

TITLE IV MENTAL AND PHYSICAL HEALTH

CHAPTER 1 ANIMAL CONTROL

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4-1-1 DEFINITIONS. For use in this chapter the following terms are defined as follows:

1. The term "dogs" shall mean animals of the canine species whether altered or not.
2. The term "cats" shall mean animals of the feline species whether altered or not.

2. The term "at large" shall mean any licensed or unlicensed animal found off the premises of the owner and not under the control of a competent person, restrained within a motor vehicle, housed in a veterinary hospital or kennel, on a leash or "at heel" beside a competent person and obedient to that person's command.

3. The term "owner" shall mean any person owning, keeping, sheltering or harboring an animal.

4-1-2 LICENSE. Every owner of a dog or cat over the age of six (6) months shall procure a license from the City Clerk-Treasurer on or before the first day of January of each year. Such license fee shall be due and payable between January 1 and March 31 of each year.

The annual license fee shall be \$10.00 per dog and \$5.00 per spayed or neutered dog. No household shall have more than two dogs. The annual license fee for cats shall be \$10.00 per cat or \$5.00 per spayed or neutered cat.

Upon payment of the license fee, the City Clerk-Treasurer shall issue to the owner a license which shall contain the name of the owner, the owner's place of residence and a description of the cat or dog. The City Clerk-Treasurer shall keep a duplicate of each license issued as a public record.

Upon issuance of the license, the City Clerk-Treasurer shall deliver to the owner a metal tag stamped with the number of the license and the year for which it is issued. The license tag shall be securely fastened to a collar or harness which shall be worn by the cat or dog for which the license is issued.

Any cat or dog found running at large without the license tag attached to its collar or harness shall be deemed unlicensed.

An owner of an unlicensed cat or dog shall be subject to a fine of \$25.00.

4-1-3 IMMUNIZATION. All cats and dogs six (6) months or older shall be vaccinated against rabies and distemper. Before issuance of the license the owner shall furnish a veterinarian's certificate showing that the cat or dog for which the license is sought has been vaccinated, and that the vaccination does not expire within six (6) months from the effective date of the cat or dog license. It shall be a violation of this Ordinance for any cat or dog to not be vaccinated against rabies or distemper. A tag showing evidence of proper vaccination shall be worn by every cat or dog when not confined.

(Code of Iowa, Sec. 351.33)

4-1-4 AT LARGE PROHIBITED. No owner or person having custody of an animal shall permit such animal to run at large.

(Code of Iowa, Sec. 351.41)

4-1-5 ANIMAL NUISANCES. It shall be unlawful for any person to permit an animal under such person's control or within such person's custody to commit a nuisance. An animal shall be considered a nuisance if it:

1. Damages, soils, defiles or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner.

2. Causes unsanitary, dangerous or offensive conditions.

3. Causes a disturbance by excessive barking or other noisemaking or chases vehicles, or molests, attacks or interferes with persons or other domestic animals.

(Code of Iowa, Sec. 657.1)

The person in control of a cat or dog which commits a nuisance shall be subject to progressive fines: \$20.00 for the first offense; \$40.00 for the second offense; \$60.00 for the third and subsequent offenses.

4-1-6 IMPOUNDING.

1. Any unlicensed or unvaccinated cat or dog found at large or any licensed cat or dog found at large in violation of Sections 4-1-3 and 4-1-4 of this chapter shall be seized and impounded, or, at the discretion of the Mayor, the owner may be served a summons to appear before a proper court to answer charges made thereunder.

2. Owners of licensed cats or dogs shall be notified within two (2) days that upon payment of impounding fees, the cat or dog will be returned. If the impounded licensed cats or dogs are not recovered by their owners within seven (7) days after notice, the cats or dogs shall be disposed of in a humane manner as directed by the City Council.

3. Impounded unlicensed cats or dogs may be recovered by the owner, upon proper identification, by payment of the license fee, impounding fee and boarding costs, and the

costs of vaccination if vaccination is required by Section 4-1-3. If such cats or dogs are not claimed within seven (7) days after notice, they shall be disposed of in a humane manner as directed by the City Council.

(Code of Iowa, Sec. 351.37)

4. Any animal found to have bitten a person or other animal shall be confined as directed by the Mayor.

(Code of Iowa, Sec. 351.39)

5. This section shall not apply to a law enforcement dog or horse used by the law enforcement agency, that is acting in the performance of its duties, which has bitten a person.

(Code of Iowa, Sec 351.39)

4-1-7 DANGEROUS ANIMALS.

1. Dangerous Animals Prohibited. No person shall keep, shelter, or harbor for any purpose within the City limits, a dangerous animal.

2. Definitions. A dangerous animal is:

a. Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among human beings or domestic animals, and having known tendencies as a species to do so.

b. The following are animals which shall be deemed to be dangerous animals per se:

- (1) Lions, tigers, jaguars, leopards, cougars, lynx, and bobcats;
- (2) Wolves, coyotes, and foxes;
- (3) Badgers, wolverines, weasels, skunks and mink;
- (4) Raccoons;
- (5) Bears;
- (6) Monkeys, chimpanzees, and apes;
- (7) Alligators and crocodiles;
- (8) Scorpions; gila monsters;
- (9) Snakes that are venomous or constrictors;

(10) Staffordshire terriers - known as pit bulls;

(11) Any cross breed of such animals which have similar characteristics of the animals specified above.

c. Any animals declared to be dangerous by the City Council.

3. Dangerous Animals Exceptions. The keeping of dangerous animals shall not be prohibited in the following circumstances:

a. The keeping of dangerous animals in a public zoo, bona fide educational or medical institution, humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study, and has obtained the written approval of the City Council.

4-1-8 KEEPING A VICIOUS ANIMAL. It shall be unlawful for any person or persons to harbor or keep a vicious animal within the City. A vicious animal is deemed so when it shall have attacked or bitten any person (without provocation), or when the propensity to attack or bite persons or other animals shall exist and such propensity is known or ought reasonably be known to the owner thereof.