

**AN ORDINANCE TO AMEND THE PEACHTREE CITY ORDINANCE
TO AMEND THE DEFINITIONS AND ENACT PROVISIONS
PERTAINING TETHERING OF A DOMESTIC ANIMAL**

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF
THE CITY OF PEACHTREE CITY, AND IT IS HEREBY ORDAINED by authority of
the same that:

Section 1. The Peachtree City Code of Ordinances Chapter 14, Animals and Fowl, Article II., Domestic Animal Control, Section 14-31. Definitions, as amended, is hereby further amended as follows:

CHAPTER 14. – ANIMALS AND FOWL

ARTICLE II. - DOMESTIC ANIMAL CONTROL

Sec. 14-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned animal means any domesticated animal that has been placed upon public property or within a public building or upon or within the private property of another without the express permission of the owner, custodian or tenant of the private property and is unattended or uncared for. Any domesticated animal shall also be considered abandoned, when it has been unattended and without proper food and water for a period in excess of 36 hours, regardless of where the animal may be found or kept.

Animal at large means any animal not under restraint and off the property of its owner.

Animal control agency or *animal control* shall mean any agency or person, including an animal control officer, authorized by law to implement animal control laws and provide animal care on behalf of the city.

Animal shelter means the facility designated by the board of commissioners of the county for the detention of animals.

Animal shelter officer means any person so designated by the animal shelter director to perform the duties prescribed by this article.

Animal under restraint means any animal secured by a leash or lead; or enclosed by way of fence or other enclosure; or under the control of a responsible and competent person and obedient to that person's commands, and the person being present with the animal; or an animal confined within a vehicle, parked or in motion.

Animal welfare organization shall mean any organization or corporation whose purpose includes promotion of animal welfare and that has been granted 501(c)(3) nonprofit status by the Internal Revenue Service.

Community cat shall mean any feral or free roaming cat that has been sterilized, vaccinated for rabies, and distinguished from other cats by being ear-tipped.

Companion animal means a domesticated animal kept for pleasure rather than utility. Pets include but are not limited to birds, cats, dogs, hamsters, horses, mice, reptiles, domesticated wild animals, exotic animals and other animals associated with man's environment.

County shall mean Fayette County, Georgia.

Director means the animal shelter director.

Domesticated animals means animals that are accustomed to living in or about the habitation of humans, including but not limited to cats, cows, dogs, fowl, horses, swine, domesticated wild animals and/or exotic animals. This definition only applies to those animals mentioned and is only applicable to this article and in no way affects the meaning or application of a definition of the described animal, as may be found in any other city ordinance.

Ear tip shall mean a mark identifying a feral or free roaming cat as having been sterilized, specifically the removal of a quarter-inch off the tip of the cat's left ear in a straight line cut while the cat is anaesthetized by a veterinarian.

Feral cat shall mean a cat this is not socialized to humans, having been born in the wild or not socialized, and is not an owned cat, and that typically avoids human contact.

Free-roaming cat shall mean a cat that is not owned and is not cared for by a sole person that may or may not avoid human contact.

Guard dog means any dog which has been trained to attack persons or other animals independently or upon oral command and any dog which, while not so trained, is reasonably expected to perform as a guardian of the property upon and within which he is located.

Owned cat shall mean a cat that is a companion to a person, is regularly fed and sheltered in the same person's habitation, and displays signs of ownership, including a collar or tag or microchip.

Owner means any person who owns, keeps, harbors or acts as custodian of a domesticated animal.

Permit shall mean a certificate issued to a person or organization authorized to conduct TNVR activities.

Public nuisance means any animal which:

- (1) Is found at large in violation of section 14-32;
- (2) Is vicious; and for the purpose of this section an animal shall be considered vicious if it attacks without provocation any human being or other domesticated animals;
- (3) Produces, because of quantity, manner or method in which the animals are domesticated or maintained, unsanitary conditions in the city;
- (4) Attacks passersby or passing vehicles; and
- (5) Is inimical to the public health, welfare or safety according to the rules and regulations promulgated by the county health department, whose rules and regulations are incorporated in and made a part of this article as if fully set out.

Any person that knowingly keeps, owns, harbors or acts as custodian of an animal constituting a nuisance shall be guilty of an unlawful act and shall be punishable as provided in this article.

Sterilize shall mean to spay or neuter.

Tethering means using a rope, strap, chain, or cord to fasten, tie, or restrain an animal to a fixed or stationary single point in order to keep the animal within a certain area for a continuous time period.

Trap, neuter, vaccinate, and return or TNVR shall mean a program pursuant to which feral and free-roaming cats are trapped, sterilized, vaccinated against rabies, ear-tipped and returned to the location from where they were captured.

Trapper shall mean a person or organization that has been authorized by policy to conduct the humane trapping of program cats.

Vicious animal means any animal which constitutes a physical threat to human beings or other domesticated animals by virtue of one or more attacks of such severity as to cause property damage or physical injury. An animal shall also be considered vicious and not under restraint if it makes an unprovoked attack on other domesticated animals that are under restraint or on human beings or on physical property of another.

Section 2. The Peachtree City Code of Ordinances, Chapter 14, Article II, Section 14-33 Duty to keep animal under restraint – While on property, be amended as follows:

Sec. 14-33. - Duty to keep animal under restraint—While on property.

(a) It shall be the duty of every owner of any animal to ensure that it is confined by way of a fence or other enclosure or is restrained by chain or leash or, in some other physical manner, under the control of a competent person so that it cannot wander off the real property limits of the owner, it being the intent of this article that all animals be prevented from leaving, while unattended, the real property limits of their owners.

(b) Tethering.

(1) No person shall tether, fasten, chain, tie or restrain an animal, or cause such restraining of an animal to a single point, tree, fence, post, doghouse, or other stationary object except as set forth in subparagraph (b)(2) and (b)(3) below.

(2) Cable trolley system. No person shall tether, fasten, chain, tie or restrain an animal, or cause such restraining of an animal, except by cable trolley system that:

- a. Allows movement of the animal
- b. The cable along which the trolley tethering device can move must have swivels installed at each end and be attached to stationary objects that cannot be moved by the animal
- c. The length of the cable along which the trolley tethering device can move is at least ten feet long

- d. The cable along which the trolley tethering device can move is a minimum of four feet high and a maximum of seven feet high
- e. Tethers and cables attaching the animal to the running cable line trolley tethering device must be made of a substance which cannot be chewed by the animal, shall not weigh more than five percent of the of the body weight of the animal tethered and have swivels at both ends
- f. The tethering line attached to the animals collar or harness is of such length that the animal is able to move ten feet away from the cable perpendicularly but; maintain a sufficient distance from any other objects to prohibit the tangling of the cable, from extending over an object or edge that could result in injury of strangulation of the animal, be of sufficient distance from any fence as to prohibit the animal access to the fence and to ensure the animal cannot move beyond the property limits of the owner
- g. The tethering line attached to the animals collar or harness is of such length to allow access to food, water and shelter
- h. The tethering line may not be directly wrapped around the animals neck, instead it must be attached with a swiveling clasp to a properly fitted harness or collar which allows at least two fingers between the collar and the animals throat. Choke collars and pinch collars are prohibited for the purposes of tethering and attaching an animal to a running cable line or trolley system
- i. The area must be sufficient in size so as to allow the animal the ability to defecate or urinate in an area separate from the area where it must eat, drink, or lie down
- j. Only one animal may be attached to the cable trolley system at a time
- k. Unsterilized females may not be attached to a cable trolley system unless immediately supervised by a responsible and competent person
- l. No animal may be attached to such a cable trolley system for more than four hours nor from 10:00 p.m. until 6:00 a.m. The owner/keeper must be present on the property or premises where the cable trolley system is located when the animal is attached thereto.

(3) Exemptions.

- a. Animals that are in immediate attention of a responsible and competent person while still on their property and cannot come within 10 feet of any street, multi-use path or sidewalk.
- b. Animals that are under the physical control of a professional who, for compensation, trains, conditions, shows, grooms or provides medical attention.

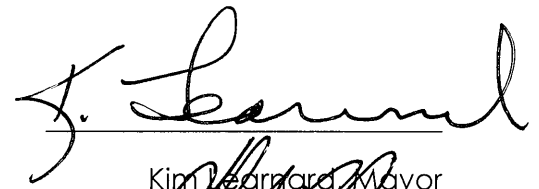
(c) In addition, all male and female dogs and cats that have not been spayed or neutered must be securely confined in such a way that they not only cannot get out to run loose, but also cannot be reached by other dogs or cats.

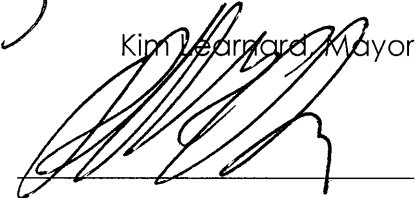
Section 3. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 5. This ordinance shall be in full force and effect upon its official adoption by the City Council.

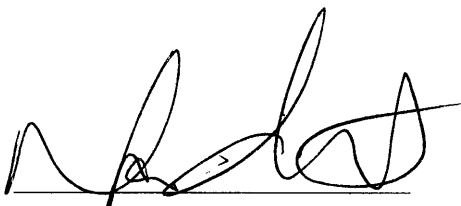
Done, Ratified, and Passed this 20th day of October 2022


Kim Bernard, Mayor


Phillip E. Prebor, Post 1


Mike King, Post 2


Frank Destadio, Post 4

Attest: 
Yasmin Julio, City Clerk