

ARTICLE 2. DOGS AND CATS

2-201. **REGISTRATION AND VACCINATION; REQUIRED FEES.** (a) Every owner of any dog or cat over six months of age shall annually register with the animal control officer his or her name and address with the name, sex and description of each dog or cat owned and kept within the city. It shall be unlawful for the owner of any newly acquired dog or cat or any dog or cat brought into the city to fail to register such animal within 30 days from acquisition or bringing the dog or cat into the city. It shall be unlawful for the owner of any previously registered dog or cat to fail to maintain current registration of such dog or cat.

(b) Upon registration, the owner shall present a current, completed certificate of immunization against rabies. No registration shall follow without evidence of this document, and it shall be unlawful for the owner of any dog or cat over six months of age to fail to maintain effective rabies immunization of such dog or cat.

(c) The owner of harbored of any dog or cat shall, at time of registering such dog or cat, present to the animal control officer a certificate from an accredited veterinarian showing that a male dog or cat has been neutered or a female dog or cat has been spayed, if the dog or cat has been neutered or spayed.

(d) The animal control officer shall collect an annual registration fee of \$5 for each neutered male dog or cat and for each spayed female dog or cat, and \$7 for each unneutered male dog or cat and for each unspayed female dog or cat.

(e) The registration year shall be one year starting with the date of registration.

(Ord. 900, Sec. 1)

2-202. **DOG AND CAT TAGS.** It shall be the duty of the animal control officer or designated agent, upon a showing of current rabies immunization and receipt of the registration fee hereinbefore required, to keep in a book suitable for the registration of dogs or cats, the time of the registration, the name of the owner or keeper, the number of the registration and the amount paid therefor, and shall deliver to the owner or keeper of the dog or cat a certificate in writing, stating that the person has registered the dog or cat and the number by which the dog or cat is registered, and shall also deliver to the owner or keeper of the dog or cat a tag with the registration number and the registration year thereon, which shall be, by the owner or keeper, attached to the collar to be used on the dog or cat so registered. When any tag has become lost during

a registration period, the owner of the dog or cat may request a duplicate tag for the remainder of the registration period. When so requested, the animal control officer shall, upon presentation of the registration certificate, issue a duplicate of such tag upon the payment of a \$2 fee. It shall be unlawful for any person to take off or remove the city registration tag from any dog or cat belonging to another, or remove the strap or collar on which the same is fastened. (Ord. 900, Sec. 1)

2-203. SAME; COUNTERFEIT TAG. It shall be unlawful for any person to place on any dog or cat a tag issued for any other dog or cat or to make or use any false, forged or counterfeited tag or imitation thereof. (Ord. 900, Sec. 1)

2-204. EVIDENCE OF VACCINATION. It shall be unlawful for the owner of any dog or cat kept within the city to fail to display a current certificate of immunization against rabies issued by an accredited veterinarian evidencing the vaccination of such dog or cat within two years, when requested by the animal control officer or any law enforcement officer. (Ord. 900, Sec. 1)

2-205. VISITING DOGS AND CATS. The provisions of this article with the respect to registration shall not apply to any dog or cat owned by any person visiting or temporarily remaining within the city for less than 30 days. However, such dogs and cats shall be kept under restraint by the owner thereof at all times. (Ord. 900, Sec. 1)

2-206. RUNNING AT LARGE; FINE. (a) It shall be unlawful for the owner or harbinger of any dog or cat to permit such dog or cat to run at large within the city at any time;

(b) Any dog or cat running at large within the city shall be impounded as set out in section 2-207;

(c) The owner of any dog or cat impounded for running at large shall, for the first offense, pay a fine of \$25 plus \$2 per day for the care and feeding of the dog or cat;

(d) For a second offense within a one-year period, the owner of harbinger shall pay a fine of \$50 plus \$2 per day for the care and feeding of the dog or cat. For a third and all subsequent offenses within a one-year period, the owner or harbinger shall pay a fine of \$100 plus \$2 per day for the care and feeding of the dog or cat. (Ord. 900, Sec. 1)

2-207. IMPOUNDMENT; RECORD; NOTICE; REDEMPTION; MINIMUM FEE. (a) Any dog or cat found in violation of the provisions of this article shall be subject to impoundment by the city.

(b) A record of all dogs or cats impounded shall be kept by the city containing the following information: color, sex, weight, height, identifying marks, registration number (if any) and the date of impoundment.

(c) No dog or cat impounded under this section shall be disposed of until after expiration of a minimum of three full business days of custody during which the public has clear access to inspect and recover the dog or cat through time periods ordinarily accepted as usual business hours. During such time of custody, the city shall attempt to notify the owner or custodian of any dog or cat impounded by such facility if the owner or custodian is known or reasonably ascertainable. Such dog or cat may at any time be released to the legal owner, moved to a veterinary hospital for treatment or observation, released in any manner, if such dog or cat was a gift to the animal shelter, or euthanized by a licensed veterinarian if it appears to the veterinarian that the dog or cat is diseased or disabled beyond recovery. If within three full business days the owner does not appear to claim the dog or cat, then the dog or cat may be sold, euthanized or otherwise disposed of.

(d) If at any time before the sale or destruction of any dog or cat impounded under the provisions of this article, the owner of an impounded dog or cat does appear and redeem the dog or cat, it shall be turned over to the person claiming it upon payment of any impoundment fees or penalties plus the actual costs of impoundment, and shall not apply to any dog or cat alleged as being vicious or suspected of rabies.

(e) The minimum impoundment fee shall be \$ 27.

(f) Any dog or cat impounded may not be released without a current rabies vaccination.

(g) Impoundment hereunder shall not preclude any court from imposing and executing any fine which might otherwise be levied under this article for violation of any of the provisions thereof; nor shall impoundment be a defense in any prosecution commenced hereunder.

(h) The redemption of any dog or cat impounded for a violation of any provision of this chapter shall be prima facie evidence of the violation of such provision by the person redeeming the dog or cat.

(Code 2003)

2-208. **DISPOSITION OF UNCLAIMED DOGS OR CATS.** (a) If any dog or cat is not redeemed by its owner or harborer within the time allowed for redemption as specified in section 2-207 thereof, the animal control officer, any authorized law enforcement officer, any authorized veterinarian or any duly authorized pound personnel may destroy such dog or cat or sell the same for the costs of impoundment and keeping, plus any registration fee due for the current year.

(b) No dog or cat may be transferred to the permanent custody of a prospective owner unless:

(1) Such dog or cat has been surgically spayed or neutered before the physical transfer of the dog or cat occurs; or

(2) the prospective owner signs an agreement to have the dog or cat spayed or neutered and deposits with the city not less than the lowest nor more than the highest cost of spaying or neutering in the community as determined by the city. Any funds deposited pursuant to such an agreement shall be refunded to such person upon presentation of a written statement signed by a licensed veterinarian that the dog or cat has been spayed or neutered. If such person does not reclaim the deposit within six months after receiving custody of the dog or cat, the city shall keep the deposit and may reclaim the unspayed or unneutered dog or cat.

(c) Nothing in this section shall be construed to require sterilization of a dog or cat which is being held by the city and which may be claimed by its rightful owner within the holding period established in section 2-207.

(Code 2003)

2-209. **CONFINEMENT OF DOGS AND CATS IN HEAT.** Any unspayed female dog or cat in the stage of estrus (heat) shall be confined during such period of time in a house, building or secure enclosure, and the area of enclosure shall be constructed so that no other dog or cat or dogs or cats may gain voluntary access to the confined animal except for purposes of planned breeding. Any animal that is in the state of estrus (heat) and that is not properly confined, or any such animal that is creating a neighborhood nuisances, shall be removed to a boarding kennel, to a veterinary hospital or to the animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner. The owner of animals removed to the animal shelter shall be charged at the

rate established from time to time by the animal shelter for routine confinement. (Ord. 900, Sec. 1)

- 2-210. OWNER OR HARBORER; DEFINED. Any person who for three consecutive days shall allow any dog or cat or dogs or cats to remain or to be about his or her premises, or to be fed with his or her premises, or any other premises which he or she controls shall be considered as keeping or harboring of such dog or cat or dogs or cats within the meaning of this article. (Ord. 900, Sec. 1)
- 2-211. RESERVED.
- 2-212. AT LARGE; DEFINED. The term at large as used in this article shall be construed to mean any dog or cat unattended by its owner or keeper and not within the immediate control of such owner or keeper and not within the immediate control of such owner or keeper roaming at will on and over the property of another or over and upon the streets, avenues, alleys, and public grounds of the city. (Ord. 900, Sec. 1)
- 2-213. VICIOUS DOGS OR CATS. It shall be the duty of every owner or harbinger of any dog or cat in the city that is vicious or is known to bite, chase, run after any person or animal, to keep the same muzzled with a good and sufficient wire or leather muzzle securely fastened to wholly prevent such dog or cat from biting any person or animal; provided, that in lieu of such muzzle any such dog or cat may be securely fenced or chained on the premises of its owner. (Ord. 900, Sec. 1)
- 2-214. DOGS OR CATS SUSPECTED OF HAVING RABIES. Any dog or cat, which has been vaccinated and registered, and is suspected of having rabies, can be retained by the owner provided that the owner can guarantee that the animal will be isolated for 10 days and can be observed by the animal control officer on a daily basis. Any dog or cat, which has not been vaccinated and registered, and is suspected of having rabies, will be impounded by the animal control officer for a period of 10 days and then may be released to the owner, provided that the animal is vaccinated and registered and all fees are paid, including all impoundment fees. The animal control officer has the right to seek additional guidance from a qualified veterinarian and may require further testing based on the professional recommendation of the veterinarian. (Ord. 900, Sec. 1)
- 2-215. OFFICERS' DUTIES. It shall be the duty of the animal control officer and any officer or officers especially appointed by the mayor as dog or cat wardens or catchers to take up, impound and securely keep all dogs or cats at large in the city or otherwise not found on the

premises of their owners or harborers as required by this article. (Ord. 900, Sec. 1)

2-216. BREAKING POUND. It shall be unlawful for any person other than a duly authorized officer to break open or attempt to break open the pound or any enclosure used for impounding dogs or cats, or to take or let out any dog or cat placed therein, or to take or attempt to take from an officer of this city any dog or cat taken by him or her under the provisions of this article or in any manner interfere with or hinder any officer of this city in catching or taking up any dog or cat. (Ord. 900, Sec. 1)

2-217. ANIMAL DISCHARGE. (a) It shall be unlawful for any owner, harborer or keeper or person in charge of any dog or cat to allow the dog or cat to discharge any animal's excreta upon any public or private property if such owner, keeper or person in charge does not immediately thereafter remove and clean up such animal excreta from the property.

(b) It shall be the responsibility of the owner, harborer, or keeper or person in charge of any dog or cat to not allow accumulations of animal wastes which are or may become offensive to residents of the surrounding property.

(Ord. 900, Sec. 1)

2-218. PENALTY. Any person or persons violating any provision of this article shall upon conviction thereof be punished by a fine of not less than \$5 and not more than \$100 or be imprisoned for not exceeding 60 days, or be both so fined and imprisoned. (Ord. 900, Sec. 1)