

**Garland County, Arkansas**  
**Public Health, Welfare & Safety Committee Meeting**  
**Courtroom 200**  
**October 28, 2019 – 5:30 PM**

**Agenda**

Committee Members: Chairman Larry Raney, Vice Chairman Jimmy Young, Justices Esther Dixon, Jim Sorrells, Matt McKee, Jason Braziel, and Thomas Anderson

All Justices of the Peace are welcome and encouraged to attend.

1. Call to order
2. Invocation
3. Discussion of Highway 70 East scenic byway designation.
4. Discussion of the current noise ordinance – Steven Sloan.
5. Discussion of vicious dog ordinance and Animal Services agreement with the City of Hot Springs – Chris Lackey.
6. Adjourned

ORDINANCE NO. 0-08-13

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS, AN ORDINANCE TO BE ENTITLED:

"AN ORDINANCE TO AMEND SECTION 2 OF ORDINANCE NO. O-05-19 PERTAINING TO THE PROHIBITION OF UNREASONABLY LOUD NOISES AND DISTURBANCE OF THE PEACE IN GARLAND COUNTY, ARKANSAS."

WHEREAS, the Public Health, Welfare and Safety Committee of the Quorum Court has reviewed Ordinance No. O-05-19 relating to the prohibition of unreasonably loud noises and disturbance of the peace in Garland County, Arkansas; and,

WHEREAS, the Public Health, Welfare and Safety Committee met and approved a revision of Section 2 of Ordinance No. O-05-19.

NOW, THEREFORE, BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, ARKANSAS:

SECTION 1. That Garland County Ordinance No. O-05-19, Section 2 is hereby amended as follows:

"Section 2. In addition to the disturbances set forth in Section 1, the following are specifically prohibited: the playing of any radio, stereo, music reproduction system or musical instruments in such manner or of such volume, particularly between the hours of 10 p.m. and 6 a.m., as to disturb the peace and quiet of residents; and sustained engine noises."

SECTION 2. SEVERABILITY. If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the Ordinance which can be given effect without the invalid provisions or application, and to this end, the provision of this Ordinance are declared to be severable.

SECTION 3. This Ordinance shall be codified in the Garland County Code of Ordinances and the sections may be renumbered and relettered to accomplish such intention.

ATTEST: Tammy Lambert  
Tammy Lambert  
Garland County Clerk

APPROVED: Larry Williams  
Larry Williams  
Garland County Judge

SPONSOR: Larry Griffin  
Larry Griffin  
Justice of the Peace

SPONSOR: Dagryl Mahoney  
Dagryl Mahoney  
Justice of the Peace

DATE: 3/10/08

1-2143

ORDINANCE NO. 0-88-11

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, STATE OF ARKANSAS; AN ORDINANCE TO BE ENTITLED:

"AN ORDINANCE REGULATING THE KEEPING OF VICIOUS DOGS; PRESCRIBING THE RESPONSIBILITIES OF OWNERS THEREOF; DESTRUCTION OF DOGS IN CERTAIN CASES; MAKING VIOLATIONS THEREBY A MISDEMEANOR PUNISHABLE BY FINE NOT TO EXCEED \$500; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE QUORUM COURT OF GARLAND COUNTY, ARKANSAS:

SECTION 1. The following words and phrases shall for purposes of this ordinance have the following meanings:

(a) Dogs. When used herein shall include animals of all ages, both female and male, which are members of the canine or dog family;

(b) Owner. Every person, firm, partnership or corporation, owning, keeping or harboring a dog within the geographical limits of the County;

(c) Vicious Dog. (1) Any dog which when unprovoked, in a vicious or terrorizing manner approaches any person in apparent attitude of attack upon the streets, sidewalks, or any public grounds or places; or  
(2) Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or  
(3) Any dog which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property; or  
(4) Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.

(d) Notwithstanding the definition of a vicious dog above, no dog may be declared vicious if any injury or damage is sustained by a person who, at the time such injury or damage was sustained, was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the dog, or was teasing, tormenting, abusing or assaulting the dog or was committing or attempting to commit a crime.

No dog may be declared vicious if any injury or damage was sustained by a domestic animal which at the time such injury or damage was sustained was teasing, tormenting, abusing or assaulting the dog. No dog may be declared vicious if the dog was protecting or defending a human being within the immediate vicinity of the dog from an unjustified attack or assault.

(e) Nuisance. An animal shall be considered a nuisance if it damages private property other than the owner's or molests, or interferes with persons in the public right-of-way. *more than once.*

No owner of a vicious dog shall suffer or permit such dog to go beyond the premises of such person unless such dog is securely muzzled and restrained with a chain having a minimum tensile strength of 300 pounds and not exceeding three (3) feet in length.

No person shall own or harbor any dog for the purpose of dog fighting or train, torment, badger, bait or use any dog for the purpose of causing or encouraging said dog to unprovoked attacks upon human beings or domestic animals.

No person shall possess with intent to sell, offer for sale, breed, or buy or attempt to buy within the county any vicious dog.

SECTION 3: Enforcement. The Garland County Sheriff's Office and other law enforcement officials authorized by State or local law, are authorized, for violation of any portion of this ordinance to give to the owner a summons in lieu of arrest, to appear in the Municipal Court, Criminal Division, of the County of Garland. Such summons is to be issued by the Clerk of the Municipal Court as in other misdemeanor complaints.

SECTION 4. This Ordinance does not pertain to areas of or the residents of municipalities within the county which have their own animal control ordinances or departments, or those unincorporated communities which have rules or by-laws regulating animals, except that an owner living within one of these municipalities or unincorporated communities, but allowing an animal to run at large in an area of the County governed by the Ordinance, shall be subject to this Ordinance.

SECTION 5: Penalty.

(a) Whoever violates any portion of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine not to exceed five hundred dollars (\$500) for any one specified offense or violation, or double that sum for repetition of the offense or violation. If an act prohibited or rendered unlawful is, in its nature, continuous in respect to time, the fine or penalty for allowing the continuance thereof, in violation of the ordinance, shall not exceed two hundred fifty dollars (\$250) for each day that it may be unlawfully continued.

(b) Any vicious dog which attacks a human being or another domestic animal may be ordered destroyed, when in the Court's judgment, such vicious dog represents a continuing threat of serious harm to human beings or other domestic animals.

(c) Any person found guilty of violating this section shall pay all expenses, including shelter, food and veterinary expenses necessitated by the

ATTEST:

Nancy Johnson  
Nancy Johnson  
Garland County Clerk

APPROVED:

Bud Williams  
Bud Williams  
Garland County Judge

SPONSOR:

Harley Pendergraft  
Harley Pendergraft  
Justice of the Peace

DATE:

10-10-88