

**Garland County**  
**Public Health, Welfare, and Safety**  
**Minutes**  
**March 22, 2021**

Public Health, Welfare, and Safety Members Present: Chairman Larry Raney, Vice Chairman Jimmy Young, Justices Esther Dixon, Matt McKee, and Thomas Anderson  
Members Absent: Justice Jason Braziel and Jim Sorrells

Also Present: Citizens, Elected Officials, Staff, and Media

Chairman Raney called the meeting to order, and Vice-Chairman Young presented the opening prayer.

Chairman Raney opened the meeting and asked Garland County Attorney, John Howard, to discuss the proposed changes to the current vicious dog ordinance. Mr. Howard discussed the three reasons for the proposed changes. The first reason is to separate the vicious dog portion from the nuisance dog portion of the current ordinance. He explained that the penalty was the same for a nuisance dog and a vicious dog that attacks a person. The second reason addresses the issue of dogs running at large. In the current ordinance, a dog can roam anywhere as long as they have an identification tag. The proposed ordinance removes the tag requirement, which would put the burden on the owner of the dog to control it from roaming. The last reason is to amend and replace the prior ordinances.

Chairman Raney introduced Hot Springs Police Officer Michelle Stone. Officer Stone explained that on several occasions, dog owners are charged stiff penalties when they plead guilty for a dog that knocked over someone's trash. She stated that the proposed ordinance would help separate vicious dogs that attack or bite someone from a nuisance dog. Officer Stone stated that the City of Hot Springs dog ordinance separates the vicious dogs from nuisance dogs.

Chairman Raney asked Mr. Howard to explain the proposed changes to the current dog ordinance. Mr. Howard explained that section two of the ordinance had several inconsistencies that have been corrected and added the word "livestock" throughout the ordinance due to the complaints of livestock attacks which was not addressed in prior ordinances. Mr. Howard also noted that a "Nuisance" definition was added to the proposed ordinance, which includes excessive barking and chasing vehicles. Mr. Howard then explained section 'I' of the ordinance, which states that a stray is any dog that is at large and is not properly tagged. He stated that removing the tag language would mean a stray is any dog that is at large. Officer Stone noted that every stray that is picked up by an Animal Control Officer has to be micro-chipped before it can leave the Hot Springs Animal Services Center. County Judge Darryl Mahoney stated that the committee might consider adding micro-chipping animals to the Spay & Neuter Program. Mr. Howard noted that language was added to the proposed ordinance that a "Tag" is a current rabies vaccination tag issued by a licensed veterinarian and asked if the tag language needed to be removed to make any dog roaming considered a stray. He then addressed the penalty section of the ordinance and stated that the penalty for the violation had been updated to reflect the current fine amount and jail sentence. He noted that there is a separate penalty section for nuisance dogs. Mr. Howard stated that the containment section states that no owner of, custodian of, or person with authority to control any dog shall allow, permit or authorize that dog to run at large in the unincorporated areas of Garland County,

without being properly tagged and stated the tag language would be taken out if needed. An exemption was added for dogs actively being used for hunting purposes by an owner, custodian, or person with authority to control said dogs. Mr. Howard then explained that the ordinance should not apply to areas of or to residents of cities of the first class within Garland County; nor areas of any town within Garland County with its own law enforcement. However, all remaining areas of Garland County should comply with this ordinance. Officer Stone stated that Animal Control Officers do not patrol Mountain Pine, Diamond Head, or Hot Springs Village. Mr. Howard noted that the penalty section of the proposed ordinance for vicious dogs is a Class "A" misdemeanor. He also noted a separate penalty for nuisance dogs is a Class "C" misdemeanor. Mr. Howard noted that repeated nuisance dog violations could be subject to the vicious dog penalties at the court's discretion. A severability and codification section was added to the proposed ordinance. Mr. Howard noted that an emergency clause could be added to the ordinance if needed.

Justice McKee made a motion to remove the tagging language, add a separate penalty for a nuisance dog, and add an emergency clause to the ordinance. The motion was seconded by Justice Anderson. Chairman Raney asked for questions or discussion. With no more discussion, the motion was approved without opposition.

Justice McKee made a motion to adjourn.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Lanie Martin", with a stylized flourish extending to the right.

Lanie Martin  
Garland County Finance Director