

## CHAPTER 2-4

### DOMESTIC ANIMALS

#### ARTICLE I. Domestic Animal Control

(Ordinance of 12-1-83; Amended 6-7-84; 8/17/89; 7-18-91; 10-02-97; 10/15/98; 02-03-00; 09-07-00; 1/18/01; 11/20/03; 03/04/04; 07/01/04; 06/27/05; 08/05/10; 05/03/12; 10/03/13; 09/04/14, 03/05/15, 7/20/17, 5/07/20)

**2-4-1**            **Authority, Name.** This Ordinance is adopted by the Board of Commissioners of Glynn County pursuant to Article IX, Section II, Paragraph I of the Constitution of the State of Georgia (1983) and shall be referred to as the "Animal Control Ordinance of Glynn County".

**2-4-2**            **Animal Control Unit.** There is hereby created an Animal Control Unit for Glynn County under the general supervision of the Board of Commissioners of Glynn County.

**2-4-3**            **Definitions.** For the purpose of this Ordinance, the following terms, phrases and words and their derivatives shall have the meaning given herein. (O-2013-07/100313)

- a. Animal Enforcement Agent means an employee of the Animal Control Unit authorized by the Board of Commissioners to enforce the provisions of this Ordinance.
- b. Classified Dog means any dog that has been classified as either a dangerous dog or vicious dog pursuant to this Ordinance.
- c. Dangerous Dog means any dog that:
  1. Causes a substantial puncture of a person's skin by teeth without causing serious injury; provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify a dog as dangerous under this subparagraph;
  2. Aggressively attacks in a manner that causes a person to reasonably believe that the dog posed an imminent threat of serious injury to such person or another person although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by a dog shall not be sufficient to classify a dog as dangerous under this subparagraph; or
  3. While off the owner's property, kills a pet animal; provided, however, that this subparagraph shall not apply where the death of such pet animal is caused by a dog that is working

or training as a hunting dog, herding dog, or predator control dog.

Any dog classified as a potentially dangerous dog in this state prior to July 1, 2012, shall on and after that date be classified as a dangerous dog under this article.

No dog shall be classified as a dangerous dog or vicious dog for actions that occur while the dog is being used by a law enforcement or military officer to carry out the law enforcement or military officer's official duties. No dog shall be classified as a dangerous dog or a vicious dog if the person injured by such dog was a person who, at the time, was committing a trespass, was abusing the dog, or was committing or attempting to commit an offense under Chapter 5 of Title 16 of the Official Code of Georgia.

- d. Dogs or cats running at large means (i) any public nuisance dog or cat, or (ii) any dog or cat while not on a leash or in close proximity of the owner and obedient to that person's commands. A dog or cat is not running at large when he is confined within the limits of his owner's property.
- e. Hunting dog means any dog that (i) is a member of a breed of dog recognized by the Georgia Department of Natural Resources as a hunting dog, and (ii) is actively used by its owner for hunting purposes.
- f. Hunting season is the season(s) of the year designated and recognized by the Georgia Department of Natural Resources as being a hunting season.
- g. Litter means two or more animals with the same mother.
- h. Microchip Identification means the process of identifying the owner of any animal by information provided on a microchip inserted into the body of the animals so that an Identification No., etc. can be determined by Animal Control.
- i. Proper Enclosure means an enclosure for keeping a dangerous dog or vicious dog while on the owner's property securely confined indoors or in a securely enclosed and locked pen, fence, or structure suitable to prevent the entry of young children and designed to prevent the dog from escaping. Any such pen or structure shall have secure sides and a secure top, and, if the dog is enclosed within a fence, all sides of the fence shall be of sufficient height and the bottom of the fence shall be constructed or secured in such a manner as to prevent the dog's escape either

from over or from under the fence. Any such enclosure shall also provide protection from the elements for the dog.

- j. Owner means any natural person or any legal entity, including but not limited to, a corporation, partnership, firm, or trust owning, possessing, harboring, keeping or having custody or control of a dog or cat within the unincorporated area of Glynn County. In the case of a dog owned by a minor, the term "owner" includes the parents or person in loco parentis with custody of the minor.
- k. Police Officer means any law enforcement officer empowered to make arrests in Glynn County.
- l. Public beach means that area of beach located above the low water mark of the Atlantic Ocean which is used by the general public with the owner's permission or which is owned by the State of Georgia or Glynn County.
- m. Public nuisance dog or cat means any dog or cat, which has damaged the property of anyone other than the owner thereof in the amount of \$10.00 or more; or any dog or cat causing unsanitary conditions in any enclosure or surroundings.
- n. Serious Injury means any physical injury that creates a substantial risk of death; results in death, broken or dislocated bones, lacerations requiring multiple sutures, or disfiguring avulsions; requires plastic surgery or admission to a hospital; or results in protracted impairment of health, including transmission of an infection or contagious disease, or impairment of the function of any bodily organ.
- o. Tether (or Tethering) means to restrain an animal by tying the animal to any inanimate object or structure. Tethering shall not include using a leash to walk a dog or cat. A Tether is a leash, cord, rope, chain, running line or other similar item used to restrain an animal by tying the animal to an inanimate object. (#O-2020-04)
- p. Vicious Animal means any animal that attacks, bites or injures pets, companion animals or livestock or which, because of temperament, conditioning, or training, has a known propensity to attack, bite or injure pets, companion animals or livestock. No animal may be declared vicious if a threat, injury or damage was sustained by a pet, companion animal or livestock that, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner or keeper of the animal. The term "vicious animal" shall not be construed to include dogs that are part of a governmental organization in performance of its duties.

- q. Vicious Dog means a dog that inflicts serious injury on a person or causes serious injury to a person resulting from reasonable attempts to escape from the dog's attack.

No dog shall be classified as a dangerous dog or vicious dog for actions that occur while the dog is being used by a law enforcement or military officer to carry out the law enforcement or military officer's official duties. No dog shall be classified as a dangerous dog or a vicious dog if the person injured by such dog was a person who, at the time, was committing a trespass, was abusing the dog, or was committing or attempting to commit an offense under Chapter 5 of Title 16 of the Official Code of Georgia.

Any dog classified as a dangerous dog in this state prior to July 1, 2012, shall on and after that date be classified as a vicious dog under this article.

A vicious dog shall not be a "vicious animal" as that term is defined in this Ordinance.

**2-4-4**      **Animal Control Advisory Board.** The Animal Control Advisory Board shall be composed of not less than nine (9) members, consisting of the Chief of the Glynn County Police Department or his designee, a veterinarian, a representative of the Humane Society, and six other members who shall be appointed at large. All members shall serve without compensation and shall be appointed by the Board of Commissioners for a term of two (2) years. Four (4) members shall initially be appointed for a term of three (3) years.

**2-4-5**      **Violations.**

- a. It shall be a violation of this Ordinance for the owner of any dog or cat to allow such dog or cat to run at large, as defined in Section 2-4-3(d), in the areas of Glynn County under the jurisdiction of the Board of Commissioners of Glynn County.
- b. It shall be a violation of this Ordinance for the owner of any dog to fail to command the obedience of a dog, as provided in Section 2-4-3(d), in the unincorporated areas of Glynn County, except for Jekyll Island State Park.
- c. It shall be a violation of this Ordinance for the owner of any dog or cat to allow said dog or cat to act so as to become a public nuisance dog or cat as defined in Section 2-4-3(m). (O#2001-03)
- d. It shall be a violation of this Ordinance for the owner of any dog or cat, whether leashed or otherwise, or for the owner of any horse, whether mounted or not, to take such animal onto that portion of the public beaches of St. Simons Island, Georgia, between the

northern right-of-way line of Sixteenth Street (East Beach) and the western right-of-way line of Mallery Street, when such rights-of-way are extended ocean ward to the low water mark of the Atlantic Ocean. This restriction shall apply during the hours between 9:00 a.m. and 6:00 p.m. during the period from the Saturday of Memorial Day weekend through Labor Day of any year. The owner or handler of a dog or cat, whether leashed or unleashed, may take such dog or cat onto the public beaches of St. Simons Island, Georgia, at times other than that prohibited by this paragraph, but shall be required to keep such dog or cat within the voice command and under his or her immediate control during all such times. This subsection shall not apply to any animal operating as a guide dog or performing similar assistance for a disabled person. (#O-2012-03)

- e. It shall be a violation of this Ordinance for the owner of any dog or cat to allow said dog or cat to remain unleashed in Neptune Park, Massengale Park, and all other Glynn County parks. No leash may exceed ten (10) feet in length. (O#2005-09)
- f. It shall be a violation of this Ordinance for the owner to permit a dog or cat off the premises of that owner's property without a collar and identification tag for each dog or cat. The identification tag shall give the name, current address and telephone number of the owner.
- g. It shall be a violation of this Ordinance for any person to obstruct or prevent any Animal Enforcement Agent or Glynn County Police Officer from enforcing the provisions of this ordinance, including, without limitation, interfering with the use of traps by such agent or officer.
- h. It shall be a violation of this Ordinance for the owner of any dog, cat or horse to fail to immediately remove the fecal matter of such dog, cat or horse from that portion of the public beaches of St. Simons Island, Georgia, between the low-water mark and the line of permanent vegetation or dune area or from Neptune Park, Massengale Park, Mallory Park, and all other Glynn County parks. (O-2005-09)
- i. It shall be a violation of this Ordinance for the owner of any dog or cat, whether leashed or otherwise, or for the owner of any horse, whether mounted or not, to take such animal onto the St. Simons Island Pier as defined in Section 2-11-1 of this Ordinance. (O#2001-03)
- j. It shall be a violation of this Ordinance for the owner of any dog or cat, whether leashed or otherwise, to take or allow such animal in the fenced confines of any athletic field or playground area owned by Glynn County. It shall also be illegal for the owner of any dog or cat to allow that animal, leashed or otherwise, to enter an area of the North Glynn Park where signs are posted prohibiting the

animal's entrance. This subsection shall not apply to any animal operating as a guide dog or performing similar assistance for a disabled person. (#O-2005-09)

- k. The owner or handler of a dog or cat, whether leashed or unleashed, may take such dog or cat onto the public beaches of St. Simons Island, Georgia, at times other than that prohibited by paragraph d. of this Section 2-4-5, but shall be required to keep such dog or cat within the voice command and under his or her immediate control during all such times. (#O-2012-03)

**2-4-6**        **Dangerous dog control law.** Glynn County Animal Enforcement Agents shall be charged with the responsibility of enforcing the "Responsible Dog Ownership Law," (O.C.G.A. § 4-8-20 et seq., as amended). (O-2013-07/100313)

**2-4-7**        **Impoundment provisions.** Any and all animals found in a condition which constitutes a violation of this Ordinance or any applicable state law on the part of the animal's owner (if any), may be immediately impounded by agents of the Animal Control Unit or by members of the Glynn County Police Department.

**2-4-8**        **Rabies certificate.** The owner of a dog or cat must possess a current Certificate of Rabies Vaccination for each animal owned as provided for by the laws of the State of Georgia.

**2-4-9**        **Enforcement.** This Ordinance may be enforced in Glynn County on a complaint basis. Complaints shall be in writing or by telephonic communication, provided the caller gives his name, his address, the nature of the complaint, and a description of the animal. This ordinance may also be enforced on any other basis deemed reasonable by the Glynn County Police Department.

**2-4-10**       **Disposition of impounded animals.** Any dog or cat seized or impounded by the Animal Control Unit shall be detained at the Animal Control Unit or such other suitable place as may be designated by the Animal Control Unit. The agents of such unit shall notify by mail or telephone the owner of such dog or cat, if known or can be reasonably ascertained, that such dog or cat has been impounded. The owner of any dog or cat impounded, within seven (7) days after the mailing, in the case of notification by mail, or seven (7) days after receipt of notification by telephone, may reclaim such dog or cat upon the payment of an impoundment fee of \$50.00, plus boarding fee of \$12.00 for each day or any portion thereof that the dog or cat was impounded, and the cost of \$12.00 for a rabies vaccination if the dog or cat had not previously been vaccinated. In addition to the above-mentioned fees, the owner of any impounded dog or cat must pay \$13.00 for microchip identification installation or pay a fee of \$30.00 for the retention and upkeep of files pertaining to the impounded dog or cat. The fee for the pick up of an unwanted litter shall be \$50.00 for the first pick up and increases by

\$25.00 for each subsequent pick up. If a dog has a collar and tag or a definite tattoo marking, and the owner can provide reasonable proof that the dog is a hunting dog that was impounded during hunting season, then the impoundment fee will be waived. The impoundment fee shall be increased by the sum of \$50.00 for each time a particular dog or cat is impounded during the course of the year. (O#2000-17)

**2-4-11 Adoption Procedures.** The Animal Control Unit may offer for adoption to any person any dog or cat unredeemed or unclaimed by the owner after seven (7) days upon payment of the cost of \$12.00 for a rabies vaccination, \$13.00 for microchip identification installation, and a \$25.00 adoption fee. If the Animal Control Unit Director determines that a particular animal species or characteristic is at imminent risk of becoming unadoptable or being disposed of (i.e. on the basis of overcrowding), the Chief of Police, or his or her designee, may approve a request by the Animal Control Unit Director to establish special promotional periods of reduced or eliminated adoption fees for such at risk animals, in order to reduce and offset the cost of disposing of and/or caring for the animal. All eligible adoption applicants whom select an animal for adoption which is subject to a special promotion shall be entitled to the reduced or eliminated adoption fee. (#O-2015-01)

**2-4-12 Humane disposition.** If a dog or cat is not claimed by the owner within seven (7) days of notice to same, or a dog or cat of unknown ownership is not claimed within seven (7) days of impoundment, then it shall be the duty of the Animal Control Unit to dispose of the animal in as a humane and painless manner as is possible. (#O-2014-05)

**2-4-13 Appeal of Nuisance Classification** The owner of any dog or cat which has been classified as a nuisance dog or cat by the Animal Control Unit shall have a right to appeal such classification, in writing, to the Magistrate Court. The decision of the Magistrate Court shall be final. The Magistrate Court shall have the authority to formulate rules and regulations for administrative hearings to be conducted by it as to nuisance dogs or cats. (O-2013-07/100313)

**2-4-14 Severability clause.** If any section or paragraph of this Chapter should be declared unconstitutional or invalid by any court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of the Ordinance. All parts or portions hereof not so declared unconstitutional or invalid shall remain in full force and effect as if separately adopted.

**2-4-15 Penalties.** Whenever in this Ordinance any act is prohibited or is made or declared to be unlawful or an offense, or whenever herein the doing of an act is required or the failure to do any act is declared to be unlawful, the violation of such provision shall be punishable as for an ordinance violation punishable by a fine of up to \$1,000.00 or imprisonment for up to 60 days or both.

**2-4-16**      **Amendment.** This Ordinance may not be amended without the Board of Commissioners first advertising notice of the proposed amendment in the Brunswick News once a week for two (2) weeks, immediately preceding the date of the public meeting on which the proposed amendment is scheduled for consideration; however, no advertisement shall be required if the matter is deferred to a subsequent meeting.

**2-4-17**      **Dog Control Officer and Dangerous Dog Hearing Board** (O-2017-08/072017)

- a.      The Glynn County Board of Commissioners hereby designates the Glynn County Animal Services Director as the “Dog Control Officer” to perform the duties and exercise the powers assigned to that position by the “Responsible Dog Ownership Law,” O.C.G.A. § 4-8-20 et seq., as amended.
  
- b.      The Glynn County Board of Commissioners, pursuant to O.C.G.A. 4-8-23, hereby creates “The Dangerous or Vicious Dog Hearing Board” (hereinafter “The Hearing Board”). The Hearing Board shall perform the functions of an “Authority” as that term is used in O.C.G.A. § 4-8-20 et seq., as amended. The Hearing Board shall be composed of three (3) members and three alternates appointed by the Glynn County Board of Commissioners to serve on an as needed basis. Members and alternate members must be residents of Glynn County and shall be persons who have demonstrated special interest, experience or education in veterinary medicine, dog training, dog behavior, animal control or services, or related areas. Members and alternate members shall serve without compensation and shall be appointed by the Board of Commissioners to terms of four (4) years, except that initial appointments by the Board of Commissioners may be made for less than four years to achieve staggered terms for continuity of service. Members and alternate members shall serve at the pleasure of the Board of Commissioners and may be removed by the Board of Commissioners at any time with or without cause. No staff member or employee of the Glynn County Animal Control Unit shall serve as a member or alternate member of the Dangerous or Vicious Dog Hearing Board.
  
- c.      During their term, members and alternate members of the Hearing Board shall serve on an as needed basis to conduct hearings pursuant to O.C.G.A. 4-8-23 when requested by the owner of a dog that has been classified as a dangerous dog or vicious dog by the dog control officer. Alternate members of the Hearing Board shall serve on the hearing panel of any hearing in which a member of the Hearing Board is unavailable or unable to serve on the hearing panel due to illness, death, resignation, removal, change of residency outside the county, conflict in scheduling, or any other circumstances. A hearing panel shall consist of no more than three



members at any time, one of whom shall serve as the presiding member for the purpose of the hearing.

**2-4-18**

**Classification of Vicious or Dangerous Dog; Notice; Hearing; Judicial Review** (O-2013-07/100313)

- a. Upon receiving a report of a dangerous dog or vicious dog within the Dog Control Officer's jurisdiction the Dog Control Officer shall make such investigations and inquiries to determine whether such dog is subject to classification as a dangerous dog or vicious dog.
- b. When the Dog Control Officer determines that a dog is subject to classification as a dangerous or vicious dog, the Dog Control Officer shall mail a dated notice to the dog's owner within 72 hours. Such notice shall include a summary of the Dog Control Officer's determination and shall state that the owner has a right to request a hearing from the Hearing Board on the Dog Control Officer's determination within 15 days after the date shown on the notice. The notice shall also provide a form for requesting the hearing and shall state that if a hearing is not requested within the allotted time, the Dog Control Officer's determination shall become effective for all purposes under this Ordinance.
- c. When a hearing is requested by a dog owner in accordance with subsection (b) of this Code section, such hearing shall be scheduled within 30 days after the request is received; provided, however, that such hearing may be continued by the Hearing Board for good cause shown. At least ten days prior to the hearing, the Hearing Board shall mail to the dog owner written notice of the date, time, and place of the hearing. At the hearing, the dog owner shall be given the opportunity to testify and present evidence and the Hearing Board shall receive other evidence and testimony as may be reasonably necessary to sustain, modify, or overrule the Dog Control Officer's determination.
- d. Within ten days after the hearing, the Hearing Board which conducted the hearing shall mail written notice to the dog owner of its determination on the matter. If such determination is that the dog is a dangerous dog or a vicious dog, the notice of classification shall specify the date upon which that determination shall be effective. If the determination is that the dog is to be euthanized pursuant to O.C.G.A. 4-8-26, the notice shall specify the date by which the euthanasia shall occur.
- e. Judicial review of the Hearing Board's final decision may be had in accordance with O.C.G.A. 50-13-19.

**2-4-19**

**Issuance of Certificate of Registration.** (O-2013-07/100313)

- a. It is unlawful for an owner to have or possess within Glynn County a classified dog without a certificate of registration issued in accordance with the provisions of this ordinance section. Certificates of registration shall be nontransferable and shall only be issued to a person 18 years of age or older. No more than one certificate of registration shall be issued per domicile.
- b. Unless otherwise specified by this section, a certificate of registration for a dangerous dog shall be issued if the Dog Control Officer determines that the following requirements have been met:
  - 1. The owner has maintained a proper enclosure designed to securely confine the dangerous dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the dangerous dog from leaving such property; and,
  - 2. Clearly visible warning signs have been posted at all entrances to the premises where the dog resides.
- c. Except as provided in subsections (e) and (f) of this Code section, a certificate of registration for a vicious dog shall be issued if the Dog Control Officer determines that the following requirements have been met:
  - 1. The owner has maintained a proper enclosure designed to securely confine the vicious dog on the owner's property, indoors, or in a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious dog from leaving such property;
  - 2. Clearly visible warning signs have been posted at all entrances to the premises where the dog resides;
  - 3. A microchip containing an identification number and capable of being scanned has been injected under the skin between the shoulder blades of the dog; and,
  - 4. The owner maintains and can provide proof of general or specific liability insurance in the amount of at least \$50,000.00 issued by an insurer authorized to transact business in this state insuring the owner of the vicious dog against liability for any bodily injury or property damage caused by the dog.
- d. No certificate of registration shall be issued to any person who has been convicted of two or more violations of this Ordinance.
- e. No person shall be the owner of more than one vicious dog.

- f. No certificate of registration for a vicious dog shall be issued to any person who has been convicted of:
  - 1. A serious violent felony as defined in O.C.G.A. § 17-10-6.1;
  - 2. The felony of dogfighting as provided for in O.C.G.A. § 16-12-37 or the felony of aggravated cruelty to animals as provided for in O.C.G.A. § 16-12-4; or
  - 3. A felony involving trafficking in cocaine, illegal drugs, marijuana, methamphetamine, or ecstasy as provided for in O.C.G.A. § 16-13-31 and § 16-13-31.1 from the time of conviction until two years after completion of his or her sentence, nor to any person residing with such person.
- g. Certificates of registration shall be renewed on an annual basis by the owner of the classified dog. At the time of renewal of a certificate of registration for a vicious dog, the Dog Control Officer shall verify that the owner is continuing to comply with provisions of this article. Failure to renew a certificate of registration within ten days of the renewal date or initial classification date shall constitute a violation of this article.

**2-4-19.1 Duties and Prohibitions for Owner of a Classified Dog.** (O-2013-07/100313)

- a. The owner of a classified dog shall notify the Glynn County Animal Control Office within 24 hours if the dog is on the loose, is unconfined, has attacked a human, has died, or has been sold, donated or disposed of. Provided, however, that a vicious dog shall not be transferred, sold, or donated to any other person unless it is relinquished to a governmental facility or veterinarian to be euthanized.
- b. The owner of a classified dog that moves from another jurisdiction in the State of Georgia to the unincorporated area of Glynn County shall register the dog with Glynn County Animal Control within ten (10) days of becoming a resident of Glynn County. The owner of a classified dog that moves from the unincorporated of Glynn County to another jurisdiction within the State of Georgia shall notify Glynn County Animal Control within ten (10) days of becoming a resident of the other jurisdiction. The owner of a similarly classified dog who moves into the unincorporated area of Glynn County from outside the state of Georgia shall register the dog with Glynn County Animal Control within 30 days of becoming a resident.
- c. Issuance of a certificate of registration or the renewal of a certificate of registration by Glynn County does not warrant or guarantee that the requirements specified in subsections (b) and (c) of section § 2-4-19 of this Ordinance were met or are maintained by the owner of a classified dog.

- d. Certificates of registration shall be renewed on an annual basis by the owner. At the time of the annual renewal of a certificate of registration, the Dog Control Officer shall require evidence from the owner or make such investigation as may be necessary to verify that the classified dog is continuing to be confined in a proper enclosure and that the owner is continuing to comply with other provisions of this article.

**2-4-20      Unlawful Acts by Owner of a Dangerous or Vicious Dog; Violations.**

(O-2013-07/100313)

- a. It shall be unlawful for an owner of a dangerous dog to permit the dog to be off the owner's property unless:
  1. The dog is muzzled and restrained by a substantial chain or leash no greater than six (6) feet in length and is under the immediate physical control of a person capable of preventing the animal from engaging any person or animal when necessary. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but will prevent it from biting any person;
  2. The dog is contained in a closed and locked cage or crate; or,
  3. The dog is working or training as a hunting dog, herding dog, or predator control dog.
- b. It shall be unlawful for an owner of a vicious dog to permit the dog to be:
  1. Outside an enclosure designed to securely confine the vicious dog while on the owner's property or outside a securely locked and enclosed pen, fence, or structure suitable to prevent the vicious dog from leaving such property unless:
    - A) The dog is muzzled and restrained by a leash not to exceed six feet in length and is under the immediate physical control of a person capable of preventing the dog from engaging any other human or animal when necessary; or,
    - B) The dog is contained in a closed and locked cage or crate.
  2. Unattended with minors.

**2-4-21      Confiscation of dogs; grounds; disposition.** (O-2013-07/100313)

- a. A dangerous or vicious dog shall be immediately confiscated by any Dog Control Officer or by any law enforcement officer in the case of any violation of this Ordinance. A refusal to surrender a dog subject to confiscation shall be a violation of this article.
- b. Any dog that has been confiscated under the provisions of section 2-4-21 of this Ordinance shall be returned to its owner upon the owner's compliance with the provisions of this article and upon the payment of reasonable confiscation costs including boarding at the rate of \$12.00 per day plus a pickup fee of \$50.00 and a \$12.00 fee if the animal's owner does not produce proof of a current rabies vaccination. In the event the owner has not complied with the provisions of this article within twenty (20) days of the date the dog was confiscated, said dog shall be destroyed in an expeditious and humane manner at the cost of the owner.

**2-4-22**      **Violations; penalties.** (O-2013-07/100313)

- a. The owner of a vicious or dangerous dog who violates the applicable provisions of Glynn County Ordinance Sections 2-4-19 through 2-4-21 or whose vicious or dangerous dog is subject to confiscation under Glynn County Ordinance Section 2-4-21 shall be guilty of an ordinance violation punishable by a fine of up to \$1,000 or imprisonment for up to 60 days or both.
- b. A dangerous or vicious dog shall be immediately confiscated by any Dog Control Officer or by any law enforcement officer in the case of any violation of this Ordinance and placed in quarantine for the proper length of time as determined by the county board of health, and, thereafter if determined necessary, the dangerous dog shall be destroyed in an expeditious and humane manner.
- c. No owner of a classified dog shall be held liable for a violation of this Ordinance for injuries inflicted by said owner's dog to any person while the dog is on the owner's property or the person injured by such dog was a person who, at the time, was committing a trespass, was abusing the dog, or was committing or attempting to commit an offense under Chapter 5 of Title 16 of the Official Code of Georgia.
- d. The Dog Control Officer is authorized to make whatever inquiry is deemed necessary to ensure compliance with the provisions of this article. Law enforcement agencies of Glynn County and the Sheriff of Glynn County shall cooperate with the Dog Control Officer in enforcing the provisions of this Ordinance.

**2-4-23**      **Liability for damages.** (O-2013-07/100313)

Under no circumstances shall Glynn County or any employee or official thereof which enforces or fails to enforce the provisions of this article be held liable for any damages to any person who suffers an injury inflicted by a dog that has been identified as being a dangerous or vicious dog or by a dog that has been reported to the proper authorities as being a dangerous or vicious dog or by a dog that Glynn County and its officials and employees have failed to identify as a dangerous or vicious dog or by a dog which has been identified as being a dangerous or vicious dog but has not been kept or restrained in the manner described in subsection (b)(1) through (3) of Ordinance Section 2-4-19 or by a dangerous or vicious dog whose owner has not maintained insurance coverage or a surety bond as required in subsection (c) of Ordinance Section 2-4-19.

#### **2-4-24      Vicious Animals**

It shall be the duty of every owner or custodian of any vicious animal to ensure that it is kept under restraint and that the reasonable care and precautions are taken to prevent it from leaving the real property limits of its owner, possessor, or custodian, and ensure that:

1. It is securely and humanely enclosed within a house, building, fence, pen or other enclosure out of which it cannot climb, dig, jump, or otherwise escape on its own volition; and that such enclosure is securely locked at any time the animal is left unattended; or
2. It is securely and humanely restrained by chain, cable or trolley, or other tether of sufficient strength to prevent escape; or
3. It is on a leash and under the control of a competent person; or it is off leash and obedient to that person's command and that person is present with the animal any time it is not restrained as provided for in (1) or (2) above while on the owner's property.
4. It shall be unlawful for any person to cause, permit, accompany or be responsible for the presence of any vicious dog or cat on the streets or public places of the county or allow the animal to run on the premises of another, at any time; unless and in addition to the other requirements of this chapter such dog or cat shall be securely muzzled to effectively prevent it from biting any person or other animal. Upon impounding a vicious animal for any reasons, the animal control unit may for reasons of public safety, retain said animal at the impoundment facility until disposition by the appropriate court.
5. The following additional precautions shall be taken by the owners, possessors, or custodians of vicious animals:

- a.) Whenever the animal is outside of its enclosure as provided for above, but on the owner's property, it must be attended by the owner and restrained by a secure collar and leash of sufficient strength to prevent escape. The leash shall be no longer than ten (10) feet, and the animal must be kept at least fifteen (15) within the perimeter boundaries of the property unless said perimeter boundary is securely fenced.
- b.) No vicious animal shall be chained, tethered, or otherwise tied to any inanimate object such as a tree, post, or building, outside of its own enclosure as provided for above. (O#2000-17)

**2-4-25 Cruelty to Animals.**

- a. It shall be unlawful for any person, either by act or omission, to:
  - 1. overdraw, overload, torture, torment, or deprive any animal of necessary sustenance or to beat, mutilate, intentionally poison, or kill any animal or cause same to be done, or to carry or confine any animal in or upon a vehicle in an inhumane manner, or to otherwise treat any animal in a cruel or inhumane manner;
  - 2. keep or confine any animal where the water, shelter, ventilation, and food are not sufficient and wholesome for the preservation of an animal of its size, species, and breed;
  - 3. keep any animal in unsanitary conditions or in such a place or condition as to become a nuisance because of odor or contagion of disease;
  - 4. promote any fight between animals or to allow or permit any fight in or upon any premises in that person's possession or under that person's control; or
  - 5. abandon any animal on any public street, road, alley, or property, or to abandon any animal on private property when not in the care of another person.
- b. This section shall not apply to conduct which is otherwise permitted under the laws of this state or of the United States, including, but not limited to, raising animals for agricultural or food purposes, hunting wild animals in compliance with the laws of the State of Georgia, killing or injuring animals for humane purposes or in the furtherance of medical or scientific research, defending or protecting one's person or property from injury or damage, pest control practices, or the authorized practice of veterinary medicine, which authorized practice shall include, but shall not be limited to, ear cropping, tail docking, and claw removal.

**2-4-26**

**Tethering.** (#O-2020-04)

- a. It shall be unlawful for any person, either by act or omission, to:
  1. tether an animal with equipment or materials, or in conditions, which cause or may cause injury to the animal;
  2. use a prong, pinch, or choke collar to tether an animal;
  3. tether an animal by using a collar or harness that does not provide enough room between the collar or harness and the animal's throat that at least two fingers may fit or is loose enough that the animal can escape from confinement;
  4. tether an animal using tie-out materials that exceed ten percent (10%) of the animal's body weight or that are less than six (6) feet in length;
  5. use tow chains or log chains as a tether or collar for a tethered animal;
  6. allow an animal to be tethered such that the animal is not confined to the owner's property;
  7. allow an animal to be tethered such that the tether could extend over an object or an edge in a way that could result in injury or strangulation of the animal;
  8. allow an animal to be tethered such that the tether could become entangled with other animals;
  9. allow an animal to be tethered such that the length of the tether does not provide the animal with continuous access to food, water, and appropriate shelter; or
  10. tether an animal on a vacant or abandoned property.
- b. This section shall not apply to conduct which is otherwise permitted under the laws of this state or of the United States.
- c. If an Animal Control Officer finds any violations as listed in this subsection, the Animal Control Officer can require the person responsible for the unlawfully tethered animal to immediately change the animal's conditions so as to protect the animal from unsafe conditions. If the responsible party fails to correct any unlawful tethering conditions, the Animal Control Unit may impound the unlawfully tethered animal in accordance with § 2-4-7 of the Animal Control Ordinance of Glynn County.
- d. For a first-time violation, the Animal Control Unit shall issue a notice of violation to the responsible party providing an adequate time period, not exceeding seventy-two (72) hours, for the responsible party to make corrections in compliance with this section. Thereafter, each violation of



this section shall be subject to enforcement in accordance with Sections 2-4-9 and 2-4-15 of the Glynn County Code of Ordinances.