

CITY OF DIAMOND CITY, ARKANSAS ORDINANCE NO. 07-2026

AN ORDINANCE FOR THE REGULATION AND CONTROL OF DOMESTICATED ANIMALS AND UNLEASHED OR UNRESTRAINED DOGS WITHIN THE CITY OF DIAMOND CITY, ARKANSAS; PROVIDING FOR ENFORCEMENT AND PENALTIES; REPEALING CONFLICTING ORDINANCES; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DIAMOND CITY, ARKANSAS:

WHEREAS

The City Council of the City of Diamond City, Arkansas, finds that the regulation and control of dogs and other domesticated animals within the City is necessary and expedient for the promotion of the public health, safety, and welfare of the citizens of Diamond City; and

WHEREAS

The City Council further finds that the regulation and control of unleashed or unrestrained dogs within the City is in the public interest;

NOW, THEREFORE, BE IT ORDAINED:

SECTION I. DEFINITIONS

A. Containment

“Containment” means an area enclosed by a fence, invisible fence, kennel, pen, tether system, or other means designed to restrain an animal upon the owner’s property.

A tether shall:

1. Be at least ten (10) feet in length;
2. Be mounted on a cable or system designed to prevent entanglement;
3. Be attached to a properly fitted collar or harness; and
4. Permit the animal reasonable movement and access to food, water, and shelter.

B. Domesticated Animal

“Domesticated animal” means any animal commonly trained and kept as a household pet, or which commonly rely upon humans for food and shelter, including but not limited to, dogs, puppies, cats, kittens, and other living creatures generally referred to as domestic pets.

C. Owner or Keeper: "Owner" or "keeper" means any person possessing, harboring, maintaining, controlling, or caring for a domesticated animal.

SECTION II. PROPER CARE; CRUELTY PROHIBITED

A. Cruel Treatment Prohibited

It shall be unlawful for any person to subject a dog or other domesticated animal to cruel treatment.

B. Improper Care Prohibited

It shall be unlawful for any owner or keeper of a dog or other domesticated animal to subject such animal to improper care, including but not limited to failure to provide adequate food, water, shelter, sanitation, or restraint.

SECTION III. ENFORCEMENT

A. Enforcement Personnel

Whenever a police officer has probable cause to believe that a violation of this Ordinance has occurred, the officer may issue a citation, summons, or complaint to the violator stating the nature of the violation with sufficient particularity to give notice of the charge.

The Diamond City Police Department and other authorized enforcement personnel shall enforce all provisions of this Ordinance.

B. Right of Entry

Police officers and authorized enforcement personnel are hereby authorized to enter upon any premises, excluding a dwelling unit, within the City for any purpose authorized by this Ordinance.

SECTION IV. PENALTIES

Any person found guilty of violating any provision of this Ordinance, whether by acting in a manner declared unlawful or by failing to act as required, shall be subject to the following penalties:

A. Unlawful Dog Attack Resulting in Bodily Injury

Any violation involving bodily injury to any person caused by a dog or other domesticated animal shall constitute a misdemeanor punishable by:

- 1) A minimum fine of Two Hundred Fifty Dollars (\$250.00);
- 2) A maximum fine of One Thousand Dollars (\$1,000.00); and

3) The convicting court may, in the court's discretion, order that the dog be humanely destroyed.

4) Any person convicted of a repeated and willful violation of this ordinance, and who shall refuse to pay the fines imposed, shall be imprisoned in the county jail for a term not exceeding thirty (30) days.

In addition to any criminal penalty imposed, the Court or Jury may require the defendant to pay restitution pursuant to Arkansas Code Annotated § 5-4-205 for medical bills or other damages arising from injuries caused by the attack.

B. Violations Not Involving Bodily Injury

Violations not involving bodily injury shall be punishable as follows:

1. For the first offense, a fine of Fifty Dollars (\$50.00) shall be imposed.
2. For a Second offense, a fine of Seventy-Five Dollars (\$75.00) shall be imposed; provided, however, if the second offense occurs within ten (10) days of the first offense, a fine of Two Hundred Dollars (\$200.00) shall be imposed.
3. Third or subsequent offense, a fine of Three Hundred Dollars (\$300.00) shall be imposed; provided, however, if the third or subsequent offense occurs within ten (10) days of the prior offense, a fine of Five Hundred Dollars (\$500.00) shall be imposed.

For purposes of numbering offenses under this subsection, violations committed by one or more members of a single household shall be counted collectively.

All penalties collected under this Ordinance shall be paid to the City of Diamond City.

SECTION V. NO LIABILITY

Neither the City of Diamond City, the City Council, any member thereof, nor any police officer or employee of the City shall be held responsible for any damage, accident, injury, or subsequent disease occurring in connection with the administration or enforcement of this Ordinance.

SECTION VI. SEVERABILITY

Should any section, clause, sentence, or part of this Ordinance be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance, but shall be confined solely to the section, clause, sentence, or part declared invalid.

SECTION VII. CONFLICTING ORDINANCES REPEALED

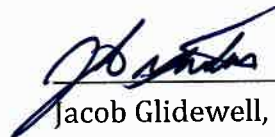
All ordinances or parts of ordinances in conflict herewith are hereby repealed and superseded.

SECTION VIII. EMERGENCY CLAUSE

It is hereby found and determined by the City Council of Diamond City, Arkansas, that the immediate adoption of this Ordinance is necessary for the protection of the public health, safety, and welfare of the citizens of Diamond City; therefore, an emergency is declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage and publication as provided by law.

PASSED AND ADOPTED this 22nd day of September, 2026.

APPROVED:



Jacob Glidewell, Mayor

ATTEST:



Mary E. Carlson, Recorder