come forward and pay the charges and penalties herein provided, it shall be the duty of the sheriff of this parish or of the constable of the ward in this parish wherein the animals are confined to sell said animals at public auction to the highest bidder for cash and without appraisalment, to pay all costs, charges and penalties as herein provided.
- (b) Such sale shall be made after ten days' notice by publication once in the official journal of the parish.
- (c) Any funds that may be realized from said sale over and above the costs, charges and penalties shall be given by the sheriff or constable to the owner of the animals sold, if he is known; but if said owner is unknown, then such surplus funds shall be given by the sheriff or constable to the treasurer of the parish, subject to their being called for by the owner or until otherwise directed by the parish commission, as to its disposition; provided, however, that in all cases of such public sales, the sheriff, constable or justice of the peace conducting said sale shall, within ten days after the date thereof, make a full written report of such sale to the parish treasurer, showing all sums realized from such sales and the disposition thereof.
- (d) The fee of the sheriff or constable in the case of sale of impounded livestock under provisions of this article shall be five percent of the amount of the sale and a charge for giving the notice. The fee shall be as established by the parish commission from time to time.

( Ord. No. 5580 , 5-19-2016)

**Secs. 8-103—8-132. Reserved.**

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## ***ARTICLE V. NATIVE BIRDS***

### **Sec. 8-133. Interfering with song or insectivorous birds.**

It shall be unlawful for any person to interfere with, trap, destroy, wound, shoot or shoot at any native song or insectivorous bird, or destroy or interfere with the nest or eggs of such bird; provided, however, that persons holding state or federal permits allowing such activity and persons legally practicing the art of falconry shall be exempt from the provision of this section.

( Ord. No. 5580 , 5-19-2016)

## ***ARTICLE VI. MISCELLANEOUS PROVISIONS***

### **Sec. 8-134. Applicability of chapter to existing conditions.**

All portions of this chapter are effective January 1, 2017. Animal owners are expected to comply with all provisions of this chapter by the effective date.

( Ord. No. 5580 , 5-19-2016)

### **Sec. 8-135. Severability.**

Chapter 8, sections 8-1 through 8-73, and each section, subsection and provision of said chapter thereunder, are hereby declared to be independent divisions and subdivisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of this chapter, or the application thereof to any person or circumstance is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions are severable and would have been passed independently of such section or provision so known to be invalid.

( Ord. No. 5580 , 5-19-2016)