

An Ordinance to repeal, amend and re-ordain Section 34-33 of the Code of the Town of Altavista, 1968, relating to animals.

Be it ordained by the Town Council of the Town of Altavista:

1. That Section 34-33 of the Code of the Town of Altavista, 1968, be repealed, amended and re-ordained as follows:

Sec. 34-33. Animals.

- (a) It shall be unlawful for any person to own an animal that is a public nuisance within the boundaries of the town. Any such public nuisance shall be abated by the ~~owner~~ responsible party or parties and shall be subject to the abatement procedures of this article.
- (b) If a public nuisance under this section disturbs any person, and the police department receives a complaint from such person, the department shall serve upon the ~~owner~~ responsible party or parties of the offending animal notice of the complaint and a copy of this article. Upon the receipt of the second and third complaints within a period of 60 days, the ~~owner~~ responsible party or parties shall be served with similar notices, the third notice stating that the offending animal appears to constitute a public nuisance and is subject to abatement procedures under sections 34-32, 34-34, 34-35, 34-37 and 34-38.
- (c) In addition to the provisions of subsections (a) and (b) of this section, any animal causing a disturbance or annoyance in any manner described, or any combination thereof, shall constitute an apparent public nuisance within the meaning of section ~~34-31(2)~~, 34-31.1 J. and subject to the abatement procedures under sections 34-32, 34-34, 34-35, 34-37 and 34-38, if no less than three persons familiar with such animal(s) petition the town complaining about the animal(s) causing the disturbance.
- (d) Any ~~owner~~ responsible party or parties of an animal or animals so reported as being a public nuisance shall be subject to the procedure set forth in section 34-32, and, upon a finding by the town council that such animal(s) constitutes a public nuisance, the council shall give the ~~owner~~ responsible party or parties of such animal(s) a reasonable time to take such measures as may be reasonably necessary to abate such nuisance including, but not limited to, confining such animal(s) or removing the animal(s) beyond the town limits. Upon the failure of such ~~owner~~ responsible party or parties to comply with the abatement order of the council within the prescribed time, the town may confiscate the animal(s) and dispose of it according to law. Failure by such ~~owner~~ responsible party or parties to comply with such order shall constitute a violation of this article and shall be enforced and punishable as prescribed in sections 34-34, 34-35, 34-37 and 34-38.

2. This Ordinance shall become effective immediately upon passage by the Town Council of the Town of Altavista.