

## TITLE IV MENTAL AND PHYSICAL HEALTH

### CHAPTER 1 ANIMAL CONTROL

4-1-1	Definitions	4-1-6	Dangerous Animals
4-1-2	Immunization	4-1-7	Keeping a Vicious Dog or Cat
4-1-3	At Large Prohibited	4-1-8	Responsibilities of Owner/Keeper of Animal's Within the City Limits
4-1-4	Animal Nuisances		
4-1-5	Impounding		

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

1. The term "dogs" shall mean both male and female animals of the canine 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.

The "at large" will not apply if the animal is a certified canine; a rescue dog or a tracking dog acting on the behalf of a public safety agency in the performance of its duties, it is engaged in approved training, or engaged in a public demonstration of its skills; a service dog or certified therapy dog.

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

4-1-2 IMMUNIZATION. All dogs and cats six (6) months or older shall be vaccinated against rabies. It shall be a violation of this Ordinance for any dog or cat to not be vaccinated against rabies. A tag showing evidence of proper vaccination shall be worn by every dog or cat when not confined.

(Code of Iowa, Sec. 351.33)

4-1-3 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)

4-1-4 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 on public property.

(Code of Iowa, Sec. 657.1)

#### 4-1-5 IMPOUNDING.

1. Any animal found at large in violation of Sections 4-1-2, 4-1-3 or 4-1-4 of this chapter shall be seized and impounded, or, at the discretion of the Mayor, the matter may be treated as a municipal infraction and punished by a civil penalty as provided in the following schedule:

First Offense - Not more than Twenty-five Dollars (\$25.00)

Second Offense within twelve 12 months - Not more than Fifty Dollars (\$50.00)

Third Offense within 12 months - Not more than One Hundred Dollars (\$100.00)

2. Owners, if known, shall be notified within two (2) days that upon payment of impounding fees, plus cost of food and care in a reasonable amount, and vaccinations, if required, the dog will be returned. If the impounded animals are not recovered by their owners within seven (7) days after notice, the animals shall be disposed of in a humane manner as directed by the City Council, or impound facility.

(Code of Iowa, Sec. 351.37)

#### 4-1-6 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) Pit bulls meaning any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, or any dog displaying the majority of physical traits of any one or more of the above breeds (more so than any other breed), or any dog exhibiting those distinguishing characteristics which substantially conform to the standards established by the American Kennel Club or United Kennel Club for any of the above breeds.

(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.

4-1-7 KEEPING A VICIOUS DOG OR CAT. It shall be unlawful for any person or persons to harbor or keep a vicious dog or cat within the City. A vicious cat or dog is deemed so when it shall have been caught in the act of worrying, chasing, maiming or killing and domestic animal or fowl, or when such dog or cat shall have attacked or bitten any person (without provocation), or when the propensity to attack or bite persons shall exist and such propensity is known or ought reasonably be known to the owner thereof.

4-1-8 RESPONSIBILITIES OF OWNER/KEEPER OF ANIMAL'S WITHIN THE CITY LIMITS.

1. All animals must have access to food, water and shelter. Shelter must be sanitary, or sound construction, and provide adequate protection from the elements of weather. All areas where animals are kept shall be cleaned regularly; and fecal matter must be disposed of properly so as not to attract rodents or insects, become unsightly, or cause objectionable odor.

2. When an animal is on the property of its owner/keeper and not within a secure enclosure, it shall be under the direct control of an obedient to the owner/keeper.

3. Noncompliance with any of the provisions of this section is a violation subject to impoundment as provided in Section 4-1-5.