



Town of Resaca

P.O. BOX 779 • RESACA, GEORGIA 30735 • PHONE (706) 624-1336 • FAX (706) 624-1338

July 15, 2015

At the regular July Council Meeting, the Mayor and Council reviewed and adopted this Agreement with Gordon County and Animal Control. Could you please send me back a copy once you have signed it.

Thank you,
Kelly Shaw
Town Clerk



STATE OF GEORGIA
COUNTY OF GORDON

ANIMAL CONTROL INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT, made and entered into this 14 day of July, 2015, by and between **Gordon County**, a political subdivision of the State of Georgia (sometimes hereinafter referred to as "County"), and the **Town of Resaca**, a municipal corporation chartered under the laws of the State of Georgia (sometimes hereinafter referred to as "Municipality").

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the County has adopted an animal control ordinance and the Municipality has adopted an animal control ordinance identical to the County; and

WHEREAS, the Municipality desires to contract with the County for the enforcement of animal control within the Municipality under the terms and conditions as herein provided; and

WHEREAS, the County and the Municipality desire to enter into an agreement for the purpose of animal control within the Municipality; and

WHEREAS, Article IX, Section III, Paragraph I, of the Constitution of the State of Georgia provides that counties and municipalities of the State of Georgia may contract with one another for the provision of services for any period not exceeding fifty (50) years;

NOW, THEREFORE, in consideration of the mutual benefits flowing from one party to the other, the adequacy and sufficiency of which is acknowledged it is hereby agreed as follows:

1.

The Town Council of the Municipality authorizes the County and the animal control officers of the County to enforce the Resaca Animal Control Ordinance, attached hereto as Exhibit A, and as amended from time to time hereafter to be consistent with the Gordon County animal control ordinance.

2.

Upon request of the Municipality, or the Sheriff of Gordon County acting to enforce the laws of the Municipality pursuant to the Sheriff's Agreement with the Municipality, the County's animal control officers will impound animals from within the incorporated limits of the Municipality, under the authority of the Resaca Animal Control Ordinance.

3.

The County will make its animal shelter available to the Municipality for the housing of impounded animals.

4.

The County shall abide by the procedures relating to impoundment set forth in the Municipality's animal control ordinance, and shall charge the owner of the animal all other fees related to impoundment, veterinary services and other costs, pursuant to said ordinance. Animals not reclaimed by their owners shall be lawfully disposed of pursuant to the Municipality's ordinance and relevant provisions of OCGA Title 4.

5.

The County shall bill the Municipality on a quarterly basis for all charges under this ordinance. For each dog or cat impounded by the County, the County shall charge the Municipality the fee of \$30.00.

6.

The County shall notify the Municipality of any requests to amend the Municipality's animal control ordinance to make it consistent with changes to the County's ordinance. The County shall also notify the Municipality of any requests to increase the fee for service set forth above.

7.

The County agrees, upon a request from the Municipality or its agents, to make available for inspection at a mutually convenient time all records pertaining to the provisions of this agreement.

8.

Official notices, payments and correspondence to the County shall be delivered in person or transmitted via U.S. mail, postage prepaid, addressed to the County Administrator of Gordon County at 201 N. Wall St, Calhoun, Georgia 30701; and Official notices and correspondence to the Municipality shall be delivered in person or transmitted via U.S. mail, postage prepaid, addressed to the Mayor of Resaca, at P.O. Box 779, Resaca, Georgia 30735.

9.

This Agreement shall commence on the date last approved by the County or Municipality, and shall have a term of four years, ending June 31, 2019, unless otherwise terminated in accordance with the other provisions of this Agreement. At the end of the four

year term, the Agreement shall renew automatically for an additional four year term. Four such renewals shall occur, extending the Agreement a maximum of 20 years unless otherwise modified.

10.

Either party may terminate this Agreement as a matter of convenience at any time during any year after giving written notice of the proposed termination to the other party not less than ninety (90) days prior to the proposed termination date.

11.

Time is of the essence in the performance of this Agreement.

12.

This Agreement contains all the terms and conditions and represents the entire Agreement between the parties and supersedes any pre-existing Agreements relating to animal control by the County within the Municipality. Any alterations of this Agreement shall be invalid unless made by an amendment in writing, duly executed by the parties. There are no understandings, representations, or agreements, written or oral, other than those contained in this Agreement.

IN WITNESS WHEREOF, the County and Municipality have caused this Agreement to be duly executed by their proper officers and attested with their corporate seals affixed hereto as set forth in triplicate originals.

Attest:

GORDON COUNTY, GEORGIA

County Clerk

by:
its:

Attest:

TOWN OF RESACA

Kelly Shaw

Town Clerk

Samuel Allen

Samuel Allen, Mayor

AMENDMENT TO RESACA
ANIMAL CONTROL ORDINANCE

AN ORDINANCE OF THE TOWN OF RESACA, GEORGIA FOR THE PURPOSE OF **AMENDMENT THE RESACA ANIMAL CONTROL ORDINANCE, CHANGING TERMS OF IMPOUNDMENT; ADDING TETHERING REGULATIONS, AND FOR OTHER PURPOSES, AT THE REGULAR MEETING OF THE TOWN COUNCIL OF RESACA HELD JULY ____, 2015.**

WHEREAS, the Town of Resaca has adopted an animal control ordinance identical to that set forth by Gordon County, and has entered into, or will enter into, an agreement with Gordon County for the County to enforce the Town's ordinance; and

WHEREAS, the County has requested amendments to the Town's ordinance to make it consistent with the County's ordinance; and

WHEREAS, the Town Council finds that it would be in the best interest of public health, safety and general welfare to adopt a the amendments set forth below for the Town of Resaca; and

WHEREAS, it is within the police power of the Town of Resaca to adopt reasonable ordinances to promote the public health, safety and welfare;

NOW THEREFORE THE COUNCIL OF THE TOWN OF RESACA, GEORGIA ORDAINS, and it is hereby ordained, pursuant to its Home Rule authority under the Georgia Constitution and the powers granted the Town in its Charter, that the Resaca Animal Control Ordinance, as adopted October 9, 2012, is amended as follows:

I. Section 4(a)(3) is amended by replacing the term of "seven (7) days" with the term of "three (3) days," as follows:

"(3) Any dog or cat which has been impounded under the provisions of this ordinance shall be disposed of in the following manners if the owner does not respond within ~~seven (7) days~~ three (3) days of impoundment..."

II. New Section 6 is added as follows:

Sec. 6. – Tethering

Any dog tethered must comply with the terms of this section. A tether is a length of rope, chain, strap or similar device attached to an animal to keep it within a fixed radius or area. The length of a tether used on any dog shall not be less than ten (10) feet in length and shall allow access to the maximum available exercise areas. The tether shall allow free access to food, water and shelter. The tether shall not allow the animal to leave the owner's lot or parcel.

This Ordinance amendment shall be effective upon adoption, the public health, safety and welfare demanding.

So Ordained this 14 day of July, 2015.

TOWN OF RESACA



Mayor Samuel Allen

ATTEST:



City Clerk Kelly Shaw