

**AN ORDINANCE AMENDING THE EXISTING ORDINANCE OF
THE CITY OF RIDGELAND, MISSISSIPPI, CONCERNING THE
REGULATION AND CONTROL OF ANIMALS WITHIN THE
MUNICIPAL LIMITS BY ADDING THE BANNING
OF SPECIFIC BREEDS OF DOGS FROM THE
CITY OF RIDGELAND AND FOR RELATED PURPOSES**

WHEREAS, it has been brought to the attention of the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi that attacks by dogs on humans and other animals are a problem; and,

WHEREAS, when this issue was raised in the city, a number of citizens came forward and expressed their concern for the safety and welfare of the citizens of the city because of certain breeds of dogs; and,

WHEREAS, during these discussions, information was provided that a disproportionate number of attacks, deaths, and maiming are caused by Pit Bull type breeds, Rotweilers, and Wolf-Hybrids; and,

WHEREAS, evidence was also presented that these dogs are not intimidated by size; and that irresponsible owners and breeders are attracted to these dogs for certain reasons and have bred into a number of the animals certain traits to include:

1. A set of powerful jaws with an exceptional ability to grip, lock and tear when the dog bites;
 2. A unique insensitivity to pain that causes the dogs to be exceedingly tenacious in an attack;
 3. An unusually aggressive temperament toward human beings and other animals;
- and,

4. An extra-ordinary directness in their method of attack that does not include the common warning signs such as barking or growling displayed by other breeds; and,

WHEREAS, for the above-stated reasons and because the first attack by these breeds of dogs can be a significantly life changing event or even lethal, the use of the first bite warning is no longer appropriate; and

WHEREAS, these dogs present a danger to the health and welfare of the citizens of the City of Ridgeland, Mississippi, different in degree and kind, from the dangers presented by other breeds of dogs.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi that the existing ordinances of the City of Ridgeland as codified in Chapter 14 of the Code of the City of Ridgeland, Mississippi concerning the regulation and control of animals shall be amended as follows:

Section 1.

The aforesaid findings are hereby incorporated by reference and made a part hereof.

Section 2.

The following sections are added as Article VI. Banned Dogs

- a. Section 14-170. Banning of Specific Breeds of Dogs. “Banned Breeds of Dogs” are banned entirely and may not be owned, harbored or kept within the City of Ridgeland, Mississippi, from and after the effective date of this ordinance, except as provided hereinafter.
- b. Section 14-171. Definitions. “Banned Breeds of Dogs” are defined as any of the following:

- A. American Pit Bull Terrier;
- B. Staffordshire Bull Terrier;
- C. American Staffordshire Terrier;
- D. Wolf-dog hybrid;
- E. Any dog whose sire or dam is a dog of a breed which is defined as a banned breed of dog under this Section;
- F. Any dog whose owner registers, defines, admits, or otherwise identified said dog as being of a banned breed;
- G. Any dog conforming, or substantially conforming, to the breed of American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, or Wolf-dog hybrid as defined by the United Kennel Club or American Kennel Club. Technical deficiencies in the dog's conformance to these standards shall not be construed to indicate that the subject dog is not a Banned Breed of Dog under this ordinance. The testimony by a veterinarian or animal control officer that a particular dog exhibits distinguishing physical characteristics of a banned breed of dog shall establish a rebuttable presumption that the dog is a banned breed of dog;
- H. Any dog which is of the breed commonly referred to as "pit bull", "wolf" or "wolf hybrid" and commonly recognizable and identifiable as such; or,
- I. Any vicious animal as defined by this Chapter.
- J. Any dog declared "dangerous" pursuant to this Chapter.

- c. Section 14-172 Enforcement. From and after the effective date of these Amendments, all Banned Breeds of Dogs shall be removed from the corporate limits of the City of Ridgeland, Mississippi. Thereafter, except as provided hereinafter, any person found to keep or harbor a Banned Breed of Dog on their property, house or motor vehicle located within the corporate limits of the City of Ridgeland, Mississippi, shall be charged with violation of this statute.
- d. Section 14-173 Registration. One Banned Breed of Dog which is presently harbored within the city may be maintained by the present owners until such dog dies, is moved from or is ordered removed from the city, if the following requirements are met, within Sixty (60) days from the effective date of this Amendment.
- A. Register in the same manner and fee as required by Section 14-88(c)(1) Registration of dangerous dogs.
- B. Confinement. Follow the provisions of Sec. 14-88(c)(2) Confinement of Dangerous Dogs and present proof to the Animal Control Officer that a safe, secure enclosure is provided for the dog. It shall be a violation of this ordinance to keep a dog tethered, chained or confined by a rope or other material to a single area for any period greater than one (1) hour. At registration, the owner shall acknowledge in writing the city's right to make unannounced inspections to ensure that the requirements for secure enclosure construction and maintenance are met at all times. No Banned

Breed of Dog shall be kept or harbored at any apartment complex, multi-family residential facility, or mobile home park unless the owner can present sufficient proof that all requirements of this Section can be and are in place to protect the public.

- C. Training. Within ninety (90) days of registration, the owner and dog must successfully register for an American Kennel Club K-9 Good Citizen Certification or similar course in order for the dog to be kept within the city. The course must be completed within six (6) months of registration or by the completion date of the earliest available class after registration.
 - D. Failure to register a Banned Breed of Dog within the Sixty (60) day grace period shall be prima facia evidence that the banned breed of dog is a newly acquired animal.
 - E. Nothing herein shall prevent a properly registered dog from later being declared dangerous or vicious pursuant to this chapter and subsequently removed or destroyed.
- e. Section 14-174 Violation, Penalty.
- A. Any person violating the provisions of this Article or any part thereof shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$1,000.00, or imprisoned not exceeding 90 days or both. Each day such violation continues shall be considered a separate offense and shall be enforced as such. Nothing in this Article shall prevent the City from taking

such other lawful action as deemed necessary to prevent or remedy any violation of this Article.

- B. Failure to remove, properly confine, or properly control a Banned Breed of Dog shall result in seizure of the animal and humane destruction of the animal may result by order of the Municipal Court.

Section 3.

This Ordinance shall become effective thirty (30) days from and after its adoption.

ORDAINED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi at a meeting thereof held on the 17th day of March, 2009.

The motion for adoption was made by Alderman Chuck Gautier and seconded by Alderman Gerald Steen and the foregoing Ordinance having been first reduced to writing and no request being made by the Mayor or any member of the Board of Aldermen that the Ordinance be read by the City Clerk, before any vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on roll call vote being as follows, to-wit:

Alderman Ken Heard	AYE
Alderman Chuck Gautier	AYE
Alderman Kevin Holder	AYE
Alderman Larry Roberts	AYE
Alderman Scott Jones	AYE
Alderman Linda S. Davis	ABSENT
Alderman Gerald Steen	AYE

Whereupon, the Mayor declared the motion carried and Ordinance adopted.

The foregoing Ordinance is approved this the 17th day of March, 2009.

CITY OF RIDGELAND, MISSISSIPPI

By: /s/ Gene F. McGee
Gene F. McGee, Mayor of the City
of Ridgeland, Mississippi

ATTEST:

/s/ David Overby
DAVID OVERBY, City Clerk

Banned Dog Ordinance
2-2-09-1
2-2-09-2
3-10-09
3-17-09-FINAL

**ORDINANCE AMENDING CERTAIN SECTIONS OF THE
CODE OF THE CITY OF RIDGELAND, MISSISSIPPI**

WHEREAS, the Mayor and Board of Aldermen of the City of Ridgeland, Mississippi have adopted a Code for the City of Ridgeland, Mississippi; and

WHEREAS Chapter 14 of said Code, as amended deals with the regulation of animals, both domestic and wild, located within the limits of the City of Ridgeland, Mississippi, as amended; and

WHEREAS, the Mayor and Board of Aldermen have determined that it would be appropriate to amend the language in certain of those sections found in Chapter 14 and amending the definitions; and

WHEREAS, the Mayor and Board of Aldermen having considered proposed changes and the comments that have been made and have determined that the following amendments are proper.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Board of Aldermen of the City of Ridgeland, Mississippi as follows:

SECTION 1

That all of Chapter 14-ANIMALS, as found in the Code of the City of Ridgeland, Mississippi, shall be modified to include the following additions.

Sec. 14-1. Definitions.

Emotional Support Animal ("ESA") is an animal which provides comfort and emotional support for any psychological condition suffered by the animal's caretaker (such as anxiety, depression, and certain phobias), and an animal whose presence and companionship are needed for the mental health of the caretaker. An ESA is a pet, and not a service animal which would require specific training, and thus an ESA does not receive the same accommodations as service dog users. No ESA may be an animal listed or described in Banned Breeds of Dogs within Article VI of this Ordinance, "Banned Dogs," except as specifically provided herein.

Secs. 14-55. Emotional Support Animals.

(a) Except in the cases of Banned Breeds of Dogs controlled by Article VI of this Ordinance, the keeping of any animal which is an Emotional Support Animal shall be controlled by the provisions within this Article II and Article III, and no further approval or permit from the City is required.

(b) Notwithstanding the other provisions of this Ordinance, an Emotional Support Animal ("ESA") which is a Banned Breed of Dog shall not be

harbored in the City of Ridgeland except upon reliable documentation provided to the Ridgeland Police Department that the following requirements are met: 1) the animal's caretaker suffers from conditions such as anxiety, depression, and certain phobias, and 2) the presence and companionship of the animal is needed for the mental health of the caretaker. In order for a person in the City of Ridgeland to keep an ESA which is a Banned Breed of Dog, the dog's caretaker must provide said reliable documentation. Written determination by a mental health medical professional such as a therapist, psychologist, or psychiatrist who is licensed in Mississippi that the above two requirements are met would constitute reliable documentation. Any such written determination or other documentation must be provided to the Ridgeland Police Department for approval before any ESA which is a Banned Breed is permitted to be kept within the City of Ridgeland. Certain certificates, registrations, and licensing documentation for ESAs which are issued online to anyone who answers certain questions over the internet or participates in a brief interview is not by itself reliable to establish that an individual has a non-observable disability or disability related to the need for an ESA. No past approvals, written determinations, or ESA certifications which predate the 2021 amendments to this Ordinance shall be accepted by the Ridgeland Police Department except where those approvals, written determinations, and ESA certifications meet all requirements of this Ordinance as amended in 2021. If any person claiming to have an ESA is found to have an animal in violation of any part of this Ordinance, and if said person has not provided the City's Police Department with the required documentation and obtained approval for the ESA, the provisions of Article V, Impoundment, apply.

(c) Nothing in this Section or any other provision of this Ordinance shall serve to exempt a caretaker of an ESA which is also a Banned Breed from any other provision of this Ordinance, including but not limited to registration requirements, confinement requirements, training requirements, and liability insurance requirements. If the caretaker of an ESA which is also a Banned Breed is able to provide the documentation required by paragraph (b) of this Section to the satisfaction of the Ridgeland Police Department, said caretaker shall also comply with all other registration requirements under this Ordinance.

(d) Any person aggrieved by the determination of the Ridgeland Police Department regarding the sufficiency of the required documentation or by ESA approval or disapproval of the Ridgeland Police Department, required by this Section 14-55 or any other provision of this Ordinance, shall have the right to appeal said determination or approval or disapproval to the Board of Aldermen by submitting a request in writing within thirty (30) days to be heard by the Board of Aldermen in a public meeting for the Board's review of the Police Department's findings.

Sec. 14-173 Registration.

F. As of the effective date of the 2021 amendments to this Ordinance, if a Banned Breed of Dog shall be harbored in the City by any person under a claim that the

dog is an Emotional Support Animal ("ESA"), the dog's caretaker may continue to harbor such dog only if the caretaker provides the City with reliable documentation required by Section 14-55 of this Ordinance. "Emotional Support Animals." Such documentation must be provided to the Ridgeland Police Department for approval before any ESA is permitted to be kept within the City of Ridgeland. If any person claiming to have an ESA is found to have an animal in violation of any part of this Ordinance, and if said person has not provided the City's Police Department with the required documentation and obtained City approval, the provisions of Article V, Impoundment, apply.

SECTION 2

All other sections of the Code of the City of Ridgeland, as amended, shall not be affected by this change to Chapter 14-ANIMALS.

SECTION 3

This ordinance shall be in full force and effective following publication and one (1) month after adoption.

ORDAINED, ADOPTED AND APPROVED by the Mayor and Board of Aldermen of the City of Ridgeland, Madison County, Mississippi at its regular meeting held on the 20th day of July 2021.

A MOTION made to adopt the foregoing Ordinance was made by Alderman KEN HEARD and SECONDED by Alderman BRIAN RAMSEY and the foregoing having first been reduced to writing, was submitted to a Roll Call Vote, the result was as follows:

Alderman Ken Heard (Ward 1) voted:	AYE
Alderman Chuck Gautier (Ward 2) voted:	AYE
Alderman Kevin Holder (Ward 3) voted:	AYE
Alderman Brian Ramsey (Ward 4) voted:	AYE
Alderman Bill Lee (Ward 5) voted:	AYE
Alderman Wesley Hamlin (Ward 6) voted:	AYE
Alderman D. I. Smith (At large) voted:	ABSENT

Whereupon the Mayor declared the Ordinance carried and the Ordinance adopted.

The foregoing Ordinance is approved this the 20th day of July 2020.

CITY OF RIDGELAND, MISSISSIPPI

By: Gene F. McGee
Gene F. McGee, Mayor

ATTEST:
By: Paula Tierce
Paula Tierce, City Clerk



ANIMAL AMENDMENT ORD 7-20-2021