

ORDINANCE NO. 1811

**AN ORDINANCE TO CREATE AN ANIMAL CONTROL COMMISSION  
HEREINAFTER KNOWN AS THE WEST MEMPHIS ANIMAL CONTROL  
COMMISSION, TO PROVIDE FOR COMMISSION MEMBERS, TERMS, AND  
VACANCIES, TO PROVIDE FOR THE RESPONSIBILITIES AND DUTIES OF  
THE COMMISSION, DECLARING AN EMERGENCY, AND FOR OTHER  
PURPOSES.**

**WHEREAS**, there is not an ordinance in the City of West Memphis that provides for an Animal Control Commission; and

**WHEREAS**, it is the desire of the City Council to create an Animal Control Commission to administer animal control regulations for the City of West Memphis, Arkansas;

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF WEST MEMPHIS, ARKANSAS, THAT:**

**SECTION 1. Creation and Appointment of Animal Control Commission.** There is hereby created the West Memphis Animal Control Commission, hereinafter known as the Animal Control Commission, to be composed of five (5) members who are qualified electors in the City of West Memphis. The initial members of the Animal Control Commission shall be appointed by the Mayor from a list provided by the Humane Society of Eastern Arkansas, Inc., containing a minimum of twenty (20) names of individuals who expressed a willingness to serve, subject to confirmation by a majority vote of the City Council. Two of the initial Commission members shall serve for three (3) years, two of the initial Commission members shall serve for two (2) years, and one of the initial Commission members shall serve for one (1) year, with those positions to be drawn randomly, and thereafter, upon the expiration of the respective terms commissioners appointed by the Mayor and approved by a majority vote of the City Council, shall each be appointed to a term of three (3) years. At all times, at least one member of the Commission shall

be a member of the Humane Society of Eastern Arkansas, Inc., or its successor.

**SECTION 2. Removal of Commissioners.** Commission members appointed under the provisions of this Ordinance may be removed for cause upon a two-thirds (2/3) vote of the duly elected and qualified members of the City Council.

**SECTION 3. Meetings of Commissioners.** The Animal Control Commission shall hold its initial organizational meeting within ten (10) days after the appointment of the commissioners and shall elect a chairman. The chairman shall serve until the expiration of his/her term, at which time a successor shall be elected. The Commission shall meet at least once every three (3) months, but other meetings may be held at any time by the Commission upon call by the chairman or upon call by the Mayor of the City.

**SECTION 4. Duties and Powers.** The Animal Control Commission appointed under this Ordinance shall have full and complete authority to manage, operate, maintain, and keep in a good state of repair the West Memphis Animal Shelter, its related properties and facilities, including the right to employ or remove assistants, dog catchers, animal control workers, or other animal control employees. In addition, the West Memphis Animal Control Commission shall have full and complete charge of the issuance and collection of city dog licenses and to promulgate such rules and regulations for their distribution and collection as may be appropriate. The Commission shall supervise and control, and shall cooperate with the local veterinary clinics relative to rabies inoculations required by state statute. Further, the Animal Control Commission shall have full and complete authority to provide for the enforcement of the animal control ordinance and subsequent amendments, and shall have the authority to adopt rules and regulations necessary for the proper implementation and enforcement thereof.

**SECTION 5. Use of Revenue.** The Mayor and City Council shall appropriate funds from

the general revenues of the City as the City deems necessary to accomplish the function of the animal control program. All revenue derived from the operation of the animal shelter and from the sale of city dog licenses shall be deposited in the City general fund in accordance with Arkansas state law. The commissioners shall furnish to the City a Five Thousand and No/100 Dollar (\$5,000.00) surety bond which will serve to insure the City against any misappropriation or mishandling of funds. The premium on said bond shall be paid from moneys in the animal control fund.

**SECTION 6. Purchase of Supplies and Equipment.** All purchases made by the Animal Control Commission shall be made through the appropriate purchasing procedures as established by the City of West Memphis, Arkansas.

**SECTION 7. Records and Reports.** The Animal Control Commission shall keep records and shall submit monthly reports beginning one (1) month after the commissioners take the oath of office, and each month thereafter report in full on the operations of the animal control shelter, including an account of all receipts and disbursements incurred in the operation of the animal shelter and related properties to the Mayor and City Council, and shall furnish such other and further reports, data, and information as may be requested by the Mayor and City Council.

**SECTION 8. Repeal of Conflicting Ordinances.** All ordinances and/or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflicts.

**SECTION 9. Separability of Provisions.** The provisions of this Ordinance are hereby declared to be separable, and if any section, phrase or provision of this Ordinance for any reason is declared to be invalid, such declaration shall not effect the validity of the remainder of the sections, phrases, or provisions.

**SECTION 10. Emergency Clause.** It is hereby declared by the City Council of the City

of West Memphis, Arkansas, that the City of West Memphis is in need of an Animal Control Commission to administer animal control regulations for the health, safety, and welfare of its citizens, to provide a refuge and adoption service for homeless and deserted animals, and to prevent cruelty to animals. Therefore, this Ordinance is necessary to preserve the public peace, health, and safety, and an emergency is hereby declared to exist and this Ordinance shall take effect from and after its passage and approval.

PASSED AND APPROVED this 5TH day of FEBRUARY, 1998.

Al Boals  
AL BOALS, Mayor

ATTEST:

Cindy Greenwood Deputy Clerk  
DAN CRAFT, City Clerk

RECEIVED  
CITY CLERK OFFICE  
DATE 2-3-98 9:50 AM  
From: Mayor Boals

cg