

ANIMALS AND FOWL

Chapter 6

**ANIMALS AND FOWL\***

**Art. I. In General, §§ 6-1—6-15**

**Art. II. Dogs, §§ 6-16—6-33**

Div. 1. Generally, §§ 6-16—6-29

Div. 2. Dangerous Dogs and Potentially Dangerous Dogs, §§ 6-30—6-33

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**\*Editor's note**—Ord. of July 2, 1985, § 1, repealed Ch. 6 in its entirety and enacted new provisions designated as Ch. 6 to read as herein set out. Former Ch. 6 pertained to animals and fowl and derived from Code 1967, §§ 4-1, 4-4,4-7 and Ord. of May 17, 1977, §§ 1, 2.

**Cross references**—License fee for livestock dealers, § 12-21; noisy animals and birds, § 14-15.

**State law references**—Authority of city to provide for animal control, Ga. Const. Art. IX, § II, ¶ III (a) (3); animals generally, OCGA Title 4.

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### ARTICLE I. IN GENERAL

#### **Sec. 6-1. Definitions.**

For the purpose of this chapter, the following words shall have the meanings indicated, unless the context clearly indicates a contrary meaning:

*Animal.* Any living creature, domestic or wild.

*Dangerous animal.* Any wild mammal, reptile, or fowl which is not naturally tame or gentle but is of a wild nature or disposition and which, because of its size, vicious nature, or other characteristics, would constitute a danger to human life or property if not kept or maintained in a safe manner or in secure quarters; and any domestic mammal, reptile, or fowl which, because of its size, vicious propensity, or other characteristic, would constitute a danger to human life or property if not kept or maintained in a safe manner or in secure quarters.

*At large.* Off the premises of the owner and not under the control of the owner, a member of his immediate family, or some other person, either by leash, cord, chain, or other holding device.

(Ord. of 7-2-85)

**Cross reference**—License fee for coin-operated amusement machines, § 12-21.

#### **Sec. 6-2. Dangerous animals.**

It shall be unlawful for any person to permit any dangerous or vicious animal of any kind to run at large within the city.

The police officers of the city shall be authorized to use such force as is necessary to prevent any such dangerous or vicious animal from causing harm to any person or property.

(Ord. of 7-2-85)

**Cross reference**—Dangerous dogs and potentially dangerous dogs, § 6-30 et seq.

#### **Sec. 6-3. Strays.**

It shall be unlawful for any person to permit any cattle, horses, swine, sheep, goats, or poultry to run at large in the city. If any such animal is found to be running at large in any public place in the city, it shall be impounded in the manner provided in this chapter.

(Ord. of 7-2-85)

#### **Sec. 6-4. Impoundment of animals running at large.**

It shall be the duty of the city animal control officer or any police officer to seize all animals running at large in violation of the provisions of this chapter and to impound such animals in the city pound or other suitable place. Upon receiving any such animal, the city animal control officer or keeper of impounded animals designated by the city shall enter upon the records of the pound, in a book to be kept by him for such purposes, the date of impounding, a description of the animal impounded, and a record as to whether or not such animal has been licensed and tagged.

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- (1) *Notice to owner.* Not later than three (3) days after the impounding of any animal as hereinabove provided, the owner shall be notified or, if the owner of the animal is unknown, written notice shall be posted for three (3) days at two (2) or more conspicuous places in the city, which such notice shall describe the animal and indicate the place and time of taking.
- (2) *Redemption of animals.* The owner or owners of any animal impounded by the city may redeem the same by paying all costs, charges, and penalties assessed, if any, that have accrued up to the time of making the redemption, and when the same are paid to said keeper, it shall be his duty to release the animal from said pound and deliver it to the owner thereof.
- (3) *Disposition of unclaimed or infected animals.* If at the expiration of seven (7) days from the date of notice to the owner or the posting of notice any animal impounded as herein provided shall not have been redeemed either by the owner or by some other person, such animal may be disposed of in a humane manner. Any animal which appears to be suffering from rabies or affected with hydrophobia, mange, or any other infectious or dangerous disease shall not be released but may be destroyed as soon as such infection or disease is discovered.  
(Ord. of 7-2-85)

### **Sec. 6-5. Keeping of swine.**

It shall be unlawful for any person to keep live pigs, shoats or hogs at any place within the city limits, except pot-bellied pigs or miniature pigs, and then only when held as family pets and not as farm animals. Any persons seeking to take advantage of the exception herein allowed must obtain a permit from the city council.

(Ord. of 7-2-85; Ord. of 3-15-94, § 1)

### **Sec. 6-6. City designated as bird sanctuary; trapping, hunting, etc., birds or wild fowl.**

- (a) The entire area embraced within the corporate limits of the city is hereby designated as a bird sanctuary.
- (b) It shall be unlawful for any person to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob bird nest or wild fowl nest in the city; provided, however, that if starlings or similar birds are found to be congregating in such numbers in a particular locality as to constitute a nuisance or a menace to health or property, in the opinion of the city council, such birds may be destroyed in such numbers and in such manner as is deemed advisable by the chief of police and under his supervision.

(Ord. of 7-2-85)

**Cross reference**—Duties of city-county beautification commission with respect to protection of song birds and other wild fowl, § 2-32.

### **Secs. 6-7—6-15. Reserved.**

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**ARTICLE II. DOGS\***

DIVISION 1. GENERALLY

**Sec. 6-16. License and registration required.**

- (a) For each residential unit within the City of Forsyth, no more than three (3) dogs over six (6) months of age may be kept, harbored, or maintained, regardless of the number of residents living within such residential unit.
- (b) All dogs kept, harbored, or maintained by their owners in this municipality shall be required to be licensed and registered if over six (6) months of age in the manner provided in this section.
- (1) *Application.* Application for a dog license shall be made to the city clerk upon forms provided for such purpose, and such application shall state the name and address of the owner and the name, breed, color, and sex of each dog sought to be registered.
- (2) *License fee.* Each application for a dog license shall be accompanied by a license fee of three dollars (\$3.00) per dog.
- (3) **Text omitted here....**the tag shall be changed every year and shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are worn at all times.
- (4) [*When to obtain tag; duplicate tags; not transferable.*] The license required hereby shall be obtained each year during the month of June; provided, however, that any person keeping, harboring or maintaining a dog in the city for the first time after July 1 or any year shall obtain a license within seven (7) days of such time.
- In case a dog tag is lost or destroyed, a duplicate will be issued by the clerk upon presentation of a receipt showing the payment of the license fee for the current year, and the payment of a fee of one dollar (\$1.00) for such duplicate.
- Dog tags shall not be transferable from one (1) dog to another, and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving the city before expiration of the license period.
- (5) *Exemptions.* The provisions of this section shall not be construed to apply to dogs whose owners are nonresidents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, or to "seeing-eye" dogs properly trained to assist blind persons for the purpose of aiding them in going from place to place.

(Ord. of 7-2-85)

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\***Cross reference**—Dogs prohibited in Monroe Hills Memorial Gardens, § 8-59.

**State law reference**—Dogs, OCGA §§ 4-8-1 et seq.

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### **Sec. 6-17. Running at large.**

It shall be unlawful for any person to permit any dog to run at large at any time. If any such dog is found running at large in violation of this provision, it shall be taken up and impounded in the manner provided in Section 6-4.

(Ord. of 7-2-85)

### **Sec. 6-18. Confinement of certain dogs.**

No dogs of fierce, dangerous, or vicious propensities and no female dog in heat shall be allowed to run at large or upon the premises of one other than the owner. If any such dog is found running at large in violation of this provision, it shall be taken and impounded in the manner provided in Section 6-4; provided, however, that if any dangerous, fierce, or vicious dog so found at large cannot be safely taken up and impounded, such animal may be destroyed in a humane manner.

(Ord. of 7-2-85)

### **Sec. 6-19. Vaccination.**

It shall be unlawful for the owner of any dog to keep or maintain such dog unless it shall have been vaccinated by a licensed veterinary surgeon with anti-rabies vaccine, within one (1) year preceding the date on which dog is first kept or maintained.

(Ord. of 7-2-85)

### **Sec. 6-20. Rabies.**

If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies, such dog shall be confined by a leash or chain on the owner's premises and shall be placed under the observation of a veterinarian at the expense of the owner for a period of two (2) weeks. The owner shall notify the city animal control officer of the fact that his dog has been exposed to rabies, and at his discretion, the animal control officer is empowered to have such dog removed from the owner's premises to a veterinary hospital and there placed under observation for a period of two (2) weeks at the expense of the owner.

It shall be unlawful for any person knowing or suspecting a dog to have rabies to allow such dog to be taken off his premises or beyond the limits of the city without written permission of the animal control officer.

Whenever a dog is ascertained to be rabid, notification of same shall be made to the animal control officer, who shall cause such dog to be removed to the city pound, or other suitable place, or summarily destroyed.

(Ord. of 7-2-85)

### **Sec. 6-21. Dog bites.**

Whenever any dog bites a person, the person bitten and the owner of such dog shall immediately notify the animal control officer who shall order the dog held on the owner's expense for a period of two (2) weeks. The dog shall be examined immediately after it has bitten anyone and again at the end of the two-week period. If at the end of two (2) weeks a veterinarian is convinced that the dog is then free

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from rabies, the dog shall be released from quarantine or from the pound as the case may be. If the dog should die in the interim, its body shall be sent to the appropriate State of Georgia agency for examination for rabies.

(Ord. of 7-2-85)

### **Sec. 6-22. Muzzling.**

Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the mayor, if he deems it necessary, may issue a proclamation ordering every person owning or keeping a dog to confine it securely on his premises unless such dog shall have a muzzle of sufficient strength to prevent its biting any person. Any unmuzzled dog running at large during the time of the proclamation shall be seized and impounded in the manner provided in Section 6-4, unless such dog shall be noticeably infected with rabies, in which case it shall be summarily disposed of.

(Ord. of 7-2-85)