

1 **ORDINANCE NO. _____**
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3 **AN ORDINANCE TO AMEND LITTLE ROCK, ARK., REVISED CODE OF**
4 **ORDINANCES (1988) CHAPTER 6, ARTICLE I, TO CLARIFY THE**
5 **CIRCUMSTANCES UNDER WHICH CONFINEMENT OF AN ANIMAL**
6 **IN AN UNATTENDED VEHICLE SHALL BE CONSIDERED A**
7 **VIOLATION OF THE CITY'S ANIMAL CRUELTY PROVISION; AND**
8 **FOR OTHER PURPOSES.**
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10 **WHEREAS**, the Arkansas General Assembly granted cities and incorporated towns the authority to
11 prevent cruelty to animals; and,

12 **WHEREAS**, Little Rock, Ark. Revised Code of Ordinances (1988) ("Little Rock Code"), Section 6-5
13 defines animal cruelty to include an act that subjects an animal to extreme temperatures; and,

14 **WHEREAS**, the American Veterinary Medical Association published information, courtesy of the
15 Department of Geosciences at San Francisco State University, to show that a vehicle's interior temperature
16 can reach 104° Fahrenheit in ten (10) minutes when the outside ambient temperature is 85° Fahrenheit,
17 and that a vehicle's interior temperature can reach 120° to 140° Fahrenheit in less than one (1)-hour when
18 the outside ambient temperature is 70° to 95° Fahrenheit; and,

19 **WHEREAS**, the Little Rock Board of Directors wishes to supplement, but not repeal, Little Rock Code
20 Section 6-5(a)(4), to clarify the circumstances under which confinement of an animal in an unattended
21 vehicle shall be considered a violation of Section 6-5 of the Little Rock Code;

22 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY**
23 **OF LITTLE ROCK, ARKANSAS:**

24 **Section 1.** Section 6-5 of the Little Rock, Ark. Revised Code of Ordinances (1988) shall be amended
25 to add a new Subsection (c) to read as follows:

26 (c) No person shall leave or confine any animal unattended in a motor vehicle under the following
27 circumstances:

28 (1) The animal is left or confined in an open truck bed when the outside temperature is 70°
29 Fahrenheit or greater and the animal is showing signs of distress;

30 (2) The animal is left in an enclosed vehicle with the windows opened or closed when (i)
31 the interior of the vehicle is not provided with conditioned air or adequate ventilation to
32 maintain an interior temperature of 90° Fahrenheit or less, or (ii) the animal is showing
33 signs of heat distress;

- 1 (3) The animal is left or confined in an open truck bed when the outside temperature is
2 30° Fahrenheit or less or when the animal is showing signs of cold weather distress; or
3 (4) The animal is left in an enclosed vehicle with the windows open or closed where the
4 outside temperature is 30° Fahrenheit or less and (i) the interior of the vehicle is not
5 provided with heated air to maintain an internal temperature of at least 30° Fahrenheit,
6 or (ii) the animal is showing signs of cold weather distress.

7 **Section 2.** Section 6-5 of the Little Rock, Ark. Revised Code of Ordinances (1988) shall be amended
8 to add a new Subsection (d) to read as follows:

- 9 (d) Authority to Remove. In order to protect the health and safety of an animal that is left
10 unattended in a vehicle and is exposed to extreme heat or cold, and to prevent an ongoing
11 offense of cruelty to animals, a Little Rock Animal Control Officer, Enforcement Officer or
12 emergency personnel who has probable cause to believe that subsection (c) above is being
13 violated shall have authority to enter the vehicle to remove the animal by any means reasonable
14 under the circumstances after making a reasonable effort to locate the owner or other person
15 present in the immediate area who has access to the vehicle. Pursuant to procedures established
16 by the City Manager, the rescued animal shall be impounded, and a reasonable effort shall be
17 made to contact the owner.

18 **Section 3.** Section 6-5 of the Little Rock, Ark. Revised Code of Ordinances (1988) shall be amended
19 to add a new Subsection (e) to read as follows:

- 20 (d) Evidence of Distress. For purposes of this ordinance, showing signs of distress shall mean the
21 following:

- 22 (1) Cold Weather: The Enforcement Officer determines that the animal displays one (1)
23 or more of the following:
24 (A) Uncontrolled shivering;
25 (B) Weakness;
26 (C) Shallow breathing;
27 (D) Lethargy;
28 (E) Unconsciousness, which is more than mere sleeping;
- 29 (2) Hot Weather: The Enforcement Officer determines that the animal displays one (1) or
30 more of the following:
31 (A) Fast heavy panting;
32 (B) Weakness;
33 (C) Respiratory difficulties;
34 (D) Disorientation;
35 (E) Convulsions.

1 **Section 4. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
2 word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
3 adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
4 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
5 ordinance.

6 **Section 5. Repealer.** With the exception of Little Rock Code Section 6-5, all ordinances and
7 resolutions, and parts thereof, which are in conflict with any provision of this ordinance are hereby repealed
8 to the extent of such conflict.

9 **PASSED: September 19, 2017**

10 **ATTEST:**

APPROVED:

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13 **Susan Langley, City Clerk**

_____ **Mark Stodola, Mayor**

14 **APPROVED AS TO LEGAL FORM:**

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17 **Thomas M. Carpenter, City Attorney**

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