LAMAR COUNTY BOARD OF COMMISSONERS

ORDIANCE 2017-02

ANIMAL CONTROL

Sec. 2-4-31. - Purpose.

In order to protect the health and safety of persons and animals in Lamar County, to improve and make more safe motor vehicle and pedestrian traffic, to control the incidence and spread of rabies, to prohibit abandonment and other forms of cruelty to animals, to promote the general welfare of the citizens of this county by providing specific regulations concerning the care and treatment of animals and providing for violations of those regulations, and to invest the authority to enforce those regulations, the board of commissioners of Lamar County, Georgia, hereby adopt this chapter, to be known and cited as the "Lamar County Animal Control Ordinance.”

Sec. 2-4-32. - Definitions.

1. *Animal establishment:* Any business wherein any person engages in the business of boarding, breeding, letting for hire, training for a fee, trading, exchanging, giving away or selling animals.
2. *Abandoned animal or stray:* Any domesticated animal shall be considered abandoned, for the purposes of this chapter, which has been placed upon public property or within a public building unattended and uncared for, or upon or within the private property of another without the express permission of the owner, custodian or tenant of the private property and is unattended or uncared for. Any domesticated animal shall also be considered abandoned, for the purposes of this chapter, which has been upon or within the property of the owner or custodian of this animal for a period of time in excess of thirty-six (36) continuous hours unattended and without proper food and water and shelter. Any domesticated animal shall also be considered as abandoned if the animal's owner has been incapacitated, incarcerated by lawful authorities or for any reason is unable or unwilling to care for the animal. The determination of the owner's status shall be in the sole discretion of the animal control director.
3. *Abused animal:* Any animal which (1) is mistreated, beaten, tormented; or (2) is deprived of water, food, or shelter; or (3) is kept under unsanitary conditions; or (4) is abandoned. This subsection is not intended to require shelter for livestock as that term is defined in this Code section.

(d) *Adequate food and water:* means food and water which is sufficient in an amount and appropriate for the particular type of animal to prevent starvation, dehydration, or a significant risk to the animal's health from a lack of food or water.

(e) *Animal:* Animal shall be defined as follows:

1. *Domesticated animals:* Animals that are accustomed to living in or about the habitation of humans, including but not limited to cows, dogs, cats, fowl, horses, swine, goats, rabbits, domesticated wild animals, and/or exotic animals. This definition only applies to those animals mentioned herein and is only applicable to this chapter and in no way affects the meaning or application of a definition of the described animal as may be found in any other ordinances or laws.
2. *Wild and exotic animals:* Include any monkey, nonhuman primate, raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx, ferret, bear, wild rabbit, tarantula, wild rodent, and reptiles, including but not limited to crocodiles, alligators, snakes, caiman, and gavials, and any other animal so designated by the animal control director.

(f) *Animal at large:* An animal not under restraint.

(g) *Animal control board:* The county administrator, or his designee, shall serve as the animal control board for the purposes herein provided.

(h) *Animal control department:* The Lamar County Animal Control Department.

(i) *Animal control officer:* Any person so designated by the animal control director to perform the duties prescribed by this chapter.

(j) *Animal shelter:* The facility designed and operated for the purpose of impoundment and care of animals held under authority of this chapter or Georgia law.

(k) *Animal under restraint:* Any animal which is restrained in compliance with section 2-4-35 herein.

(1) *Authority* means Lamar County Animal Control, as determined by the Board of Commissioners.

1. *Care (adequate/humane)* means attention to the needs of an animal, including but not limited to, the provision of adequate water, food, shelter, bedding, sanitary conditions, ventilation, heating/cooling (temperature control), space, exercise and veterinary medical attention necessary to maintain the health of the animal with regard to the specific age, size, species, and breed of animal.
2. *Classified dog:* any dog that has been classified as either a dangerous dog or a vicious dog pursuant to 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.
3. *Cruelty:* Any and every act, omission or neglect whereby unjustifiable pain, suffering, maiming, or death may be caused or permitted to any animal as defined in this section.
4. *Dangerous dog:* Any dog that: (a) 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); aggressively attacks in a manner that causes a person reasonably to 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 while of the owner's property kills a pet animal (provided that this subparagraph not apply where the death of such an animal is caused by a dog that is working or training as a hunting dog, working dog, or predator control dog).
5. *Director:* The animal control director appointed by Lamar County Board of Commissioners.
6. *Food (adequate)* means sufficient quantity of non-contaminated and nutritionally adequate food, fed according to age, size, species and breed requirements, or as directed by a veterinarian, which is sufficient to prevent starvation, malnutrition or risk to the animal's health. Garbage or spoiled/rancid food is not considered adequate food.
7. *Fowl:* Any warm-blooded, feathered, flying or nonflying animal.
8. *Guard dog:* Any dog which has been trained to attack persons independently or upon oral commands and any dog which, while not so trained, is reasonably expected to perform as a guardian of its owner and/or the property upon and within which the dog is located.
9. *Highway:* The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.
10. *Humane manner:* Care of an animal to include but not be limited to ventilation, sanitary shelter, wholesome fresh food, and access to fresh, clean, wholesome water at all times, consistent with the normal requirements and feeding habits of the animal's size, species, and breed.
11. *Kennel:* Any premises wherein any person engages in the business of boarding, breeding, letting for hire, training for a fee, or selling animals.
12. *Livestock:* Includes horses, cows, goats, pigs and any other animal which has hooves.
13. *Mail:* means to send by certified mail or statutory overnight delivery to the recipient's last known address.
14. *Owner:* Any natural person or any legal entity, including but not limited to a corporation, partnership, firm, or trust, who intentionally harbors or exercises custody, control, possession, or ownership of an animal. This includes, but is not limited to, providing food and/or shelter for a stray animal for a period of more thanfive (5) days. In the case of a minor, the term "owner" includes the parents or person in loco parentis with custody of the minor.

(aa)*Peace officer:* A law enforcement officer.

(bb)*Person:* Any person, corporation, partnership, firm, trust, club, or association.

(cc) *Pet shop:* Any person engaged in the business of buying and selling two (2) or more species of live animals excluding livestock.

(dd)*Proper enclosure:*

1. An enclosure for keeping any animal, including dangerous animals or vicious animals, as required by this chapter, while on the owner's property in a securely enclosed locked pen, fence, or structure suitable to prevent the animal from escaping. Any such enclosure shall also provide protection from the elements for the animal, in a manner appropriate for the species of the animal.
2. All non-livestock animals shall be provided with sanitary shelter from the elements.
3. Said shelter shall be designed, constructed, and maintained to protect the animal from rain, snow, ice, excessive temperatures, and direct sunlight.
4. Said shelter must allow the animal sufficient space to stand, turn around, lie down, and make all other normal body movements in a normal and comfortable position appropriate to the age, size, species, and health of the animal.
5. For dogs up to thirty (30) pounds, pen size should be a minimum of thirty-six (36) square feet for the first dog and an additional eighteen (18) square feet for each additional dog of the same size or smaller sharing the same.

For dogs up from thirty-one (31) to sixty (60) pounds, pen size should be a minimum of sixty-four (64) square feet for the first dog and an additional thirty-two (32) square feet for each additional dog of the same size or smaller sharing the same

For dogs from sixty-one (61) pounds and up, pen size should be a minimum of one hundred (100) square feet for the first dog and an additional fifty (50) square feet for each additional dog of the same size or smaller sharing the same.

1. Pens shall be located fifty (50) feet from any dwelling other than the owner's or custodian's dwelling.
2. The owner must remove and dispose of animal excrement and food waste and debris so as to minimize vermin infestation, contamination, odors, and disease hazards.
3. All animals shall be provided with adequate care that must include constant access to fresh food, water, shelter, and veterinary care when necessary.

(ee) *Provoked attack:* any attack resulting when a domestic animal is placed in a situation such that an expected reaction would be to bite or attack.

(ff) *Public nuisance:* Any animal which:

1. Is found at large in violation of this chapter as set out herein;
2. Is found to be dangerous, as herein defined, and is not restrained or confined, as provided in this chapter;
3. Is found to be vicious, as herein defined, and is not restrained or confined, as provided in this chapter.
4. Produces, because of quantity, manner, or method in which the animals are domesticated or maintained, unsanitary conditions in the county;
5. Is inimical to the public health, welfare, or safety according to the rules and regulations promulgated by the Lamar County Board of Health which rules and regulations are incorporated herein and made a part hereof as if fully set out in this chapter; is hereby declared to be a public nuisance; and any person who knowingly keeps, owns, harbors, or acts as custodian of any animal constituting this nuisance shall be guilty of an unlawful act and shall be punishable as hereinafter provided.

(gg)*Serious injury:* 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.

(hh)*Street:* The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. Includes roads.

(ii) *Tethering:* attaching any animal to a chain, rope, lead, tie out, or wire restraining the animal, which is attached to an animal or an animal's collar or harness and is also attached to a stationary object.

(jj) *Veterinary clinic or hospital:* A clinic or hospital operated by a licensed veterinarian.

(kk)*Vicious dog:* 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.

Sec. 2-4-33. - Animal control department.

1. The animal control department shall be under the direction of the animal control director. Such director shall be appointed by the county administrator and shall have the authority, with approval of the county administrator, to select and hire deputies or animal control officers. The animal control director and his deputies shall be charged with the responsibility of enforcing the animal control ordinances of the county and the operation of the animal shelter.
2. (1) The primary responsibility for the enforcement of this chapter shall be vested in the animal control director, who may call upon the Lamar County sheriff's department from time to time to assist him in the enforcement of this chapter. The director may also be designated by the Lamar County board of health as the official rabies control officer for the county. The animal control director, or designee, shall serve as the dog control officer of the county as provided by Georgia law in O.C.G.A. § 4-8-22. The director may, in the exercise of this authority, delegate enforcement responsibilities of this chapter to such deputies as he may select, as provided herein. The director and his deputies and the Sheriff of Lamar County and his deputies shall be authorized to issue citations for violations of this chapter.

(2) Upon information made known to or complaint lodged with the director or his deputies that any owner, possessor, or custodian of any dog or other animal is in violation of this chapter, the director or his deputies shall investigate such information or complaint.

(c) It shall be a violation of this chapter for any person to interfere with any animal control officer or any law enforcement officer engaged in the enforcement of this chapter, to take or attempt to take any animal from any vehicle used to transport said animal, or to take or attempt to take any animal from the animal control impoundment area or areas.

(d) (1) In the performance of his duties pursuant to the provisions of this chapter, any animal control officer or any law enforcement officer assisting in the enforcement of this chapter may use such force as is necessary to defend himself from attack by any animal. Provided, however, that all efforts shall be made to take up an animal without undue harm, injury, or danger to the animal and the officer, and to other persons and property.

(2) In the performance of his duties pursuant to the provisions of this chapter, any animal control officer or any law enforcement officer assisting in the enforcement of this chapter shall be authorized to enter upon private property:

1. With the permission of the owner, possessor, or custodian or tenant of said property for the purposes of investigating complaints of violations; or
2. Without the permission of the owner, possessor, or custodian or tenant of said property for the purpose of taking up an animal for impoundment, and for the purpose of enforcing this chapter where a violation is known to exist.

(e) It shall be the duty of the director to keep and maintain, or to cause to be kept and maintained, accurate records of citizen complaints and the licensing, impoundment, and disposition of all animals coming into his or her custody for a period as required by records management regulations of the county or the state.

Sec. 2-4-34. - Vaccination.

1. No person shall own, keep, maintain, or harbor, or permit to be kept or harbored, any dog or cat within the unincorporated areas of Lamar County unless such dog or cat is vaccinated as herein provided.
2. (1) All dogs and cats over three (3) months of age within the unincorporated areas of Lamar County shall be vaccinated against rabies. Said vaccination shall be administered by a veterinarian licensed to practice veterinary medicine in the State of Georgia. Said vaccination shall be required prior to April 1. Dogs or cats less than three (3) months of age shall be confined to their owner's premises and shall not be allowed to run at large.
3. Dogs or cats entering Lamar County from outside the county only for the purpose of performing or for temporary stay not exceeding fourteen (14) days and kept under direct control of their owners or handlers shall be exempt from the license and vaccination requirements of this article.
4. Except as provided hereinabove, it shall be the duty of all persons owning or having possession or custody of a dog or cat brought into Lamar County from without the county to have the dog or cat vaccinated and to obtain the rabies tag and the rabies certificate required by this chapter within a period of fourteen (14) days from the date of such entry.

(c) It shall be the duty of each dog or cat owner, possessor, or custodian to provide a collar of leather or nylon for the dog or cat to which the rabies license tag shall be attached. The collar, together with the tag, shall be worn by the dog or cat at all times. Any dog found roaming or running free may be impounded. If an animal is impounded and it is found not to be vaccinated, the owner may be cited for violation of this section. Failure to comply with this section shall be unlawful and shall be punished as hereinafter provided.

Sec. 2-4-35. — Keeping of dogs and cats; restraint; nuisances; and sanitation.

(a) It shall be unlawful for any owner or possessor of any dog or cat to fail to keep the animal under restraint or control as provided for in this section.

(b) An animal is considered not under restraint or control when it is running at large, whether wearing a collar and tag or not. Reasonable care and precautions shall be taken to prevent the animal from leaving the real property limits of its owner, possessor, or custodian. Acceptable methods of restraint for dogs, other than those classified as dangerous or vicious dogs, include:

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, at any time the animal is left unattended;
2. It is securely and humanely restrained by an invisible containment system. If using an invisible containment system, a sign must be posted on the property indicating that the system is in place;
3. It is on a leash and under the control of a competent person; or
4. It is securely and humanely attached to a cable line or trolley/runner system:
5. A cable line or trolley system must be attached to a stationary object that cannot be moved by the animal. The cable or trolley system must be at least ten (10) feet in length and shall not allow the animal to come within five (5) feet of the edge of the property line of the property upon which such animal is tethered;
6. Tethers attaching to the animal to the cable line or trolley system must be made of a substance which cannot be chewed by the animal and shall not weigh more than five (5) percent of the body weight of the animal;
7. The tether attaching to the animal to the cable line or trolley system must have a swivel installed at each end;
8. The tether must be at least ten (10) feet in length and mounted to the cable line or trolley system no more than seven (7) feet above the ground level;
9. The length of the tether from the running cable line or trolley system to the animal's collar should allow access to the maximum available exercise area and allow the animal free access to adequate food, water, and shelter at all times;
10. The animal must be attached to the tether by a properly fitted harness or collar with enough room between the collar and the animal's throat through which two (2) fingers may fit. Choke collars and pinch collars are prohibited for the purpose of tethering an animal to a cable line or trolley system;

g­ The trolley/runner system must be a sufficient distance from any other objects or animals to prohibit the tangling of the cable, to prohibit the cable from extending over an object or an edge that could result in injury or strangulation of the animal and be of sufficient distance from any fence so as to prohibit the animal from having access to the fence.

1. Except for temporary tethering during special events/occurrences, it shall be unlawful to tether an animal outdoors using a rope, wire, or chain attached to a stationary object.
2. It shall be the duty of any person having possession, custody or control of any animal, restrained or unrestrained, to immediately remove excrement deposited by the animal on any public right-of-way (street, sidewalk, or parkway between the street and sidewalk), on any public property, such as a municipal park, and from private property not belonging to the dog's owner or keeper. Such person shall have in their possession, while controlling their dog, a device or equipment for pick up and removal of the animal excrement and its proper disposal in a sanitary manner. Failure to pick up and remove animal excrement deposited off the owner or keeper's private property shall constitute a violation of this section which, upon conviction, shall be punished by a fine not to exceed $100.00 for each violation.
3. Any outside enclosure used for the keeping of domesticated animals shall be well-drained, free from accumulation of animal excrement and objectionable odors, and otherwise maintained in a clean and sanitary condition at all times. All dogs which are housed and enclosed within the enclosure shall be provided a source of potable water and adequate food at all times. The enclosure shall be constructed in such as manner as to afford suitable shelter for the dog from the elements during inclement weather; enclosures shall be designed and constructed to afford the domesticated animal(s) ample room to exercise, depending upon the breed and size.

(1) Every enclosure for the keeping of less than five dogs, 90 days old or more, shall be located no closer than 20feet from a property boundary or 5o feet from any dwelling unit on adjoining property, whichever is greater, unless the adjoining property owner gives written consent to a variance from this standard.

1. Any enclosure for the noncommercial keeping of five or more dogs, 90 days old or more, on a property zoned or occupied for residential purposes shall be located not less than 100 feet from the nearest property boundary; there shall be no variance granted from this standard.
2. Noncommercial enclosures for the keeping of five or more dogs may only be permitted in residential zones by special use permit, in accordance with the zoning ordinance.
3. Puppies and dogs less than 90 days old shall be confined to the owner's premises and not allowed to run at large, except when accompanied by the owner or person of responsible age.

(f) It shall be the duty of the owner, keeper, or harborer of any dog or cat within the county to keep it from becoming a nuisance, from endangering or injuring any persons or property, or from creating a disturbance to the peace, tranquility and enjoyment of neighboring property owners.

Sec. 2-4-36. - Maximum number of dogs and cats allowed without a kennel license.

1. Other than any state or county certified rescue group or organization, commercial licensed kennels, pet shops, veterinary clinics or hospitals, no person shall keep, harbor, or knowingly permit to remain on or about his premises or under his or her control more than four (4) dogs or cats or more than a combination of four (4) dogs and cats. Provided, however, that with a breeding permit issued by the county animal control unit, a person may exceed this limit for not more than six (6) months after the birth of a litter of puppies or kittens.
2. This code section shall apply only to tracts of real property that are two (2) acres or less in size.
3. This code section applies only to dogs or cats kept outside a residence.

Sec. 2-4-37. - Unaltered animal permit.

1. Animal owners who wish to maintain an intact animal must apply for an unaltered animal permit with Lamar County, Georgia. Lamar County Animal Control will issue a permit if the owner complies with the requirements set forth in this article and pays the permit fee established by the Board of Commissioners. A certificate will be issued identifying the animal as a permitted unaltered animal and must be made available for inspection at all times.
2. Owners who apply for an unaltered animal permit must provide proof of rabies vaccination of the animal prior to issuance of the permit. An unaltered animal permit is valid for the same term as the rabies vaccination.
3. An unaltered animal tag will be provided to the owner of every unaltered animal. The owner of the unaltered animal is required to ensure that the unaltered animal tag is securely fastened to the animal's collar or harness at all times.
4. The cost of an animal permit shall be fixed by the Board of Commissioners.

Sec. 2-4-38. - Animals in heat; restraint required.

It shall be a violation of this chapter for any owner, possessor, or custodian whose animal is in heat to permit or allow such animal to go upon or have access to the streets, roads, or public places of Lamar County, or allow such animal to run on the premises of another without permission and except to intentional breeding purposes, or allow such animal outside a proper enclosure. The owner, possessor, or custodian of any animal whose animal is in heat shall confine such animal in a proper enclosure during the time such dog is in heat, regardless of location within the county.

Sec. 2-4-39. - Dangerous or vicious dogs.

1. *Dog control officer:* The animal control director shall designate, with the approval of the board of commissioners, one (1) of his deputies as the dog control officer of the county. Upon receiving a report of a dangerous dog or vicious dog within the unincorporated areas of Lamar County from a law enforcement agency, animal control agency, rabies control officer, or county board of health, the dog control officer shall make such investigations and inquiries with regard to such report as may be necessary to carry out the provisions of this chapter.
2. *Classifying dangerous dogs or vicious dogs:*
3. Upon receiving a report of a dog believed to be subject to classification as a dangerous dog or vicious dog within a dog control officer's jurisdiction, the dog control officer shall make such investigations as necessary to determine whether such dog is subject to classification as a dangerous dog or vicious dog.
4. *Notice:* When the dog control officer determines that a dog is subject to classification as a dangerous dog or vicious dog is classified as such, the dog control officer shall notify the dog's owner of such classification. The notice to the owner shall meet the following requirements:
5. The notice shall be in writing and mailed by certified mail to the owner's last known address within seventy-two (72) hours of the determination.
6. The notice shall include a summary of the dog control officer's findings that formed the basis for the dog's classification as a dangerous dog or vicious dog.
7. The notice shall be dated and shall state that the owner, within fifteen (15) days after the date shown on the notice, has a right to request a hearing on the dog control officer's determination that the dog is a dangerous dog or vicious dog.
8. The notice shall state that the hearing, if requested, shall be before the Lamar County Animal Control Board.
9. The notice shall state that if a hearing is not requested, the dog control officer's determination that the dog is a dangerous dog or vicious dog will become effective for all purposes under the law on a date specified in the notice, which shall be after the last day on which the owner has a right to request a hearing.

f. The notice shall include a form to request a hearing before the animal control board and shall provide specific instructions on mailing or delivering such request to the animal control board.

(3) *Hearing:*

1. When the animal control board receives a request for a hearing as provided hereinabove, it shall schedule such hearing within thirty (30) days after receiving the request. The animal control board shall notify the dog owner in writing by certified mail of the date, time, and place of the hearing; and such notice shall be mailed to the dog owner at least ten (10) days prior to the date of the hearing. At the hearing, the owner of the dog shall be given the opportunity to testify and present evidence; and in addition thereto, the animal control board shall receive such other evidence and hear such other testimony as it may find reasonably necessary to make a determination either to sustain, modify, or overrule the dog control officer's classification of the dog.
2. Within ten (10) days after the date of the hearing, the animal control board shall notify the dog owner in writing by certified mail of its determination on the matter. If such determination is that the dog is a dangerous dog or vicious dog, the notice shall specify the date upon which that determination is effective If the determination is that the dog is to be euthanized pursuant to this chapter and O.C.G.A. § 4-8-26, the notice shall specify the date by which the euthanasia shall occur.

(4) If an owner cannot be located within ten days of a dog control officer's determination that a dog is subject to classification as a dangerous dog or vicious dog, such dog may be released to an animal shelter or humanely euthanized, as determined by the dog control officer.

(5) Judicial review of the authority's final decision may be had in accordance with O.C.G.A § 15-9-30.9.

(c) *Registration of dangerous dogs or vicious dogs*:

1. It is unlawful and a violation of this chapter for an owner to have or possess within the unincorporated areas of Lamar County a dangerous dog or vicious dog without a certificate of registration issued in accordance with the provisions of this Code 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.
2. A certificate of registration for a dangerous dog shall be issued if the dog control officer determines that the following requirements have been met:

a. The owner has maintained an 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

b. Clearly visible warning signs have been posted at all entrances to the premises where the dog resides.

(3) 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 an enclosure designed to securely confine the vicious dog on the owner's property, indoors, or in a securely locked and 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.

(4) The posting of the premises where the dangerous dog or vicious dog is located with a clearly visible sign warning that there is a dangerous dog or vicious dog on the property. Said sign shall be maintained continuously at all entrances to the premises and shall be furnished by the county to the owner or possessor of a dangerous dog or vicious dog, with the initial cost of such sign to be included in the registration fee as required herein. Should the original dangerous dog or vicious dog warning sign issued to the owner or possessor of a dangerous dog or vicious dog be lost, stolen, destroyed, or damaged, said owner or possessor shall report same immediately to the dog control officer and shall secure a replacement sign from the animal control department. The owner or possessor shall be required to pay the then-current full cost for such replacement sign.

1. Exceptions: No animal shall be classified as a dangerous animal or vicious animal for actions that occur while the animal is being used by a law enforcement or military officer to carry out the law enforcement or military officer's official duties. No animal shall be classified as a dangerous animal or vicious animal if the person injured by such animal was a person who, at the time, was committing a trespass, was abusing the animal, or was committing or attempting to commit an offense under O.C.G.A Chapter 5 of Title 16.
2. *Additional requirements:*
3. A certificate of registration for a dangerous dog or vicious dog may only be issued to an individual eighteen (18) years of age or older.
4. The owner of a dangerous dog or vicious dog shall notify the dog control officer within twenty-four (24) hours if the dog is on the loose, is unconfined, has attacked a human or has died.
5. The owner of a dangerous dog or vicious dog shall notify the dog control officer if the owner is moving from the unincorporated areas of Lamar County. The owner of a dangerous dog or vicious dog who is a new resident of the unincorporated areas of Lamar County shall register the dog as required herein within thirty (30) calendar days after becoming a resident. The owner of a dangerous dog or vicious dog moves from one address to another within the unincorporated areas of Lamar County shall notify the dog control officer of the new address within ten (10) calendar days after moving to the new address.
6. Issuance of a certificate of registration or the renewal of a certificate of registration by the dog control officer does not warrant or guarantee that the requirements for obtaining a certificate of registration, as specified hereinabove, are maintained by the owner of a dangerous dog or vicious dog on a continuous basis following the date of the issuance of the initial certificate of registration or following the date of any annual renewal of such certificate.
7. The dog control officer is authorized to make whatever inquiry is deemed necessary to ensure compliance with the provisions of this article.
8. Only one (1) certificate of registration for a dangerous dog or vicious dog is permitted per household.
9. No person shall be the owner of more than one (1) vicious dog.
10. No certificate of registration shall be issued to any person who has been convicted of two or more violations of this article.
11. No certificate of registration for a vicious dog shall be issued to any person who has been convicted of the following crimes from the time of conviction until two (2) years after completion of his or her sentence, nor to any person residing with such person:
12. A serious violent felony as defined in O.C.G.A. § 17-10-6.1;
13. 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. § 16-13­-4; or
14. 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.

(10)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.

(11) Under no circumstances shall an employee or official of Lamar County be held liable for any damages to any person who suffers an injury inflicted by a dog as a result of a failure to enforce the provisions of this chapter.

(e) *Registration fee:*

1. In addition to regular licensing and tag fees, an annual fee as may from time to time be prescribed by the board of commissioners, payable at the time of registration and on or before April 1 of each succeeding year, shall be paid by the owner of a dangerous dog.
2. Certificates of registration shall be renewed on an annual basis, not later than April 1 of each year. 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 dog owner is continuing to comply with the provisions of this chapter. Failure to renew a certificate of registration within ten (10) days of the renewal date or initial classification date shall constitute a violation of this article.

(f) *Confinement of dangerous dogs or vicious dogs:*

(1)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 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
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.

(2) It shall be unlawful for an owner of a vicious dog to permit the dog to be:

a. 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:

1. 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
2. The dog is contained in a closed and locked cage or crate;

b. Unattended with minors.

(3) A person who violates subsection (f)(2) of this Code section shall be guilty of a misdemeanor of high and aggravated nature.

(4) An owner with a previous conviction for a violation of this section whose classified dog causes serious injury to a human being under circumstances constituting another violation of this article shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment for not less than one nor more than ten years, a fine of not less than $5,000.00 nor more than $10,000.00, or both. In addition, the classified dog shall be euthanized at the cost of the owner.

(5)Any irregularity in classification proceedings shall not be a defense to any prosecution under this article so long as the owner of the dog received actual notice of the classification and did not pursue a civil remedy for the correction of the irregularity.

(6)This ordinance shall not apply to any state licensed facilities and/or personnel following state law regarding restraint and control.

(g) *Confiscation of dangerous dogs or vicious dogs:*

(1) A dangerous dog or vicious dog shall be immediately confiscated by the dog control officer or by a law enforcement officer or by another person authorized by the dog control officer if the:

1. Owner of the dog does not secure the liability insurance or bond required herein;
2. Dog is not validly registered as required herein;
3. Dog is not maintained in a proper enclosure;
4. Dog is outside a proper enclosure in violation of this section;
5. The officer believes that the dog poses a threat to public safety; or
6. Dog control officer finds any other violation of this chapter.
7. *Disposition of confiscated dogs:* Any dangerous dog or vicious dog that has been confiscated under the provisions of this section shall be returned to its owner upon the owner's compliance with the provisions of this section and upon the payment of reclaim and boarding fees as set out in this chapter. In the event the owner has not complied with the provisions of this section within twenty (20) days of the date the dog was confiscated, said dog shall be destroyed in an expeditious and humane manner.
8. A refusal to surrender a dog subject to confiscation shall be a violation of this chapter.

(h) *Euthanasia:*

(1) A Lamar County Superior Court Judge may order the euthanasia of a dog if the court finds, after notice and opportunity for hearing as provided under this chapter and O.C.G.A. § 4-8-23, that the dog is a classified dog and that the dog has seriously injured a human or presents a danger to humans not suitable for control under this chapter; and

1. The owner or custodian of the dog has been convicted of a violation of any state criminal law and the crime was related to such dog;
2. Any local governmental authority of Lamar County has filed with the court a civil action requesting the euthanasia of the dog.

(2) A dog that is found, after notice and opportunity for hearing as provided under this chapter and O.C.G.A. § 4-8-23, to have caused a serious injury to a human on more than one (1) occasion shall be euthanized; provided, however, that no injury occurring before July 1, 2012**,** shall count for purposes of this subsection.

(i) *Civil liability:*

1. The owner, or if no owner can be found, the custodian exercising care and control over any dog, which while off the owner's or custodian's property causes injury, death, or damage directly or indirectly to any livestock, poultry, or pet animal shall be civilly liable to the owner of the livestock, poultry, or pet animal for the injury, death, or damage caused by the dog. The owner or, if no owner can be found, the custodian exercising care and control over any dog shall be liable for any damage caused by such dog to public or private property. The liability of the owner or custodian of the dog shall include consequential damages.
2. This Code section is considered cumulative of other remedies provided by law. There is no intent to eliminate or limit other causes of action which might inure to the owner of any livestock, poultry or pet animal.

(j) *Criminal liability as provided under this chapter and O.C.GA § 4-8-29:*

1. Except as otherwise specified in this chapter or by Georgia law, any person who violates any provision of this article shall be guilty of a misdemeanor.
2. A person who violates subsections (f)(2)(a) or (f)(2)(b) of this section shall be guilty of a misdemeanor of high and aggravated nature.
3. An owner with a previous conviction for a violation of this chapter whose classified dog causes serious injury to a human being under circumstances constituting another violation of this article shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment for not less than one (1) nor more than ten (10) years, a fine of not less than five thousand dollars ($5,000.00) nor more than ten thousand dollars ($10,000.00), or both. In addition, the classified dog shall be euthanized at the cost of the owner.
4. Any irregularity in classification proceedings shall not be a defense to any prosecution under this article so long as the owner of the dog received actual notice of the classification and did not pursue a civil remedy for the correction of the irregularity.

Sec. 2-4-40. - Cruelty to animals.

(a) *Cruelty:*

It shall be unlawful and a violation of this chapter for any person, either by commission or omission, to:

1. Knowingly abandon, knowingly or willingly permit the abandonment of, or aid in the abandonment of any domesticated animal.
2. Willfully and maliciously kill, abuse, maim, or disfigure any animal.
3. Maliciously administer poison to any animal or expose any poisonous substance with intent that the same shall be taken and swallowed by any animal.
4. Overdrive, overload, overwork, torture, beat, mutilate, carry or confine in a vehicle in an inhumane manner, or otherwise mistreat, any animal.
5. Fail to provide any animal with proper and wholesome quantities and qualities of food and veterinary care.
6. Fail to provide any animal with access to good and wholesome fresh water.
7. Fail to provide any animal with access to shelter adequate to protect it from all types of weather twenty-four (24) hours daily.
8. Build, make, maintain, or keep a pit on premises owned by him or occupied by him, or allow a pit to be built, made, maintained, or kept on such premises for the purpose of an exhibition of animal fighting.
9. In any manner encourage, instigate, promote or assist in an exhibition of animal fighting.
10. Allow an animal to be kept in unsanitary conditions.
11. Keep or confine an animal in other than a humane manner or in any other manner inconsistent with Sec. 2-4-35 of this Chapter.

(b) *Dogs:*

(1) No person shall perform a cruel act of any dog, nor shall any person harm, maim or kill any dog, or attempt to do so, except that a person may:

1. Defend his or her person or property, or the person or property of another, from injury or damage being caused by a dog; or
2. Kill any dog causing injury or damage to any livestock, poultry, or pet animal.

(c) *Injured animals:* The animal control director or his authorized representative shall have authority to humanely dispose of animals which are injured and lying in the public streets or public ways of Lamar County, or to seek proper veterinary care for such animals, whenever it shall appear that said animal is injured and is suffering great pain, and such animal does not bear a tag identifying the owner and no determination as to the owner of said animal can be made with reasonable inquiry or investigation. If veterinary care is required and the animal's owner can be determined, said owner shall be responsible for all costs of such veterinary care.

Sec. 2-4-41. - Animal establishments.

(a) *License required:*

1. No person shall operate an animal establishment without first obtaining a business license in compliance with the Lamar County Code, nor shall any person operate an animal establishment in a manner in violation of any provision of this chapter.
2. Licenses or permits shall be issued pursuant to provisions of the Licensing and Regulation Ordinance.
3. Every facility regulated by this section shall be considered a separate enterprise, requiring a separate license (e.g., two (2) kennels at different locations but owned by the same person shall be considered as two (2) animal establishments).
4. The animal control director shall be notified of all licenses for animal establishments issued by the licensing department.

(b) *Revocation of licenses:*

1. The animal control director may request or recommend to the county administrator the revocation of any permit or license if the person holding such permit or license refuses or fails to comply with this chapter, or any other law or regulation governing the protection and keeping of animals, including refusal to allow inspection of the animal establishment as provided herein.
2. Whenever a license or permit is revoked for cause, or pending any proceedings to contest such action, the animal control director shall have the power of entry to inspect all premises where the animals are being kept and shall notify the owner in writing as to the period of time that reasonably shall be allowed for removal of animals from such premises and shall state the specific reasons for revocation. In the event any such owner shall fail to remove such animals as directed, the animal control director may impound such animals pursuant to the impoundment provisions of this chapter.

(c) *Compliance with code:*

1. An animal establishment shall not sell, trade, or give away any dog or cat over three (3) months of age unless the dog or cat has been vaccinated as required by this chapter.
2. The animal control director shall be permitted to inspect any animal establishment and all animals and the premises where such animals are kept, at any reasonable time during normal business hours to ensure compliance with all provisions of this chapter.

(d) *Standard for kennels:* All kennels shall, in addition to the other requirements of this chapter, comply with the minimum standards of this section. Failure to meet these standards shall be grounds for denial of a license or revocation of a license. Standards for kennels are as follows:

(1) Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, indoor runs, and walls shall be of an impervious material to permit proper cleaning and disinfecting.

1. Building temperature shall be maintained at a humane level. Adequate ventilation shall be maintained.
2. Each animal shall have sufficient space to stand up, lie down, and turn around without touching the sides or top of cages. In shared kennels, a minimum space of four (4) feet by four (4) feet for each dog shall be required.
3. Cages are to be of material and construction that permit cleaning and sanitizing.
4. Indoor cage floors shall be of concrete.
5. All animal quarters and runs are to be kept clean, dry, and in a sanitary condition.
6. The food shall be free from contamination, and shall be wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal.
7. All animals shall have fresh water available.

(e) *Standards for pet shops:* All pet shops, including pet shops operated in conjunction with another holding facility, shall in addition to the other requirements of this chapter comply with the minimum standards of this section. Failure to meet these standards shall be ground for denial of a license or revocation of a license. Standards for pet shops are as follows:

1. *Water:* There shall be available hot water of sufficient temperature for washing cages and disinfecting, and cold water easily accessible to all parts of the shop. Fresh water for consumption shall be available to all spaces of animals. Containers are to be cleaned and disinfected each day.
2. *Room temperature:* The room temperature of the shop shall be maintained at a level that is reasonable for every species of animal kept in the shop.
3. *Cages and enclosures:* All cages and enclosures shall be constructed of a nonporous material for easy cleaning and disinfecting. Each cage shall be of sufficient size that the animal will have room to stand, turn, and stretch out to such animal's full extended length.

Sec. 2-4-42. - Impoundment.

(a) *Animals subject to impoundment:* The following animals shall be subject to immediate impoundment and confinement by the animal control director, his designated representatives, or any law enforcement officer in Lamar County:

1. Abandoned animals.
2. Abused animals.
3. Any animal which is a public nuisance as defined in this chapter.
4. Any wild and exotic animal kept in violation of this chapter.
5. Dogs or cats less than three (3) months of age running at large.
6. Dogs or cats of any age which do not have tags evidencing rabies vaccinations, as required herein.
7. Animals running at large in any restraint district, as designated by the board of commissioners, or by this chapter.
8. Livestock running at large.
9. Female animals in heat running at large.
10. Guard dogs not kept in proper enclosure.
11. Dangerous dogs or vicious dogs, as classified by the dog control officer, running at large or otherwise in violation of provisions herein.

(12)Potentially dangerous or vicious dogs, which are under investigation by the dog control officer according to this chapter and awaiting classification, running at large, or otherwise in violation of provisions herein.

(13)Animals from an animal establishment not complying with the provisions of this chapter.

(14)Any animals running at large on the grounds of any school in Lamar County.

(15)Terminally diseased animals which pose a threat to the human or animal population.

(16)Any animal in violation of any of the provisions of this chapter, or in violation of the rules and regulations of the county health department relating to animals and/or rabies.

An animal control officer or law enforcement officer may follow an animal that has been seen by said officer in violation of this chapter onto private property to capture and impound said animal. No injunction, action, or claim for damages may be brought against the animal control department or its officers, agents or employees, or against the county with respect to actions herein contemplated.

1. Any person may take into custody any animal running at large in violation of this chapter and place with Lamar County Animal Control.
2. Any person who takes into custody an animal running at large in violation of this chapter shall deliver such animal to the animal shelter without fee or charge. Once in the custody of the animal shelter, the shelter shall hold and dispose of such animal in the same manner as though such animal had been running at large and impounded by officers of Lamar County Animal Control.
3. *Notice to owners of impounded animals:*

(1) Upon impounding any dog or other animal, the director or his authorized representative shall cause to be made a prompt and reasonable effort to locate the animal's owner, possessor, or custodian.

(2) If the dog or other animal is not claimed by the owner, possessor or custodian thereof within (3) working days from the date of impoundment, then it shall be the duty of the director or his authorized representative to allow for the adoption of the animal. After a total period of five (5) working days from the date of impoundment, Lamar County Animal Control may provide for humane destruction of the dog or other animal in accordance with the provisions of this chapter.

1. Any dog or animal that is adopted shall be sterilized by a licensed veterinarian within thirty (30) days after acquisition of such animal in the case of an adult animal or within thirty (30) days of the sexual maturing of an animal in the case of an immature animal. For the purposes of this section, the term "sexual maturity" shall mean an animal that has attained the age of one hundred eighty (180) days or more.
2. All costs of sterilization pursuant to this section shall be the responsibility of the person acquiring such animal.
3. Any person acquiring an animal from the Lamar County animal shelter shall submit to the animal shelter a signed statement from a licensed veterinarian performing the sterilization required by subparagraph a. above within seven (7) days of such sterilization attesting that such sterilization has been performed.
4. Any person who shall violate any provision of subparagraph (d)(2) and its subparts shall be guilty of a misdemeanor and shall be subject to a fine not to exceed two hundred dollars ($200.00).
5. If the impounded dog is a dangerous dog or vicious dog, as defined and classified herein, said dog shall be returned to its owner as provided in this chapter, or shall be destroyed as provided in this chapter. A dangerous dog or vicious dog, as defined and classified herein, shall not be eligible for adoption to any person, and may be reclaimed only by its owner; provided, however, that such reclaim must be made within twenty (20) calendar days from the date of impoundment.
6. In addition, if the animal other than a dangerous dog or vicious dog or other animal is not claimed as provided for herein, the director or his authorized representative, in his sole discretion, and after he has satisfied himself that the dog or other animal is in good health, may offer the animal other than a dangerous dog or vicious dog or other animal for adoption to any person after the notification of impoundment required herein has been given.
7. Any animal not reclaimed or adopted within five (5) working days from the date of impoundment may be destroyed in a humane manner. Provided, however, that any animal impounded which the director reasonably believes has sustained or suffers from injury or disease which likely will result in maiming, prolonged or severe suffering, or death, may be humanely destroyed immediately and without the waiting period for reclamation or adoption as provided herein. In such instance, the director shall make record of such injury or disease and shall notify the owner of such animal, if known. The director may, in his discretion, order examination of such animal by a licensed veterinarian.
8. In no event shall any animal be redeemed by its lawful owner, possessor or custodian until those fees established for boarding the animal, and for inoculation, as necessary, are paid; and no animal shall be adopted until those fees established for such adoption are paid.
9. If for any reason as hereinabove described any animal is impounded, or if any owner, possessor or custodian of any animal violates any of the duties imposed by this chapter as hereinabove described, in addition to the penalties imposed by this chapter such owner, possessor or custodian shall be conclusively presumed to have given his or her consent to the adoption of the impounded animal or has given his or her consent to dispose of the animal in an humane fashion in accordance with the rules and regulations of the animal control advisory board or county board of health and this chapter and the laws of Georgia unless the animal has been claimed by its lawful owner, possessor or custodian in accordance with the terms of this section. In the event that the owner of any animal is conclusively presumed to have given his or her consent to the adoption of the impounded animal as set out above, then and in such event, there is no waiting period to allow the adoption of the animal and the adoption may take place immediately.
10. Any animal confined for suspicion of rabies and any dangerous dog or vicious dog, which has bitten a person or another animal, shall be kept confined for a period of time as prescribed by the Lamar County health department, but in no event, shall such time be less than ten (10) days. Disposal of such animal shall be in accordance with the rules and regulations of the health department.
11. Any animal deemed by the animal control officer as being an animal which has dangerous propensities or because of the breed is likely to be used for illegal activities may not be permitted to be adopted. This decision shall be based on the sole discretion of the animal control director. Moreover, the animal control director may refuse to allow the adoption of any animal if, in the sole discretion of the animal control director, it would not be in the best interest of the animal or the general public to allow said adoption.

(10)In the event a dog or animal is surrendered by the owner, possessor or custodian thereof, the animal control director shall not be required to wait any required length of time prior to providing for the humane destruction of the dog or other animal. Under such circumstances, the animal control director is not required to retain the dog or animal to allow for its adoption.

(c) *Use of animals for research prohibited:* Under no circumstances shall any animal not claimed or adopted as provided herein be sold, given, donated, or acquired, directly or indirectly to, for, or by any public or private institution, or to any officer, agent, or employee thereof, for the purpose of experimentation or biomedical research.

Sec. 2-4-43. - Fee schedule and miscellaneous regulations.

(a) Fees collected by the director shall be adopted from time to time by the board of commissioners and kept on file with the animal control director. All fees collected shall be paid over to the county treasury on a weekly basis.

(b) Fees:

(1) For animals reclaimed by an owner, possessor or custodian:

1. Impoundment fee, non-livestock with verification of rabies shot: Twenty dollars ($20.00); with no verification of rabies shot: Thirty dollars ($30.00).
2. Impoundment fee, livestock: seventy-five dollars ($75.00).
3. Board fee, non-livestock: ten dollars ($10.00) per day.
4. Board fee, livestock: twenty dollars ($20.00) per day.

(2) For adoptions by persons other than the owner, possessor or custodian.

1. There shall be a thirty-five dollar ($35.00) fee to adopt any animal.
2. Wild and exotic animals shall not be adopted.
3. Livestock shall be disposed of pursuant to Georgia law at the direction of and by order of the Sheriff of Lamar County.
4. Dogs classified as dangerous dogs and vicious dogs and dogs currently under investigation for classification as a dangerous or vicious dog shall not be adopted.
5. All dogs or cats shall receive a rabies vaccination prior to the adoption and the adopting person shall pay for the rabies vaccination.
6. All dogs or cats that are a minimum of ten (10) weeks of age and/or weigh at least two (2) pounds shall be spayed or neutered prior to adoption. For animals under the age of ten (10) weeks and/or under two (2) pounds, proof that the animal has been spayed or neutered shall be provided to the animal shelter before the animal is six (6) months old by the adopting individual.
7. Prior to adoption, the fees approved by the board of commissioners shall be charged and paid by the adopting party to the veterinary clinic designated by the board of county commissioners.
8. The foregoing requirements as set out in subparagraphs (a) through (e) above do not apply to any personal entity holding a rescue organization license. Nor would the subparagraphs apply to an owner reclaiming their own animal.
9. The foregoing fees will include a rabies vaccination for all animals that are twelve (12) weeks of age or older.

(3) Rabies suspect fees:

1. No impoundment fee if owner brings animal to shelter.
2. If animal is seized, impoundment fee is twenty-five dollars ($25.00).
3. Board fee: fifteen-dollars ($15.00) per day.

(4) Any other fees deemed necessary or which are incurred while the animal(s) are in custody of the animal control department can or shall be assessed in addition to the impoundment and/or adoption fees. Provided, however, that if such animal is adopted by a group or entity which is non-commercial in nature and is licensed by the State of Georgia, or other appropriate government authority, to rescue and/or rehabilitate animals then said impoundment and/or boarding fees shall not apply, but the cost of rabies tags shall be paid.

Groups or entities that desire to have the aforementioned impoundment and/or adoption fees waived shall make written application with the animal control department requesting the waiver of fees. This application shall consist of a cover letter containing the request and a copy of the relevant licensing obtained by the group or entity. The county administrator, or his designee, shall have authority to determine the validity of requests made under these provisions and shall further have the authority to deny requests made by groups or entities that lack the appropriate licensing.

If said adoption is to be made by the animal's owner or immediate previous owner, the fees listed hereinbefore shall apply.

1. All fees related to impoundment, boarding, adoption, or reclaiming, and rabies license tags, shall be in addition to any fines or penalties imposed for violations of this chapter.
2. Any owner of any animal who delivers their animal to the Lamar County Animal Shelter to surrender it shall be charged a fee of one hundred dollars ($100.00) per animal. If an owner of an animal shall contact the Lamar County Animal Shelter and request that the department come and secure their animal that he desires to surrender, then the owner shall pay a fee of twenty-five dollars ($25.00) as a trip fee and an additional one hundred dollars ($100.00) per animal that is transported by Lamar County.
3. Any person who shall surrender any stray animal to the Lamar County Animal Shelter shall be charged no fee for the surrender.

Sec. 2-4-44. - Violations and enforcement.

(a) *Violations:*

1. Except as otherwise provided by this Chapter and by Georgia law any person who shall do anything prohibited by this chapter as it now exists or as it may hereafter be amended, or who shall fail to do anything required by this chapter as it now exists or as it may hereafter be amended, is hereby declared to be in violation of this chapter and the pertinent regulations or county ordinances herein set forth.
2. Each and every day that any such violation exists shall be deemed a separate offense.
3. Any such violation, upon conviction thereof, as prescribed by the laws of Georgia, shall be punishable by a fine or imprisonment, or both, not to exceed the maximum fine or the maximum imprisonment, or both, as prescribed by the pertinent laws of Georgia and as more particularly set out in section \_\_\_\_\_\_\_\_\_\_\_\_ of this Code, which such section is incorporated herein and made a part hereof by reference.

Any person who shall fail to have their dog or cat vaccinated against rabies shall be fined fifty dollars ($50.00) for the first offense, one hundred fifty dollars ($150.00) for the second offense and two hundred fifty dollars ($250.00) for the third offense. For the purposes of this chapter, each time that a person either pleads guilty or is found guilty of failing to have their dog or cat vaccinated shall be considered as one offense.

1. The imposition of any such fine, imprisonment, or both, for any violation shall not excuse the violation or permit it to continue; and all such violators shall be required to correct or remedy such violations or defects within the time as prescribed by the court having jurisdiction of such matter, and in the absence of any such completion time being fixed by the court, within a reasonable time after such violations occur.
2. The application of any fine, imprisonment or other penalty shall not be construed to prevent the enforced removal of prohibited conditions or to postpone any action required.
3. The remedies herein set out for the purpose of enforcing the provisions of this chapter shall not be deemed to be exclusive, but shall be cumulative of all other remedies, civil or criminal, provided by the laws of Georgia, or by the ordinances of Lamar County.