

Town of Brooks

Leash Law

Enforced by the Fayette County Animal Control.

Fines for Violations

A judge can fine any amount up to \$1,000.00 and/or jail time. The first offense is at the discretion of the Judge, second and third offenses are mandatory set fines. You may be fined more but not less. Four or more offenses are at the discretion of the Judge.

Typical Fines

First Offense: At Judge's discretion

Second Offense: \$250.00 plus court costs and the animal must be spayed or neutered if it has not already been altered, including purebred animals.

Third Offense: \$500.00 plus court cost

It is State law that all animals must be vaccinated against rabies. Animals are old enough to be vaccinated against rabies at the age of three to four months. We do issue citations for unvaccinated animals.

It is State law that any animal adopted from an animal shelter or humane society are spayed or neutered. We do issue citations when someone adopts an animal and fails to have it spayed or neutered.

All other violations of the animal control ordinance must be heard in court.

Laws Pertaining to Animals

Sec. 4-29. Running at large prohibited.

It shall be unlawful for the owner of any animal to allow it to run at large unattended on or about the streets and highways of the unincorporated limits of the county or on the property of another without such property owner's consent. Any such animal at large shall be impounded by the director or his authorized representative as hereinafter provided.

(Code 1983, § 7-4)

Sec. 4-30. Restraint of animals--While on property.

(a) It shall be the duty of every owner of any animal to keep the animal under control at all time while the animal is on the real property of the owner. For purpose of this section, an animal is deemed under control when it is confined by way of fence or other enclosure, restrained by substantial chain or leash, restrained in some other physical manner by a competent person, or is under the control of a competent person who is present with the animal, via voice command, so that the animal does not wander off the real property of the owner.

(b) In addition, all male and female dogs and cats that have not been spayed or neutered must be securely confined in such a way that they not only cannot get out to run loose, but also cannot be

reached by other dogs or cats. (Code 1983, § 7-5; Ord. No. 92-01, § 1, 1-23-92)

State law references: Requirements for possessing dangerous or potentially dangerous dog, OCGA § 4-8-25.

Sec. 4-31. Restraint of animals--While off of property.

((a) It shall be the duty of the owner of any animal to keep the animal under control at all times while the animal is off of the real property limits of the owner. For the purposes of this section, an animal is deemed under control when it is confined within a vehicle, parked or in motion, is secured by a leash or other device held by a competent person, or is properly confined within an enclosure with permission of the owner of the property where the enclosure is located.

(b) Any animal kept in the back of an open pickup truck or convertible car must be restrained by a leash. Such leash must be of the size and length to restrict the animal within the confines of the car or bed of the truck and to prohibit the animal from jumping out or over the sides or back of such vehicle. (Code 1983, § 7-6; Ord. No. 92-01, § 2, 1-23-92)

Sec. 4-36. Abandonment of animals.

(a) It shall be unlawful for anyone to knowingly abandon any domesticated animal within the county. Each person who does abandon, knowingly or willingly permits such abandonment, or aids in the abandonment of any domesticated animal shall be in violation of the law and shall be punished as provided.

(b) Each offense under this section shall be punished with a fine of the maximum amount allowable by law.

(Code 1983, § 7-10; Ord. No. 91-15, § 1, 9-18-91)

State law references: Abandonment of dogs, OCGA § 4-8-3.

Sec. 4-37. Cruelty to animals.

No person shall, by act, omission or neglect, cause unjustifiable physical pain, suffering or death to any animal. This section shall not apply to the killing of animals raised for the purpose of providing food nor does it apply to any person who shall hunt wild animals in compliance with the game and fish laws of the state. This section shall not apply to the killing or injuring of animals for humane purposes or in the furtherance of medical or scientific research.

(Code 1983, § 7-11)

State law references: Cruelty to dogs, OCGA § 4-8-5; cruelty to animals, OCGA § 16-12-4.

Sec. 4-34. Precautions to be taken by owners of dangerous dogs or vicious animals or fowl.

(a) *Vicious animal/fowl.*

(1) *Definition.* The words "vicious animal/fowl" shall mean any animal/fowl which attacks, bites or injures humans, other animals or fowl without provocation; or which, because of temperament, conditioning or training, has a known propensity to attack, bite or injure other living creatures without provocation; or an animal/fowl which has on one (1) or more occasions caused injury to other living creatures without provocation; or any animal which constitutes a physical threat to human beings or domesticated animals by one (1) or more attacks without

provocation of such severity to cause physical injury. Exception: An animal/fowl is not considered vicious if it attacks, bites or menaces:

- a. Anyone attacking the owner;
 - b. Unlawful trespassers on the property of the owner;
 - c. Any person or animal that has tormented or abused it;
- Or if it is defending its young or other animal.

(2) *Restraint.*

- a. No person owning or having custody or control of any dog or other animal/fowl known to be vicious shall permit it to run at large, or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises.
- b. It shall be the duty of every owner of any vicious animal/fowl, or anyone having any vicious animal/fowl in his possession or custody, to ensure that the vicious animal/fowl is kept under restraint and that reasonable care and precautions are taken to prevent the vicious animal/fowl from leaving, while unattended, the real property limits of its owner, custodian or harbinger; and to ensure that 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; such enclosure must be securely locked at any time the animal is left unattended.
- c. For owners of vicious animals/fowl who maintain their animal/fowl out-of-doors, a portion of their property shall be fenced with a perimeter or area fence. Within this perimeter fence, the vicious animal/fowl must be humanely confined inside a pen or kennel of adequate size. The pen or kennel shall not share common fencing with the area or perimeter fence. The kennel or pen must have secure sides and a secure top attached to all sides; the sides must be securely set into the ground or onto a concrete pad, or securely attached to a wire bottom. The gate to the kennel must be locked.
- d. A vicious animal shall not be upon any street or public place except when securely restrained by a leash not more than six (6) feet in length and humanely muzzled and in the charge of a competent person.