

**CITY OF GAUTIER  
Business Agenda Item #1  
Fact Sheet**

**Council Meeting:** December 15, 2015  
**Title:** Consideration of an Amendment to the Animal Control Ordinance to Address Animals at Unoccupied Premises and General Procedure Updates  
**Introduced by:**  
**Contact Person/Telephone:** Chandra Nicholson 497-8000 ext. 312

**Summary Explanation:** Consideration of an amendment to the Animal Control Ordinance that would prohibit animals from being kept at unoccupied premises, with general procedure updates.

**EXHIBITS FOR REVIEW**

Resolution	<input type="checkbox"/>
Ordinance	<input checked="" type="checkbox"/>
Contract/Agreement	<input type="checkbox"/>
Minutes	<input type="checkbox"/>
Plan Maps	<input type="checkbox"/>
Order	<input type="checkbox"/>
Other	<input type="checkbox"/>
Submittal Authorization	City Manager

**Staff Recommendation:**  
**Approval**

<b>Motion Made by:</b>													
Gollott	<input type="checkbox"/>	Martin	<input type="checkbox"/>	Jones	<input type="checkbox"/>	Guillotte	<input type="checkbox"/>	Vaughan	<input type="checkbox"/>	Anderson	<input type="checkbox"/>	Colledge	<input type="checkbox"/>

<b>Second Made by:</b>													
Gollott	<input type="checkbox"/>	Martin	<input type="checkbox"/>	Jones	<input type="checkbox"/>	Guillotte	<input type="checkbox"/>	Vaughan	<input type="checkbox"/>	Anderson	<input type="checkbox"/>	Colledge	<input type="checkbox"/>

<b>Voted as follows:</b>		<b>Ayes</b>	<b>Nays</b>	<b>Abstained</b>	<b>Absent</b>
Mayor	Gollott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
At Large	Martin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 1	Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2	Guillotte	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3	Vaughan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4	Anderson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 5	Colledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Action Taken:**

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi the following:

**ORDINANCE NUMBER 000-2015**

**AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, TO AMEND CHAPTER 4: ANIMAL CONTROL OF THE CODE OF ORDINANCES OF THE CITY OF GAUTIER, PROHIBITING ANIMALS FROM BEING KEPT AT UNOCCUPIED PREMISES AND TO UPDATE GENERAL PROCEDURES**

WHEREAS, is hereby found and determined that an update to the Animal Control Ordinances is needed.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI:

**SECTION 1.** Chapter 4 of the Gautier Code of Ordinances shall be enacted as follows:

**Section 4-2. Definitions.**

Add the following definitions after “*Nuisance animal*”:

“*Occupied Dwelling*” means any single family or multi-family attached or detached structure providing complete, independent human living facilities for living, sleeping, eating, cooking, and sanitation in which one or more persons routinely reside on a daily basis for eight (8) or more hours a day or fifty (50) hours in a single week.

“*Occupied Premises*” means a premises containing an occupied dwelling.

Add the following definitions after “*Person*”:

“*Premises*” means land together with structures.

**Section 4-13. Confinement to premises.**

Delete the section title and replace with the following:

“Section 4-13. Confinement to occupied premises”.

Redesignate subsection “(g)” to “(h)” and add a new paragraph at the end of the subsection:

“(3) Move animals to a compliant premises.”

Insert a new subsection (g):

“(g) Animals shall only be kept on a premises containing an occupied dwelling.”

**Section 4-37. Permit Required.**

Delete the entire section and replace with the following:

“Section 4-37. Permit Required

All individuals residing in districts (except in AG Districts) desiring to keep livestock or fowl in the city shall first apply to the Department of Economic Development and Planning to obtain the required free permit.”

**Section 4-41. Variances allowed on space requirements.**

Delete the entire part (b) and replace with the following:

“(b) How variance obtained. An application for variance as set out in the preceding paragraph should be made on the appropriate form available at the Department of Economic Development and Planning, along with the appropriate fee in accordance with the City’s Fee Schedule. A public hearing will be conducted at the next available Planning Commission meeting and then sent to the City Council with recommendations. The City Council will review and render a final decision. Notice will be sent to the adjoining property owners, within five hundred (500) feet, a minimum of fifteen (15) days prior to the public hearing. Published notice prior to the public hearing shall following the same requirements as a zoning variance thereof.”

**SECTION 2.** All provisions of the ordinances of the City in conflict with the provisions of this section shall be and the same are hereby repealed and all other provisions of the ordinances of the City not in conflict with the provisions of this section shall remain in full force and effect.

**SECTION 3.** Should any sentence, paragraph subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole and, to that extent, the same shall remain in full force and effect.

**SECTION 4.** This ordinance shall become effective as provided by law.

Thereupon, upon motion duly made by **Councilman**, seconded by **Councilman** to adopt the foregoing ordinance and received the following votes:

AYES:

NAYS:

Thereupon, the Mayor declared said Ordinance approved, passed and adopted on this the \_\_<sup>th</sup> day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Gordon Gollott, Mayor

Attest: \_\_\_\_\_  
Cynthia Russell  
City Clerk