

Upon motion made by Supervisor West, seconded by Supervisor Huber and unanimously carried, the following Ordinance was adopted:

ORDINANCE OF BOARD OF SUPERVISORS
OF ADAMS COUNTY, MISSISSIPPI SETTING
THE MAXIMUM SPEED PERMITTED ON NORTHLOOP ROAD

WHEREAS, Section 63-3-501 of the Mississippi Code of 1972 specifies the maximum speed limits on highways and roads of the State of Mississippi, which speed is presently 55 miles per hour on county roads; and

WHEREAS, Section 63-3-501 of the Mississippi Code of 1972, as amended authorizes the Board of Supervisors, within their jurisdiction, to, after having determined upon the basis of an engineering and traffic investigation that the speed permitted under Article 11 of Chapter 63 of the Mississippi Code of 1972 is greater than is reasonable or safe under conditions found to exist upon such county road or any portion thereof, decrease the speed permitted under the general laws of the State of Mississippi as specified in Chapter 63 of the Code of 1972; and,

WHEREAS, James A. Marlow, Jr., County Engineer for Adams County, Mississippi has prepared plans for the construction of Northloop Road beginning at a junction with Cemetery Road in Section 6, T7N-R3W and extending easterly for 0.64 miles to the end of Old County Club Road in Section 12, T7n-R3W, and has determined that the maximum speed of 35 miles per hour is a reasonable and safe speed for the road for the anticipated volume of traffic.

NOW, THEREFORE, it is Ordered, Adjudged and Decreed by the Board of Supervisors of Adams County, Mississippi that the maximum speed permitted on the proposed North Loop Road is set at thirty-five (35) miles per hour.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Ordinance be published in the Natchez Democrat, a newspaper having a general circulation in Adams County, Mississippi for two consecutive weeks and that such ordinance shall become effective when appropriate signs giving notice thereof has been erected on Northloop Road.

Supervisor Salmon moved that the following SUBDIVISION ORDINANCE be adopted:

AN ORDINANCE ADOPTING RULES AND REGULATIONS GOVERNING THE PLATTING AND SUBDIVIDING OF LAND; PRESCRIBING MINIMUM STANDARDS FOR THE DESIGN AND CONSTRUCTION OF ROADS AND STREETS TO BE DEDICATED FOR PUBLIC USE; AND PROVIDING FOR ACCEPTANCE BY THE ADAMS COUNTY BOARD OF SUPERVISORS

The Board of Supervisors finds:

(1)

In order to assure the development of Adams County in an orderly, healthful and efficient manner, the best interest of the citizens of this County requires the adoption of the hereinafter prescribed rules and regulations.

(2)

The unregulated subdivision of lands endangers the orderly development of this County and often has an adverse effect on the value of the property of adjoining landowners.

(3)

The highly erodible soil of Adams County requires the proper and careful construction of streets and drainage systems to protect not only the future owners of subdivided lands, but property owners who might be adversely affected by the improper or inefficient construction of drainage systems.

(4)

The taxpayers of Adams County have suffered increased costs in the repair and maintenance of certain subdivision roads where such roads and the drainage system connected therewith were not constructed in accordance with sound engineering practices.

(5)

The health of the citizens of this County requires the proper disposal of household sewage and demands each household in this County be connected to an efficient sewage disposal facility.

BE IT ORDERED BY THE ADAMS COUNTY BOARD OF SUPERVISORS that the following rules and regulations governing the development of subdivisions located in Adams County outside of the corporate limits of towns and cities are hereby adopted to take full force and effect thirty (30) days after the date of this Order.

SECTION 1. DEFINITION AND PROCEDURE: (a) For the purpose of these regulations, a subdivision is defined as the division of a tract or parcel of land into two or more lots, plat sites or other division of land with access roads and streets for the purpose of sale or of building development, whether immediate or future. It also includes re-subdivision of existing subdivisions, and the improvements of existing roads and streets which are to be dedicated for public use and accepted by the County for maintenance after construction or improvement. Divisions of land for agricultural purposes shall be exempted for the requirements of these rules and regulations when such division does not involve the construction of any new public roads or streets or easements of access which are to be tendered to the County for maintenance.

(b) Any person or persons, firm or corporation owning a tract or parcel of land in Adams County located outside of the corporate limits of a city or town who may desire to subdivide said land into lots and construct access roads or streets shall have said land surveyed and platted as hereinafter set forth by a licensed land surveyor and shall submit the subdivision plat and the plans as hereinafter provided for the proposed improvements to the Board of Supervisors of Adams County for its approval.

(c) The plat shall be drawn on any reasonably stable and durable drawing paper, vellum

linen, or film of reproducible quality. No plat or map shall have dimensions of less than 8 ½ x 11 inches.

SECTION II. RECORD PLAT: The plat shall contain complete data as follows:

1. A title including the name of the subdivision, name of the survey, name of the subdivided tract, the name of the licensed surveyor, and the scale with a north point which may be magnetic or true north, including a notation of whether the north point is magnetic or true. The plat shall identify the tax map parcel as the same appears in the office of the Adams County Tax Assessor.

2. The shape and exterior boundaries of the tract subdivided, indicated by the use of a distinctive or individual symbol, which boundaries shall be completely and accurately determined by courses, angles and distances. These boundaries shall be obtained by an accurate survey in the field, which must be balanced and closed.

3. The dimensions of all lots, streets, alleys and angles of intersection must be shown. At least three (3) elements of all circular curves shall be shown. When intersecting boundary lines are nonradial or nontangential, at least the delta, radius, arc and chord bearing and distance shall be shown.

4. All of the lots intended for sale may be numbered either by progressive numbers, or if in blocks, progressively numbered in each block, and the blocks progressively numbered or lettered. When all lots in any block are of the same dimensions, it shall be sufficient to mark the length and width upon one tier thereof, but all gores, triangles, or other lots, either squares or parallelograms, shall have the length of their sides and angles, plainly defined by figures.

5. Building lines shall be established and such lines shown by dotted lines along each street. All necessary easements across private property for public utilities, drainage and like uses must be described and plainly indicated on the plat.

6. Subdivision plats shall provide for a least two entrances to furnish proper ingress and egress from established public roads or streets, except in the case of a single street subdivision or a dead-end place.

7. Subdivision plats shall provide for the future construction of one or more streets for access to any other parcel of land lying back of the proposed development in order to prevent blocking of future development of adjacent subdivisions.

8. A certificate of ownership and dedication of all roads and streets, drainage easements and parks or playgrounds to public use forever, signed and acknowledged before a Notary Public by the owner of the land and lienholder, if any, to appear on the face of the plat containing a complete and accurate description of the land subdivided and the streets dedicated.

9. A plat or survey shall bear the name, address, date of field survey, and signature and seal (either embossed or stamped) of the registered surveyor preparing the plat or survey. The signature and seal shall constitute the certification by the surveyor that the survey meets the minimum requirements of the standards for land surveyors in Mississippi as adopted by the Mississippi State Board of Registration for Professional Engineers and Land Surveyors. The plat or survey shall also meet all requirements of governmental agencies for such plats or surveys including, but not limited to, the Manual of Instructions for the Survey of U.S. Public Lands.

10. After approval by the Board of Supervisors, the subdivision plat shall be filed for record in the office of the Chancery Clerk of Adams County.

SECTION III. SURVEYS, MINIMUM STANDARDS AND DESIGNS: 1. The location of subdivisions shall conform to the zoning regulations of the towns or cities in the vicinity of or adjacent to the proposed subdivision development. If located adjacent to a Mississippi State Highway, subdivision roads or streets which connect with the highway shall be located and

constructed only by permit to be secured by the Mississippi Department of Transportation for authority to connect with said highway.

2. In surveying the land to be platted, all lot corners shall be marked on the ground with iron pins, and all street intersections and subdivision corners shall be marked by concrete markers at least 4" x 4" reinforced by 3/4" pipe through the center thereof, and such markers shall be firmly set in the ground to a minimum depth of 24 inches.

3. Streets classified by the engineer as local or minor shall be laid off at least 60 feet in width; intermediate or secondary streets shall be at least 70 feet in width, and major thoroughfares or arterial streets at least 80 feet in width.

4. The arrangement of roads or streets in a new subdivision shall provide for the continuation of the principal existing streets of at least the same width in an adjoining subdivision, or their proper projection in case the adjoining property is not subdivided.

5. All subdivisions shall be surveyed and laid out in such a manner that each lot intended for sale shall face a public thoroughfare.

6. Dead-end streets may be laid out in unusual cases where through streets are situated nearby and a dead-end street would carry only local traffic. All dead-end streets shall be provided with an end cul-de-sac with a turnaround not less than one hundred (100) feet in diameter of right-of-way.

7. No intersecting streets shall be platted with the angle including between adjoining street lines less than sixty (60) degrees nor more than one hundred twenty (120) degrees. In such cases, the street lines shall be curved or angled to intersect at approximately ninety (90) degrees.

8. No subdivisions showing or including reserve strips of land which would block access to public ways or adjoining properties will be approved.

9. Lots in residential subdivisions shall have at least a 70-foot frontage and contain at least 12,000 square feet.

10. Notwithstanding the provisions of Section III, Paragraph 9 above, no lot shall be created and platted which is not of adequate size and soil composition to permit the installation thereon of a septic or other system capable of accommodating sewerage generated thereon unless such lot is connected to a sewer system approved by the Mississippi Department of Health. No lot shall be sold unless such lot has been certified by the Mississippi Department of Health as being in compliance with this provision and unless such lot complies with all requirements of the Waste Water and Sewage Disposal Ordinance adopted by this Board on the __ day of ____, 1998.

SECTION IV. IMPROVEMENTS REQUIRED IN SUBDIVISIONS: The Board of Supervisors shall accept and approve no subdivision plan, nor assume the responsibility of maintaining roads and streets proposed to be dedicated to the County, until the subdivider has caused to be constructed at no expense to Adams County the following minimum improvements:

1. Grading of the roads or streets in accordance with the requirements herein contained and in compliance with instructions from the County Road Manager or County Engineer.

2. Surface drainage of roads by side ditches or drainage of streets by concrete curbs and gutters with inlets and underground storm sewers.

3. Stabilization of unsatisfactory subgrades by topping with friable selected material where necessary.

4. Construction of a compacted clay gravel, semi-gravel or stabilized sand clay base course.

8. Any developer wanting to subdivide property for sale for residential, commercial or industrial use on any land in unincorporated Adams County shall use these guidelines for fire hydrant installation.

9. These guidelines will be subject to review by the Adams County Road Manager, private water supplier and final approval by the Adams County Board of Supervisors.

SECTION VIII. The Board, for good cause shown by an applicant, may waiver or alter any provision or requirement above set forth when, in the Board's sole discretion, the goals of this ordinance are better served thereby.

SECTION IX. REPEAL OF CONFLICTING ORDERS: It is further ordered that all previous orders or parts of orders in conflict herewith are hereby repealed.

SECTION X. PENALTY: It is further ordered that any person or persons violating any of the terms or provisions of this Order shall be guilty of a misdemeanor and subject to a fine of \$500.00 per day for each day of such person's failure to remedy any noncompliance with this Ordinance. Nothing in this section shall preclude the County from pursuing such other relief as may be appropriate.

SECTION XI. EFFECTIVE DATE: Be it ordered by the Adams County Board of Supervisors that these rules and regulations shall go into full force and effect thirty (30) days after the date of adoption on this the ____ day of _____, 2001.

ADAMS COUNTY BOARD OF SUPERVISORS

BY: _____
SAMUEL L. CAUTHEN, PRESIDENT

ATTEST:

THOMAS J. O'BEIRNE, CLERK

Supervisor Easterling seconded the motion, which carried unanimously.

BACK ORDER

Adams Co. Sheriff Dept. 6/9/2017
Customer Date

We're sorry, but the following items are temporarily out of stock: _____

2-KMW72452 Wireless Mouse 6/13

1-HON IW103CU42 Mesh Chair 6/14

3-Business Cards 6/14

Account Billed Invoice 51493 6/8/2017

We plan to deliver them to you on 6/14/2017. We appreciate your business and hope that the above delivery date is satisfactory.

Bella Heta

19750 — Smith Printing

SMITH PRINTING CO.

OTC26255
B6N10970
MMN654-18BRCP
TOP63383
PAP1753365
PAP1753366

BOOK, MEMO, END-OPEN, 4X
NOTES, POST-IT, 3X3, 18P
PAD, LEGAL, DOUBLE DOCK
PEN, GEL, PAPER MATE, 1.0
PEN, GEL, PAPER MATE, 1.0

INVOICE

INVOICE NUMBER 51493
INVOICE DATE 06/08/17
SALESPERSON NO. 1013
DUE DATE 07/08/17
DISCOUNT DATE 08/08/17
PAGE 1
11:05 AM

	QUANTITY	PRICE	EXTENSION
SK	1	126.25	126.25
	1	12.64	12.64
TU	2	4.70	9.40
SE	3	116.54	349.62
6	3	11.33	33.99
TH	3	10.73	32.19
FI	3	28.85	86.55
LM	1	23.01	23.01
WI	3	6.19	18.57
	3	46.89	140.67
OTA	3	17.99	53.97
	3	14.83	44.49
	3	27.65	82.95
	3	8.26	24.78
	3	15.72	47.16
	3	15.72	47.16

SALES TAX	INVOICE TOTAL	AMOUNT PAID	BALANCE	CHANGE DUE
		Continued Next Page		

BACK ORDER

Adams Co. Sheriff Dept. 6/9/2017
Customer Date

We're sorry, but the following items are temporarily out of stock: _____

2-KMW 72452 Wireless Mouse 6/13

1-HON IW103CU42 Mesh Chair 6/14

3-BUSINESS CARDS 6/14

Account Billed Invoice 51493 6/8/2017

We plan to deliver them to you on 6/14/2017. We appreciate your business and hope that the above delivery date is satisfactory.

Bella Heta

19750 — Smith Printing

SMITH PRINTING CO.

DIC26255
B6N10970
MMN654-18BRCP
TOP63383
PAP1753365
PAP1753366
BOOK, MEMO, END-OPEN, 4X
NOTES, POST-IT, 3X3, 18P
PAD, LEGAL, DOUBLE DOCK
PEN, GEL, PAPER MATE, 1.0
PEN, GEL, PAPER MATE, 1.0

INVOICE

INVOICE NUMBER 51493
INVOICE DATE 06/08/17
SALESPERSON NO. 13
DUE DATE 07/08/17
DISCOUNT DATE 06/08/17
PAGE 1
11:05 AM

	QUANTITY	PRICE	EXTENSION
	1	126.25	126.25
	1	12.64	12.64
	2	4.70	9.40
	3	116.54	349.62
	3	11.33	33.99
	3	10.78	32.34
	3	28.85	86.55
	1	23.01	23.01
	3	6.19	18.57
	3	46.89	140.67
	3	17.99	53.97
	3	14.83	44.49
	3	27.65	82.95
	3	8.26	24.78
	3	15.72	47.16
	3	15.72	47.16

SALES TAX	INVOICE TOTAL	AMOUNT PAID	BALANCE	CHANGE DUE

Continued Next Page

BACK ORDER

Adams Co. Sheriff Dept. 6/9/2017
Customer _____ Date _____

We're sorry, but the following items are temporarily out of stock: _____

2-KMW72452 Wireless Mouse 6/13

1-HON IW103CU42 Mesh Chair 6/14

3-BUSINESS CARDS 6/14

Account Billed Invoice 51493 6/8/2017

We plan to deliver them to you on *6/14/2017*. We appreciate your business and hope that the above delivery date is satisfactory.

Bella Heta

19750 — Smith Printing

SMITH PRINTING CO.

INVOICE

INVOICE NUMBER 51493
INVOICE DATE 06-08-17
SALESPERSON NO. 13
DUE DATE 07-08-17
DISCOUNT DATE 06-08-17
PAGE 1
11:05 AM

	QUANTITY	PRICE	EXTENSION
	1	126.25	126.25
	1	12.64	12.64
	2	4.70	9.40
	3	116.54	349.62
	3	11.33	33.99
	3	10.73	32.19
	3	28.85	86.55
	1	23.01	23.01
	3	6.19	18.57
	3	46.89	140.67
	3	17.99	53.97
	3	14.83	44.49
	3	27.65	82.95
	3	8.26	24.78
	3	15.72	47.16
	3	15.72	47.16

SALES TAX	INVOICE TOTAL	AMOUNT PAID	BALANCE	CHANGE DUE

Continued Next Page

Before the undersigned authority of said county, personally appeared Sherri Eldridge, the clerk of a public newspaper printed and published in the City of Natchez, and county aforesaid, called The Natchez Democrat, who, being duly sworn, doth depose and say that the publication of this notice hereto affixed has been made in said newspaper for two successive weeks:

Vol: 129 No. 80 Dated the 3 day of April, 1993

Vol: 129 No. 86 Dated the 10 day of April, 1993

Commencing on the 3 day of April, 1993 and ending on the 10 day of April, 1993.

/s/ Sherrie Eldridge
Legal Ad Clerk

Sworn to and subscribed to this the 12 day of April, A.D., 1993, before me the undersigned Notary Public of said County of Adams.

/s/ Martha B. Gray
My Commission Expires
September 21, 1994

(SEAL)

NEWSPAPER CLIPPING ATTACHED TO FOREGOING AFFIDAVIT:

ORDINANCE OF BOARD OF SUPERVISORS
OF ADAMS COUNTY, MISSISSIPPI
REDUCING THE MAXIMUM SPEED PERMITTED
ON COUNTY ROADS

WHEREAS, Section 63-3-501 of the Mississippi Code of 1972 specifies the maximum speed limits on highways and roads of the State of Mississippi, which speed is presently 55 miles per hour on county roads; and

WHEREAS, Section 63-3-501 of the Mississippi Code of 1972 as amended authorized the Boards of Supervisors within their jurisdiction, to, after having determined upon the basis of an engineering and traffic investigation that the speed permitted under Article 11 of Chapter 63 of the Mississippi Code of 1972 is greater than is reasonable or safe under conditions found to exist upon such county road or any portion thereof, decrease the speed permitted under the general laws of the State of Mississippi as specified in Chapter 63 of the Code of 1972; and

WHEREAS, B. C. Jordan, Jr., County Engineer for Adams County, Mississippi has made an engineering and traffic investigation on Highland Park Blvd., Providence Rd., Kingston/Hutchins Landing Rd., Foster Mound Rd., Cranfield-Jeanette Rd. and portions of Lower

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED by the Board of Supervisors of Adams County, Mississippi that the maximum speed permitted on Highland Park Blvd., Providence Rd., Kingston/Hutchins Landing Rd., Cranfield Jeanette Rd and Lower Woodville Rd. from Beltline Rd. to Cloverdale Rd. is set at the rate of 40 miles per hour. The maximum speed permitted on Foster Mound Rd. from Martin Luther King Jr. Rd. to Steamplant Rd. is set at 45 miles per hour and from Steamplant Rd. to Morgantown Rd. is set at 35 miles per hour. The maximum speed permitted on Liberty Rd. from Roxie Road east to the Adams/Franklin County line is set at the rate of 35 miles per hour.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this ordinance be published in The Natchez Democrat, a newspaper having a general circulation in Adams county, Mississippi for two consecutive weeks and that such ordinance shall become effective when appropriate signs giving notice thereof has been erected on the above named roads.

Supervisor West moved that the Board, after consulting with Supervisor Campbell in whose district the project is located, authorize the employment of someone to acquire the necessary right-of-ways for the Liberty Road Bridge Project. Supervisor Huber seconded the motion which carried unanimously.

Upon motion made by Supervisor Salmon, seconded by Supervisor Huber and unanimously carried, the following travel was approved:

May 11, 1993 - Road Manager Clyde Rodriquez to Jackson, Ms to attend a Road Managers Seminar at Jackson State University

May 29, 1993 - Civil Defense Director George Souderes to Jackson, Ms to attend a Fire Coordinators Meeting at the Fire Academy

**ORDINANCE AUTHORIZING ADAMS COUNTY, MISSISSIPPI
TO ASSESS A SURCHARGE UPON PERSONS FINED FOR
CERTAIN MISDEMEANORS TO FUND LOCAL CRIME
STOPPERS PROGRAM**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ADAMS COUNTY,
MISSISSIPPI:

In addition to any other monetary penalties and other penalties imposed by law, Adams County shall assess an additional surcharge in an amount not to exceed Two Dollars (\$2.00) on each person upon whom a county or justice court imposes a fine or other penalty for any misdemeanor other than offenses relating to vehicular parking or registration to the benefit of the citizens of the county for the local crime stoppers program. The proceeds from the surcharge will be used by the county only to fund that county's support of the local crime stoppers program as authorized by Section 45-39-15, Mississippi Code of 1972. The proceeds from the surcharge imposed by this subsection shall be deposited into a special fund in the Department of Public Safety's Office of Public Safety Planning which shall promulgate rules and procedures relating to the administration of the special fund and the disbursement of monies in the fund to participating counties. The maximum amount that a county may receive from the special fund shall be an amount equal to the deposits made into the fund by that entity, less one percent (1%) to be retained by the Office of Public Safety Planning to defray the costs of administering the special fund. Interest earned on the special fund shall remain in the fund and shall be used by the Office of Public Safety Planning to further defray the costs of administering the special fund.

SECTION 1. SEVERABILITY

Provision 1. This Ordinance has been considered section by section, provision by provision, and as a whole, and if any section or provision hereof should be held unconstitutional or invalid for any reason, the remaining sections and provisions hereof shall be valid, it being hereby declared that all constitutional and valid provisions hereof would have been enacted after the exclusion of any section or provision which might be found to be unconstitutional or invalid.

SECTION 2. CONFLICT OF LAWS

In the event any portion of this ordinance conflicts with the laws of the State of Mississippi, then, and in that event, the laws of the State of Mississippi shall prevail.

SECTION 3. EFFECTIVE DATE

The Clerk of the Board of Supervisors shall cause this Ordinance to be published on _____, 2009. THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY (30) DAYS AFTER ITS FIRST PUBLICATION.

SECTION 4. ADOPTION

This Ordinance having been considered section by section, the Board of Supervisors hereby declares it to be in the interest of safety and welfare of the citizenry of Adams County, Mississippi:

Upon motion duly made by Supervisor Grennell, seconded by Supervisor Felter, being put to a roll call vote the result was as follows:

<u>T. Henry Watts</u>	voted <u>Aye</u>
<u>Thomas (Boo) Campbell</u>	voted <u>Aye</u>
<u>Darryl Grennell</u>	voted <u>Aye</u>
<u>Stanley E. (Spanky) Felter</u>	voted <u>Aye</u>
<u>Mike Lazarus</u>	voted <u>Aye</u>

The motion having received the unanimous ~~majority~~ vote of all members present, the President of the Board declared the motion carried and the Ordinance adopted.
This the 7th day of December, 2009.

T. Henry Watts
President

Upon motion made by Supervisor Huber, seconded by Supervisor Campbell and unanimously carried, the following Ordinance was adopted:

ORDINANCE

WHEREAS, the Board of Supervisors finds the health and welfare of the citizens of the County requires an ambulance service at the Advanced Life Support Level.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Adams County in legal session convened that the following Ambulance Ordinance is hereby enacted.

No person, entity, or corporation shall provide an ambulance service to transport people within Adams County unless the level of care provided in emergency and routine non-emergency transports is at the Advanced Life Support level as defined and certified by the Mississippi Office of Emergency Medical Services.

/s/ Samuel L. Cauthen
President

Attest:
/s/ Thomas J. O'Beirne
Clerk

At the request of the Inventory Clerk and upon motion made, duly seconded and unanimously carried, the following transfers were approved:

Chair - Inventory Control #1380 and Typing Table - Inventory Control #510 from Board of Supervisors to Metro Narcotics

IBM Word Processor 8513 - Inventory Control #425 - S/N AN09SA8513001 and IBM Printer - Inventory Control #426 - S/N AN09SA5201002 from Chancery Court to District Attorneys Office

Printer Table - Inventory Control #1381 from Board of Supervisors to Road Department

Chevrolet Van - Inventory Control #1999 from Road Department to Maintenance Department

**ORDINANCE PROVIDING FOR THE CONTROL OF DOGS
AND DANGEROUS ANIMALS WITHIN ADAMS COUNTY, MISSISSIPPI**

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ADAMS COUNTY,
MISSISSIPPI:

SECTION 1. DEFINITIONS

That for the purpose of this Ordinance, the following definitions shall apply when used herein:

- (a) The word "Dog" shall include both the male and female sex of the canine species.
- (b) The word "Owner" shall include any person, partnership, firm or corporation owning, keeping, harboring or caring for one or more dogs.
- (c) The words "Dangerous Dog" shall mean that a dog without provocation, has chased or approached in either a menacing fashion or an apparent attitude of attack, or has attempted to bite, or has bitten, maimed, killed, or otherwise endangered any person, dog or other animal.

"Dangerous Dog" shall not include:
 - (1) A police dog while being used to assist law enforcement officials in the performance of their official duties.
 - (2) A dog attempting to prevent a trespass or other criminal offense on the property of its owner, keeper, or harborer.
- (d) The words "Without Provocation" shall mean that the dog was not teased, tormented or abused by a person, or that the dog was not coming to the aid or the defense of a person who was not engaged in illegal or criminal activity and who was not using the dog as a means of carrying out such activity.
- (e) The words "Menacing Fashion" shall mean that the dog would cause a reasonable person being chased or approached to believe that the dog would attempt to cause physical injury to that person.
- (f) The words "Humanely Destroyed" shall generally mean to be destroyed by euthanasia under the supervision of a licensed veterinarian.
- (g) The words "Adams County" shall mean the unincorporated areas of Adams County, Mississippi.
- (h) The word "Board" shall mean the Board of Supervisors of Adams County, Mississippi.
- (i) The word "Law Officer" shall mean the Adams County Sheriff or any of his lawfully authorized deputies.
- (j) The word "County" shall mean Adams County, Mississippi, its departments and employees.

SECTION 2. DANGEROUS ANIMALS

Provision 1. The following animals are hereby found and determined to be dangerous animals and as such are subject to all requirements and provisions of this article:

- (a) Any animals, other than domestic dogs, which in a wild state are carnivorous or poisonous or which, due to their physical makeup or capabilities, are capable of inflicting serious physical harm or death to human beings.

This includes, but is not limited to, animals belonging to the cat or snake family, including all constrictors, bears, wolverines, badgers, lions, tigers and such other animals as the Board may from time to time determine by Order or Resolution to be vicious or dangerous animals. The Clerk of the Board of Supervisors or County Administrator is authorized to compile and maintain a list of said animals as may be determined to be regulated by this Article.

(b) Any domestic dog or any other animal that exhibits any of the following characteristics.

- (1) Without provocation approaches, in a threatening or terrorizing manner, any person in any apparent attitude of attack or exhibits any behavior that constitutes a physical threat of bodily harm to a person upon the streets, sidewalks, any public or common grounds or places, or in any place where such person is conducting himself peaceably and lawfully.
- (2) Without provocation bites, inflicts injury, assaults or otherwise attacks a person in any place where such person is conducting himself peaceably and lawfully, or when such animal is not on the property of the owner of the attacking animal.
- (3) A known propensity, tendency or disposition to attack without provocation, to cause injury, or to otherwise endanger the safety of human beings or other domestic animals.
- (4) Owned or harbored primarily or in part for the purpose of fighting or any animal trained for fighting.

Provision 2. For the purposes of this Article, a person shall be considered to be peaceably and lawfully upon the private property of any owner of an animal when he is on such property in the performance of any duty imposed upon him by any laws or postal regulations of the United States or any political subdivision thereof or when he is on such property upon invitation, expressed or implied.

Provision 3. The provision of this section notwithstanding, no animal may be determined to be dangerous due to the fact that it:

- (a) Inflicts injury or damage on a person who is committing a willful trespass or other tort upon the premises occupied by the person owning or in possession of the animal or who is teasing, tormenting, abusing or assaulting the animal or who is committing or attempting to commit a crime.
- (b) Inflicts injury or damage on another domestic or wild animal that is or was teasing, tormenting, abusing or assaulting the animal.
- (c) Takes any action to defend or protect a human being within the immediate vicinity of the animal from any unjustified attack or assault.

Provision 4. Unless specifically stated to the contrary, the following are exempt from the requirements of this article.

- (a) Any lawfully operated circus, carnival, performing act or similar functions and events of a temporary nature as may be authorized by the County.
- (b) Dogs or other animals lawfully used to guard private property as long as they are on that private property.
- (c) Dogs or other animals assisting a law officer engaged in law enforcement duties.
- (d) Animals in a licensed veterinary, animal or small animal hospital for treatment or kept in a bona fide educational, medical or other research institution or in zoos.

museums or similar places where such animals are kept as live exhibits or for study.

- (c) Dogs or other animals assisting a disabled or handicapped person.

Provision 5.

- (a) Upon receipt of a sworn affidavit from any respectable citizen being presented to any law officer or designated representative of the County, or if in the opinion of any law officer or designated representative of the County, that any animal is found to be dangerous as described in this Section then said animal may be caught and impounded with the assistance of the Natchez-Adams County Humane Society if requested, for a period of time until a final determination is made by the Court.
- (b) Notice to owner. If by tag or other means, the owner of an impounded animal can be identified, the law officer shall immediately upon impoundment, notify the owner. The animal shall be impounded at the Natchez-Adams County Humane Society.
- (c) If after a hearing by the Court, it is determined, based on the sworn affidavit and other pertinent information gathered by any law officer or designated representative of the County that said animal is in fact determined to be a dangerous animal in accordance with this Section, then said animal may be humanely destroyed according to law.
- (d) In the event it is determined by said law officer, designated representative of the County or any Court of Law that the subject animal is not deemed to be dangerous, and the owner of said animal, or his representative, claims said animal, then said animal shall be released to the claimant; provided however, that if an unvaccinated animal is claimed as aforesaid, the claimant must make arrangements for the vaccination of said animal satisfactory to the Natchez-Adams County Humane Society.

An owner reclaiming an impounded animal shall pay fees to the Natchez-Adams County Humane Society as follows:

- (1) Fees for reclaiming impounded animals are:
- | | | |
|---------------------|---|---------|
| First offense | - | \$25.00 |
| Subsequent offenses | - | \$50.00 |
- (2) In addition to the foregoing fees, the per day board for each day the animal is impounded that is incurred by the Natchez-Adams County Humane Society.
- (3) All court costs concerning the impounded animal.

The owner of an animal impounded shall be liable for the foregoing fees, charges, fines and court costs, notwithstanding the destruction of the animal.

- (e) No action shall be maintained by the owner of said animal if said animal is humanely destroyed in accordance with this Section.

SECTION 3. RESPONSIBILITY OF OWNER GENERALLY

- (a) Confirming muzzling required. Every dangerous or vicious animal, as determined by the proper law enforcement official, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the property of its owner.
- (b) Care Required. No owner shall fail to provide his animals with sufficient good

and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.

SECTION 4. ENFORCEMENT

Provision 1.

- (a) The Adams County Sheriff's Department and any designated representative of the County shall have the primary duty and responsibility of enforcing the provision of this Ordinance and any such law officer or designated representative is fully authorized and empowered to enforce any and all of the provisions hereof.
- (b) Citations: Authorized officers of Adams County are hereby authorized to issue citations to any person for violation of any provision of this ordinance. The citation shall be a form approved by the Adams County Justice Court, shall designate the offense charged and shall require person so charged to appear before Adams County Justice Court on a certain date to answer the charges therein contained.

SECTION 5. PENALTIES

Provision 1. The failure or refusal of any person to comply with any of the provisions of this Ordinance, and the violation of any provision of this Ordinance by any person shall constitute a misdemeanor, and any person guilty of any violation of any provision of this Ordinance shall, on conviction thereof, be fined for the first offense in a sum not to exceed Five Hundred Dollars (\$500.00); and the second offense in a sum not to exceed Seven Hundred Fifty Dollars (\$750.00); and for the third offense a sum not to exceed Nine Hundred Dollars (\$900.00); and for any subsequent offense a sum not to exceed One Thousand Dollars (\$1,000.00) and/or six (6) months in jail.

SECTION 6. SEVERABILITY

Provision 1. This Ordinance has been considered section by section, provision by provision, and as a whole, and if any section or provision hereof should be held unconstitutional or invalid for any reason, the remaining sections and provisions hereof shall be valid, it being hereby declared that all constitutional and valid provisions hereof would have been enacted after the exclusion of any section or provision which might be found to be unconstitutional or invalid.

SECTION 7. CONFLICT OF LAWS

In the event any portion of this ordinance conflicts with the laws of the State of Mississippi, then, and in that event, the laws of the State of Mississippi shall prevail.

SECTION 8. EFFECTIVE DATE

This Clerk of the Board of Supervisors shall cause this Ordinance to be published on _____, 2010. THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY (30) DAYS AFTER ITS FIRST PUBLICATION.

SECTION 9. ADOPTION

This Ordinance having been considered section by section, the Board of Supervisors hereby declares it to be in the interest of health and welfare of the citizenry of Adams County, Mississippi:

Upon motion duly made by Supervisor Lazarus, seconded by Supervisor Grennell, being put to a roll call vote the result was as follows:

<u>Supervisor Campbell</u>	voted <u>Aye</u>
<u>Supervisor Felter</u>	voted <u>Aye</u>
<u>Supervisor Watts</u>	voted <u>Aye</u>
<u>Supervisor Grennell</u>	voted <u>Aye</u>
<u>Supervisor Lazarus</u>	voted <u>Aye</u>

The motion having received the unanimous ~~majority~~ vote of all members present, the President of the Board declared the motion carried and the Ordinance was approved.

This the 21st day of June, 2010.

s/ Darryl Grennell
President

Attest s/ Thomas J. O'Beirne
Clerk