ORDINANCE

STATE OF LOUISIANA
PARISH OF IBERVILLE

The following ordinance was introduced by Councilman Timothy Vallet and seconded by Councilman Terry Bradford.

ORDINANCE NUMBER 2009-__________

AN ORDINANCE TO AMEND SECTION 3-91 OF THE UNIFIED CODE OF ORDINANCES FOR IBERVILLE PARISH

WHEREAS, the Iberville Parish Council hereby amends Section 3-91 of the Compiled Ordinances of the Parish of Iberville to provide as follows:

Section 3-91: Except as provided herein, no person shall keep or permit to be kept on any premises or within the Parish of Iberville, Louisiana, any wild, exotic, vicious animal or reptile for display or for exhibition purposes whether gratuitously or for a fee. This section shall not apply to zoological parks, performing animal exhibitions or circuses that are properly licensed by federal, state and local agencies, or veterinary clinics.

Section 3-91.1: The tiger that is currently located at the Tiger Truck Stop, Inc. in Grosse Tete, having been located in Iberville Parish shall be exempt from the provisions of Paragraph 3-91 of this ordinance retroactive to August 15, 2006, provided the owner obtain a permit annually from the Director of the Iberville Parish Animal Control Department. Upon the death of this tiger, the transfer or ownership of the tiger from its current owner as identified on any permit application, the legal transfer of the tiger out of parish or the removal of the tiger from Iberville Parish, this exemption from the terms of Section 3-91 hereinabove shall automatically cease, and the permit issued by the Director shall be automatically cancelled.
Section 3-91.2: Any license that may be issued by the Animal Control Director or other designee relative to the tiger currently located at Tiger Truck Stop, Inc, in Grosse Tete, Louisiana shall be conditional unless the owner is issued licenses and permits from all other required agencies, including, but not limited to the Louisiana Department of Wildlife and Fisheries and the United States Department of Agriculture. The owner must submit a copy of all licenses and permits including a license or permit issued by the Louisiana Department of Wildlife & Fisheries and the United States Department of Agriculture, along with the Parish permit application. If the license or permit has not been issued, owner shall state the date the application was submitted and the name and contact information for that agency.

Section 3-91.3: The revocation or refusal to issue or renew a license by the Louisiana Department of Wildlife & Fisheries or the United States Department of Agriculture or any other agency that may be authorized to issue a license/permit relative to the tiger at Tiger Truck Stop, Inc. shall automatically terminate any license/permit that is issued by the Iberville Parish Council Director of Animal Control and the tiger shall be removed from Iberville Parish within 10 days of the date of revocation or refusal to issue or renew the license or permit.

Section 3-91.4: The owner of the tiger at Tiger Truck Stop, Inc., shall provide to the Iberville Parish Council Animal Control Director within ten (10) days of his/her receipt, a copy of the license/permit issued by the Louisiana Department of Wildlife and Fisheries and United States Department of Agriculture or any other licensing/permitting agency. Upon receipt of any violation report issued to the owner of the tiger, the owner shall within ten (10) days of receipt of such notice of violation provide a copy to the Iberville Parish Council Director of Animal Control.

Section 3-91.5: The following mandatory conditions shall be in place prior to the issuance of an annual license by the Iberville Parish Animal Control Director, and said conditions shall be put in place by the owner within thirty (30) days of the final adoption of this ordinance and if all conditions are not fully complied with, then the tiger shall be immediately removed from Iberville Parish, Louisiana;
A detailed written escape plan and written “Lock-Out” procedures, including a written training program for each, shall be submitted to the Director of Animal Control for approval, and such approval shall be in writing.

b) The escape plan shall designate an individual or individuals (natural person or designees) who will be responsible for the implementation of the escape plan. The designee shall live, reside, or be physically present at all times on the premises of the Tiger Truck Stop, Inc. as long as the tiger is licensed/ permitted to be at said location, and shall have the necessary training and ability to carry out all requirements of the escape plan.

c) The approved escape plan shall be distributed by the designee to the Louisiana State Police, Iberville Parish Council Director of Emergency Preparedness, Iberville Parish Sheriff, Chief of Police of the Village of Grosse Tete and the Mayor of the Village of Grosse Tete, either by hand delivery or certified mail and evidence of said delivery of the escape plan shall be provided to the Director of Animal Control.

d) Should the designee for any reason leave the premises of Tiger Truck Stop, Inc., the escape plan shall name a substitute designee and this designee shall have the training and ability to carry out all requirements of the escape plan and shall be physically present on the premises of Tiger Truck Stop, Inc., when the designee is not present on the premises for any reason.

e) The designee, substitute designee, and all employees who will participate in the handling, care, feeding, and cleaning of the tiger and enclosure for said tiger shall be trained on the proper Lock-Out procedures and the escape plan.

(B) A permanent log book shall be maintained by the designee or substitute designee at the Tiger Truck Stop, Inc. with the contents, entries and forms approved by the Director of Animal Control. Said log book shall be available for
inspection and copying at all times by the Director or Animal Control or other Iberville Parish Animal Control personnel.

(C) Clean potable drinking water shall be available to the tiger at all times.

(D) All areas of the tiger cage shall be cleaned daily, with all solid fecal materials, urine and food waste, picked up and/or property disposed of in accordance with applicable regulations of the Louisiana Department of Health & Hospitals. The concrete areas shall be cleaned and an appropriate disinfectant approved for use in animal cages shall be applied. The tiger shall not be given access to wet concrete floors after cleaning of the cage. The tiger shall be properly locked out of the cage enclosure that is being cleaned.

(E) A water pool shall be provided for the tiger and be of sufficient size for the tiger to be full submerged and to move around in the pool, and the pool shall be cleaned daily of fecal material and drained frequently to ensure the cleanliness of the water.

(F) In the enclosed den area of the cage, rubber mats shall be installed for the tiger to lay and sleep on, and during the winter months appropriate heaters shall be provided within the den areas to provide warm and dry conditions.

(G) Except when the daily cleaning is being performed, medical or other necessary activities are being performed, the tiger shall have full and complete access to the entire cage enclosure, including the grassy area.

(H) The tiger shall be fed a commercial diet approved and prescribed in writing by a licensed Louisiana veterinarian who has knowledge and training regarding the nutritional requirements of tigers in captivity.

(I) In addition to the permanent log book required by the Director of Animal Control, all invoices and documents concerning the care, health and maintenance of the tiger shall be maintained by the owner and designee and made available for inspection and copying by the Director at any time. The Animal Control Director and all other Animal Control Personnel shall be allowed access to the
premises to inspect the permitted tiger, the facilities, equipment, and records for the purpose of ensuring compliance with the requirements of this ordinance.

(J) The owner of the tiger must apply annually for and receive a permit for the tiger from the Animal Control Director and the permit application shall be on a form provided by the Director and require the following;

i). A signed agreement by the owner, Michael S. Sandlin, individually, and by Tiger Truck Stop, Inc.’s authorized representative indemnifying and holding harmless the Iberville Parish Council and all other Iberville Parish public agencies and employees, including agents, contractors, and the general public from any claims for damages resulting from possessing the permitted tiger.

ii). An agreement signed by the owner, Michael S. Sandlin, individually and as the authorized representative of Tiger Truck Stop, Inc., obligating one or both to bear and pay any and all costs associated with or related in any manner to the escape, capture and disposition of the permitted tiger.

iii). Proof of liability insurance from an A rated (or higher) insurance company in the amount of Five Hundred Thousand Dollars ($500,000.00) for said tiger, valid and effective continuously for the entire license term. The policy shall include a provision requiring notice from the carrier to the Animal Control Director a minimum of thirty (30) days prior to cancellation of the policy. Upon cancellation of any policy insuring the tiger, the tiger shall be removed immediately from Iberville Parish.

iv). The owner shall comply with all laws, rules and regulations of the Louisiana Department of Wildlife & Fisheries and United States Department of Agriculture relative to the tiger.

(K). The fee for the issuance of the annual license by the Animal Control Director shall be One Hundred Dollars ($100.00).
The above ordinance after having been submitted for public hearing was duly adopted in regular session this 17th day of March, 2009, by the following vote on roll call:

YEAS: Taylor, Ourso, Scott, Jackson, Bradford, Kelley, Vallet, Jewell, Roy, Stevens
NAYS: Reeves
ABSENT: Butler, Oubre

IBERVILLE PARISH COUNCIL

BY: ________________
EUGENE P. STEVENS, JR., CHAIRMAN

ATTEST:

__________________________
BETTY J. BARBER
COUNCIL CLERK

CERTIFICATE

I, Betty J. Barber, do hereby certify that I am the duly qualified and appointed Council Clerk of the Parish Council, Parish of Iberville, State of Louisiana.

I further certify that the above constitutes a true and correct copy of any ordinance adopted by the Parish Council for the Parish of Iberville in regular session on the 17th day of March, 2009.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of the Parish of Iberville, State of Louisiana, on the 19th day of March, 2009.

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BETTY J. BARBER
COUNCIL CLERK

I, J. Mitchell Ourso, Jr., Parish President, hereby acknowledge receipt of the above ordinance on the 19th day of March, 2009, at 10:00 A.M.

J. MITCHELL OURSO, JR.
PARISH PRESIDENT

I, J. Mitchell Ourso, Jr., Parish President, hereby approve (approves/vetoes) the above ordinance on the 19th day of March, 2009. (If vetoed see attached veto statement).

J. MITCHELL OURSO, JR.
PARISH PRESIDENT

I, Eugene Stevens, Jr., Council Chairman of the Iberville Parish Council, hereby certify that the above Ordinance was received by me from the Parish President, Honorable J. Mitchell Ourso, Jr., by me on the 19th day of March, 2009 at 11:45 o’clock A.M.

EUGENE P. STEVENS, JR.
COUNCIL CHAIRMAN