

ORDINANCE NUMBER ORD-2010-

## **AN ORDINANCE**

To enact Article XII of Chapter 18 - Animals of the Code of the City of Douglasville to enact provisions regulating pit bull dogs; to repeal any conflicting ordinances; to provide an effective date; and other purposes.

WHEREAS, in recent months the Douglasville area has experienced a tragic incident in which a citizen was attacked and seriously injured by a pit bull dogs; and

WHEREAS, pit bull breeds were developed for the purpose of fighting dogs and other animals; and

WHEREAS, to increase its effectiveness as a fighter, certain pit bull traits have been selected and maximized by controlled breeding, including 1) a set of powerful jaws with an exceptional ability to grip, lock and tear when the dog bites; 2) a unique insensitivity to pain that causes pit bulls to be exceedingly tenacious in the attack; 3) an unusually aggressive temperament towards human beings and animals; and 4) an extraordinary directness in their method of attack that does not include the common warning signs such as barking or growling displayed by other breeds; and

WHEREAS, for the above reasons, pit bull dogs present a danger to the health and welfare of the citizens of Douglasville, different in degree and kind, from the dangers presented by most other breeds of dog.

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of Douglasville, Georgia, and it is hereby ordained by the authority thereof as follows:

### **SECTION ONE**

Article XII of Chapter 18- Animals of the Code of the City of Douglasville is enacted as follows:

Sec. 18-271 Legislative Intent.

This article is intended to utilize the authority and powers of the City of Douglasville in order to secure for the citizens of this City the protection of their health, safety and welfare. It is intended to be applicable to dogs which are commonly referred to as "pit bulls" and which are defined herein. This article is designed to regulate these pit bull dogs and to ensure responsible handling by their owners through confinement, registration, and liability insurance. The unique history, nature and characteristics of pit bull dogs have been determined to require the special regulations and provisions contained within this article which the City hereby finds reasonable and necessary.

Sec. 18-272. Definition and Identification of a Pit Bull Dog.

(a) The term "pit bull dog" as used within this article shall refer to any dog which exhibits those distinguishing characteristics which:

(1) Substantially conform to the standards established by the American Kennel Club for American Staffordshire Terriers or Staffordshire Bull Terriers; or

(2) Substantially conform to the standards established by the United Kennel Club for American Pit Bull Terriers.

(b) The standards of the American Kennel Club and the United Kennel Club referred to in subsection (a) above, are attached hereto and incorporated herein by reference as "Exhibit A" and shall remain on file with the City Clerk.

(c) Technical deficiencies in the dogs' conformance to the standards described in subsection (b) shall not be construed to indicate that the subject dog is not a "pit bull dog" under this article.

(d) Testimony by a veterinarian, zoologist, animal behaviorist, or animal control officer that a particular dog exhibits distinguishing physical characteristics of a pit bull shall establish a rebuttable presumption that the dog is a pit bull.

#### Sec. 18-273. Confinement of Pit Bull Dogs.

(a) Because of the pit bull dog's inbred propensity to attack other animals, and because of the danger posed to humans and animals alike by a pit bull dog when running loose or while running together in a pack, pit bull dogs must at all times be securely confined indoors, or confined in a securely and totally enclosed and locked pen, with either a top or with all four sides at least six (6) feet high, and with a conspicuous sign displaying the words "Dangerous Dog."

(b) At any time that a pit bull dog is not confined as required in subsection (a) above, the dog shall be muzzled in such a manner as to prevent it from biting or injuring any person or animal, and kept on a leash with the owner or custodian in attendance. Provided, however, that no pit bull dog may be walked within fifty (50) feet of any public school ground nor enter onto such school ground.

(c) An exception to these confinement requirements is hereby provided for any pit bull dog in attendance at, and participating in, any lawful dog show, contest or exhibition sponsored by a dog club, association, society or similar organization.

(d) An exception to these confinement requirements is hereby provided for any pit bull dog when the dog is actually engaged in the sport of hunting in an authorized area and supervised by a competent person.

#### Sec. 18-274. Liability Insurance or Other Evidence of Financial Responsibility Required to be Maintained By Owner of Pit Bull Dogs.

In order to protect the public and to afford relief from the severe harm and injury which is likely to result from a pit bull dog attack, every owner of a pit bull dog shall maintain and be able to provide evidence of the owner's financial ability to respond in damages up to and including the amount of three hundred thousand dollars (\$300,000.00) for bodily injury to or death of any person or damage to property which may result from the ownership, keeping or maintenance of such dog. Proof of ability to respond in damages shall be given by filing with the Douglas County

Animal Control office a certificate of insurance from an insurance company authorized to do business in the state, stating that the owner is and will be insured against liability for such damages; or by posting with the animal control office a surety bond conditioned upon the payment of such damages during the period of such registration; or by posting a personal bond secured by a mortgage in real property or security interest in personal property; or a sworn statement of the owner of his/her financial ability to respond in damages up to and including the amount of three hundred thousand dollars (\$300,000.00).

Sec. 18-275. Registration of Pit Bull Dogs.

(a) Every owner of a pit bull dog in Douglasville shall register the dog with the Animal Control office of Douglas County. The registration shall include the following: Name, address and telephone number of the dog's owner; the address where the dog is harbored, if different from the owner's address; a complete identification of the dog including the dog's sex, color and any other distinguishing physical characteristics; a color photograph of the dog; a description of the method of compliance with the confinement requirements; proof of the liability insurance or other evidence of financial responsibility required pursuant to this article; and a registration fee.

Sec. 18-276. Enforcement.

It shall be the duty and responsibility of the Douglas County Animal control officers to enforce the provisions of this article. This Article may also be enforced by the Douglasville Police Department and by the Douglasville Code Enforcement Department.

Sec. 18-277. Time for Compliance.

(a) All persons subject to this article shall have ninety (90) days from the effective date of this ordinance to comply with all confinement, registration, and liability insurance requirements.

(b) No pit bull dogs may be obtained or brought into Douglasville, or otherwise acquired by residents of Douglasville to be kept in Douglasville anytime after the passage of ninety (90) days after the effective date of this ordinance. No such newly-acquired pit bull dogs may be kept, maintained, or otherwise harbored within Douglasville, and each day any such newly-acquired pit bull is so kept, maintained, or harbored shall constitute a separate violation of this section. Violation of subsection (b) may result in the issuance of a civil violation notice, and humane destruction of the pit bull dog by order of a court of competent jurisdiction. The City Attorney, the Solicitor or his designee may apply to the court for such order pursuant to this paragraph.

(c) Failure to register a pit bull dog as required by this article within the ninety (90) day grace period shall be prima facie evidence that the pit bull dog is a newly-acquired pit bull dog.

Sec. 18-278. Pups Exempt.

Any pit bull dog pup being less than ten weeks old and less than twelve pounds in weight shall be exempt from the requirements of this Article.

Sec. 18-279. Minimum Fines.

The penalty for every violation of any provision of this Article, along with any non-monetary penalty, shall include a \$500.00 fine.

Sec. 18-280. Provisions Cumulative.

The provisions of this article shall be effective in addition to any other provisions of this chapter, and where conflicting, the provisions of this article shall supersede all others.

SECTION TWO

This ordinance shall become effective on September 21, 2010.

Ordained this 20<sup>th</sup> day of September 2010.

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Councilmember

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Mayor

Attest:

\_\_\_\_\_  
City Clerk

*Delivered to Mayor* \_\_\_\_\_ *20* \_\_\_\_\_ *City Clerk* \_\_\_\_\_  
*Received from Mayor* \_\_\_\_\_ *20* \_\_\_\_\_ *City Clerk* \_\_\_\_\_

Exhibit A

## OFFICIAL A.K.C. STANDARDS

A.K.C.

Staffordshire Bull Terrier Breed Standard

[Terrier Group](#)

### General Appearance

The Staffordshire Bull Terrier is a smooth-coated dog. It should be of great strength for its size and, although muscular, should be active and agile.

### Size, Proportion, Substance

Height at shoulder: 14 to 16 inches. Weight: Dogs, 28 to 38 pounds; bitches, 24 to 34 pounds, these heights being related to weights. Non-conformity with these limits is a fault. In proportion, the length of back, from withers to tail set, is equal to the distance from withers to ground.

### Head

Short, deep through, broad skull, very pronounced cheek muscles, distinct stop, short foreface, black nose. Pink (Dudley) nose to be considered a serious fault.

**Eyes**--Dark preferable, but may bear some relation to coat color. Round, of medium size, and set to look straight ahead. Light eyes or pink eye rims to be considered a fault, except that where the coat surrounding the eye is white the eye rim may be pink. **Ears**--Rose or half-pricked and not large. Full drop or full prick to be considered a serious fault. **Mouth**--A bite in which the outer side of the lower incisors touches the inner side of the upper incisors. The lips should be tight and clean. The badly undershot or overshot bite is a serious fault.

### Neck, Topline, Body

The neck is muscular, rather short, clean in outline and gradually widening toward the shoulders. The body is close coupled, with a level topline, wide front, deep brisket and well sprung ribs being rather light in the loins. The tail is undocked, of medium length, low set, tapering to a point and carried rather low. It should not curl much and may be likened to an old-fashioned pump handle. A tail that is too long or badly curled is a fault.

### Forequarters

Legs straight and well boned, set rather far apart, without looseness at the shoulders and showing no weakness at the pasterns, from which point the feet

turn out a little. Dewclaws on the forelegs may be removed. The feet should be well padded, strong and of medium size.

### **Hindquarters**

The hindquarters should be well muscled, hocks let down with stifles well bent. Legs should be parallel when viewed from behind. Dewclaws, if any, on the hind legs are generally removed. Feet as in front.

### **Coat**

Smooth, short and close to the skin, not to be trimmed or de-whiskered.

### **Color**

Red, fawn, white, black or blue, or any of these colors with white. Any shade of brindle or any shade of brindle with white. Black-and-tan or liver color to be disqualified.

### **Gait**

Free, powerful and agile with economy of effort. Legs moving parallel when viewed from front or rear. Discernible drive from hind legs.

### **Temperament**

From the past history of the Staffordshire Bull Terrier, the modern dog draws its character of indomitable courage, high intelligence, and tenacity. This, coupled with its affection for its friends, and children in particular, its off-duty quietness and trustworthy stability, makes it a foremost all-purpose dog.

### **Disqualification**

*Black-and-tan or liver color.*

**Approved November 14, 1989**

**Effective January 1, 1990**

### **A.K.C.**

**American Staffordshire Terrier Breed Standard**

**[Terrier Group](#)**

### **General Impression**

The American Staffordshire Terrier should give the impression of great strength for his size, a well put-together dog, muscular, but agile and graceful, keenly alive to his surroundings. He should be stocky, not long-legged or racy in outline. His courage is proverbial.

### **Head**

Medium length, deep through, broad skull, very pronounced cheek muscles,

distinct stop; and ears are set high. *Ears* - Cropped or uncropped, the latter preferred. Uncropped ears should be short and held rose or half prick. Full drop to be penalized. *Eyes* - Dark and round, low down in skull and set far apart. No pink eyelids. *Muzzle* - Medium length, rounded on upper side to fall away abruptly below eyes. Jaws well defined. Underjaw to be strong and have biting power. Lips close and even, no looseness. Upper teeth to meet tightly outside lower teeth in front. Nose definitely black.

#### Neck

Heavy, slightly arched, tapering from shoulders to back of skull. No looseness of skin. Medium length.

#### Shoulders

Strong and muscular with blades wide and sloping.

#### Back

Fairly short. Slight sloping from withers to rump with gentle short slope at rump to base of tail. Loins slightly tucked.

#### Body

Well-sprung ribs, deep in rear. All ribs close together. Forelegs set rather wide apart to permit chest development. Chest deep and broad.

#### Tail

Short in comparison to size, low set, tapering to a fine point; not curled or held over back. Not docked.

#### Legs

The front legs should be straight, large or round bones, pastern upright. No semblance of bend in front. Hindquarters well-muscled, let down at hocks, turning neither in nor out. Feet of moderate size, well-arched and compact. Gait must be springy but without roll or pace.

#### Coat

Short, close, stiff to the touch, and glossy.

#### Color

Any color, solid, parti, or patched is permissible, but all white, more than 80 per cent white, black and tan, and liver not to be encouraged.

#### Size

Height and weight should be in proportion. A height of about 18 to 19 inches at shoulders for the male and 17 to 18 inches for the female is to be considered preferable.

## Faults

Faults to be penalized are: Dudley nose, light or pink eyes, tail too long or badly carried, undershot or overshot mouths.

Approved June 10, 1936

## **OFFICIAL U.K.C. STANDARDS**

### **GENERAL APPEARANCE**

The American Pit Bull Terrier is a medium-sized, solidly built, short-coated dog with smooth, well-defined musculature. This breed is both powerful and athletic. The body is just slightly longer than tall, but bitches may be somewhat longer in body than dogs. The length of the front leg (measured from point of elbow to the ground) is approximately equal to one-half of the dog's height at the withers. The head is of medium length, with a broad, flat skull, and a wide, deep muzzle. Ears are small to medium in size, high set, and may be natural or cropped. The relatively short tail is set low, thick at the base and tapers to a point. The American Pit Bull Terrier comes in all colors and color patterns except merle. This breed combines strength and athleticism with grace and agility and should never appear bulky or muscle-bound or fine-boned and rangy. Above all else, the APBT must have the functional capability to be a catch dog that can hold, wrestle (push and pull) and breathe easily while doing its job. Balance and harmony of all parts are critical components of breed type.

*Very Serious Fault:* Any disproportionate overdone characteristic (such as short legs, excessive bone or massive head or body) that would interfere with working ability.

### **CHARACTERISTICS**

The essential characteristics of the American Pit Bull Terrier are strength, confidence, and zest for life. This breed is eager to please and brimming over with enthusiasm. APBTs make excellent family companions and have always been noted for their love of children. Because most APBTs exhibit some level of dog aggression and because of its powerful physique, the APBT requires an owner who will carefully socialize and obedience train the dog. The breed's natural agility makes it one of the most capable canine climbers so good fencing is a must for this breed. The APBT is not the best choice for a guard dog since they are extremely friendly, even with strangers. Aggressive behavior toward humans is uncharacteristic of the breed and highly undesirable. This breed does very well in performance events because of its high level of intelligence and its willingness to work.



## **HEAD**

The APBT head is unique and a key element of breed type. It is large and broad, giving the impression of great power, but it is not disproportionate to the size of the body. Viewed from the front, the head is shaped like a broad, blunt wedge. When viewed from the side, the skull and muzzle are parallel to one another and joined by a well defined, moderately deep stop. Supraorbital arches over the eyes are well defined but not pronounced. The head is well chiseled, blending strength, elegance, and character.

*Very Serious Fault:* Overly large, heavy heads.

**SKULL** - The skull is large, flat or slightly rounded, deep, and broad between the ears. Viewed from the top, the skull tapers just slightly toward the stop. There is a deep median furrow that diminishes in depth from the stop to the occiput. Cheek muscles are prominent but free of wrinkles. When the dog is concentrating, wrinkles form on the forehead, which give the APBT his unique expression.

**MUZZLE** - The muzzle is broad and deep with a very slight taper from the stop to the nose, and a slight falling away under the eyes. The length of muzzle is shorter than the length of skull, with a ratio of approximately 2:3. The topline of the muzzle is straight. The lower jaw is well developed, wide and deep. Lips are clean and tight.

*Faults:* Snipey muzzle; flews; weak lower jaw.

*Very Serious Fault:* Muzzle too short, which impairs breathing capability.

**TEETH** - The American Pit Bull Terrier has a complete set of evenly spaced, white teeth meeting in a scissors bite.

*Fault:* Level bite.

*Serious Faults:* Undershot, or overshot bite; wry mouth; missing teeth (this

does not apply to teeth that have been lost or removed by a veterinarian).

**NOSE** - The nose is large with wide, open nostrils. The nose may be any color.

**EYES** - Eyes are medium size, round and set well apart and low on the skull. All colors are equally acceptable except blue, which is a serious fault. Haw should not be visible.

*Serious Faults:* Bulging eyes; both eyes not matched in color; blue eyes.

**EARS** - Ears are high set and may be natural or cropped without preference. Prick or flat, wide ears are not desired.

### **NECK**

The neck is of moderate length and muscular. There is a slight arch at the crest. The neck widens gradually from where it joins the skull to where it blends into well laid-back shoulders. The skin on the neck is tight and without dewlap.

*Faults:* Neck too thin or weak; ewe neck; dewlap.

*Very Serious Fault:* A short, thick neck that would interfere with functional ability.

### **FOREQUARTERS**

The shoulder blades are long, wide, muscular, and well laid back. The upper arm is roughly equal in length to the shoulder blade and joins it at an apparent right angle.

The forelegs are strong and muscular. The elbows are set close to the body. Viewed from the front, the forelegs are set moderately wide apart and perpendicular to the ground. The pasterns are short, powerful, straight, and flexible. When viewed in profile, the pasterns are nearly erect.

*Faults:* Upright or loaded shoulders; elbows turned outward or tied-in; down at the pasterns; front legs bowed; wrists knuckled over; toeing in or out.

*Very Serious Fault:* Legs shorter than half the total height at the withers.

### **BODY**

The chest is deep, well filled in, and moderately wide with ample room for heart and lungs, but the chest should never be wider than it is deep. The forechest does not extend much beyond the point of shoulder. The ribs extend well back and are well sprung from the spine, then flattening to form a deep body extending to the elbows. The back is strong and firm. The topline inclines very

slightly downward from the withers to a broad, muscular, level back. The loin is short, muscular and slightly arched to the top of the croup, but narrower than the rib cage and with a moderate tuck-up. The croup is slightly sloping downward.

*Very Serious Fault:* Overly massive body style that impedes working ability.

### **HINDQUARTERS**

The hindquarters are strong, muscular, and moderately broad. The rump is well filled in on each side of the tail and deep from the pelvis to the crotch. The bone, angulation, and musculature of the hindquarters are in balance with the forequarters. The thighs are well developed with thick, easily discerned muscles. Viewed from the side, the hock joint is well bent and the rear pasterns are well let down and perpendicular to the ground. Viewed from the rear, the rear pasterns are straight and parallel to one another.

*Faults:* Narrow hindquarters; hindquarters shallow from pelvis to crotch; lack of muscle; straight or over angulated stifle joint; cow hocks; sickle hocks; bowed legs.

### **FEET**

The feet are round, proportionate to the size of the dog, well arched, and tight. Pads are hard, tough, and well cushioned. Dewclaws may be removed.

*Fault:* Splayed feet.

### **TAIL**

The tail is set on as a natural extension of the topline, and tapers to a point. When the dog is relaxed, the tail is carried low and extends approximately to the hock. When the dog is moving, the tail is carried level with the backline. When the dog is excited, the tail may be carried in a raised, upright position (challenge tail), but never curled over the back (gay tail).

*Fault:* Long tail (tail tip passes beyond point of hock).

*Serious faults:* Gay tail (not to be confused with challenge tail); kinked tail.

*Disqualification:* Bobbed tail.

### **COAT**

The coat is glossy and smooth, close, and moderately stiff to the touch.

*Faults:* Curly, wavy, or sparse coat.

*Disqualification:* Long coat.

### **COLOR**

Any color, color pattern, or combination of colors is acceptable, except for merle.

*Disqualification:* Merle

### **HEIGHT AND WEIGHT**

The American Pit Bull Terrier must be both powerful and agile so actual weight and height are less important than the correct proportion of weight to height. Desirable weight for a mature male in good condition is between 35 and 60 pounds. Desirable weight for a mature female in good condition is between 30 and 50 pounds. Dogs over these weights are not to be penalized unless they are disproportionately massive or rangy.

*Very Serious Fault:* Excessively large or overly massive dogs.

### **GAIT**

The American Pit Bull Terrier moves with a jaunty, confident attitude, conveying the impression that he expects any minute to see something new and exciting. When trotting, the gait is effortless, smooth, powerful, and well coordinated, showing good reach in front and drive behind. When moving, the backline remains level with only a slight flexing to indicate suppleness. Viewed from any position, legs turn neither in nor out, nor do feet cross or interfere with each other. As speed increases, feet tend to converge toward center line of balance.

*Faults:* Legs not moving on the same plane; legs over reaching; legs crossing over in front or rear; rear legs moving too close or touching; rolling; pacing; paddling; sidewinding; hackney action; pounding.

### **DISQUALIFICATIONS**

Unilateral or bilateral cryptorchid. Viciousness or extreme shyness. Unilateral or bilateral deafness. Long coat. Bobbed tail. Albinism. Merle.

Note: Although some level of dog aggression is characteristic of this breed, handlers will be expected to comply with UKC policy regarding dog temperament at UKC events.