

TITLE IV MENTAL AND PHYSICAL HEALTH

CHAPTER 1 ANIMAL CONTROL

4-1-1	Definitions	4-1-21	Confinement
4-1-2	Owner Responsibility	4-1-22	Animal Care
4-1-3	License--Tag Required	4-1-23	Keeping of Wild Animals
4-1-4	License--Fee--Liability	4-1-24	Barking--Removal of Waste
4-1-5	License Required	4-1-25	Trespassing Unlawful
4-1-6	License--Fines	4-1-26	Disturbing Peace, Trespass-- Evidence Required
4-1-7	License--Fee--Designated	4-1-27	Female Dog in Season
4-1-8	License--Due Date	4-1-28	Rabies--Surrender for Quarantine
4-1-9	Harboring Vicious Dog or Cat Unlawful	4-1-29	Rabies--Acceptable Confinement
4-1-10	Seizure, Impoundment and Disposition of Vicious Dogs or Cats	4-1-30	Rabies--Destruction
4-1-11	Confinement of Vicious Dogs or Cats	4-1-31	Bite by Rabid Animal--Quarantine
4-1-12	Dangerous Animals or Reptiles	4-1-32	Rabies--Failure to Surrender Animal--Action
4-1-13	Humane Officer--Appointment	4-1-33	Rabies Outbreak--Sections Effective When
4-1-14	Humane Officer--Duties	4-1-34	At Large--Permitting Unlawful
4-1-15	Responsibility for Animals	4-1-35	Setting at Large Unlawful
4-1-16	Humane Officer--Impoundment Duties	4-1-36	At Large--Impoundment
4-1-17	Impounding--Notice	4-1-37	Pound—Establishment
4-1-18	Impoundment--Redemption	4-1-37A	Keeping of Domestic Fowl and Livestock
4-1-19	Unclaimed Dog, Cat, or Other Animal--Destruction	4-1-38	Enforcement
4-1-20	Infected Dog, Cat or Other Animal- -Destruction	4-1-39	Penalty for Violations

4-1-1 DEFINITIONS. The following definitions shall apply in the interpretation and the enforcement of this chapter.

1. "Animal" means any live, vertebrate creature, domestic or wild.
2. "Animal shelter" means any facility operated by a humane society, or municipal agency, or its authorized agents, or by City authorization, designated for the purpose of impounding or caring for animals held under the authority of this chapter or state law.
3. "At large" includes any dog or cat off the premises of its owner or upon the public streets, alleys, public grounds, school grounds, or parks within the City. The fact that a dog or cat is running at large without the knowledge or permission of the owner of such dog or cat is not a defense to any charge of the violation of this section. A dog or cat shall not be deemed at large if:

a. It is attached to a leash of sufficient strength to restrain the dog or cat and not more than ten feet in length, where said leash is held by a person competent to govern the dog or cat; or

b. When properly restrained within a motor vehicle or housed in an animal hospital approved by the City health officers; or

c. Accompanied by and completely under the restraint of the owner or a competent, responsible person.

4. "Cat" includes all members of the felis-domestica family.

5. "Commercial animal establishment" means any pet shop, grooming shop, auction, riding school or stable, zoological park, circus, performing animal exhibition, or kennel.

6. "Dog" includes all domesticated members of the canisfamiliaris, male or female, whether altered or not.

6-A. "Domestic Fowl" A bird of one of the breeds developed from jungle fowl especially for meat or egg production. Examples include chickens, ducks, geese, turkeys, etc.
(Ord. 722, Passed 2012)

7. "Grooming shop" means a commercial establishment where animals are bathed, clipped, plucked, or otherwise groomed, or a vehicle used for providing the same services.

8. "Humane officer" means all police officers, the public works director, or the person or persons hired by the City Council whose primary responsibility is the enforcement of this chapter.

9. "Kennel" means any premises wherein any person engages in the boarding, breeding, buying, letting for hire, training for a fee, raising or selling of dogs, cats, or other animals. A boarding kennel, commercial kennel and hobby kennel shall be considered kennels for purposes of this chapter.

9-A. "Livestock" Animals kept or raised for use or pleasure, especially farm animals kept for use and profit. Examples include cattle, swine, horses, sheep, alpacas, etc.
(Ord. 722, Passed 2012)

10. "Owner" means any person, partnership, limited liability company or corporation owning, keeping or harboring one or more animals. An animal shall be deemed to be harbored if it is fed or sheltered for one day or more.

11. "Performing animal exhibition" means any spectacle, display, act or event other than circuses, in which performing animals are used.

12. "Pet" means any animal kept for pleasure rather than utility.

13. "Pet shop" means any person, partnership, Limited Liability Company or corporation, whether operating separately or in connection with another business enterprise, except for a licensed kennel, that buys, sells or boards any species of animal.

14. "Public nuisance" means any animal or animals which:

- a. Molest passersby or passing vehicles;
- b. Attack other animals or attack people;
- c. Trespass on school grounds;
- d. Is at large;
- e. Damages private or public property;
- f. Barks, whines, or howls in a loud, excessive, continuous, offensive or untimely fashion.

15. "Restraint" means keeping an animal secured by a leash or lead or within the real property limits of its owner.

16. "Vicious animal" means any animal or animals that constitute a physical threat to human beings or other animals. A dog or cat is deemed to be vicious when:

- a. It has attacked or bitten any person or domestic animal without provocation either on public or private property. A dog or cat shall not be deemed to be vicious if said animal bites a trespasser on the private property of the animal's owner if said property is properly posted with warning signs to the public. This exception does not apply to invitees, licensees, and guests of said property;
- b. It has a history, tendency, propensity or disposition to attack, to cause injury, or otherwise endanger the person or domestic animal; or
- c. It snaps, bites, or manifests a disposition to snap or bite; or
- d. If, in a vicious or terrorizing manner, approaches any person or domestic animal and displays threatening or aggressive behavior; or
- e. It has been trained for dog or cat fighting, animal fighting, or animal baiting, or is owned or kept for such purposes; or
- f. It is trained to attack human beings, upon command, or spontaneously in response to human activities, except dogs or cats owned by and under control of the Police Department, a

law enforcement agency of the State, the United States, or a branch of the armed forces of the United States, and under the direct control of a certified police or agency animal control officer.

17. "Wild animal" means any live monkey, raccoon, skunk, fox, poisonous snake, leopard, panther, tiger, lion, lynx, or any other warm-blooded animal which can normally be found in the wild state, exceptions being: gerbils, hamsters, guinea pigs, similar pets and birds allowed by state code.

(Ord. 188, Passed 1962)

(Ord. 623, Passed 1996)

(Ord. 650, Passed 2001)

4-1-2 OWNER RESPONSIBILITY. The owner of any dog, whether licensed or unlicensed, shall be wholly responsible for the acts of the dog and in accord with Section 351.28 of the 1958 Code of Iowa, and amendments thereto, and with the provisions of this chapter.

(Ord. 188, Passed 1962)

4-1-3 LICENSE--TAG REQUIRED. Written original applications for licenses shall be made to the City Clerk which shall include name and address of owner, description, breed and sex of the dog or cat, the appropriate fee, and rabies certification issued by a licensed veterinarian and anti-rabies clinic. Second and subsequent applications for the same animal may be made orally at City Hall. The licensee, upon procurement of the license, shall securely attach the license tag to a collar or harness, and this collar or harness with the license tag attached shall at all times be kept on the dog or cat for which the license is issued. Any dog or cat found without a collar or harness to which a licensed tag is attached shall be deemed unlicensed, and shall be impounded.

(Ord. 552, Passed 1987)

4-1-4 LICENSE--FEE--LIABILITY. The head of the family shall be liable for payment of the license fee on any dog owned, harbored or kept by any member of the family. If the owner of the dogs and cats cannot be ascertained, for owner-occupied dwellings, the title holder shall be liable for payment of license fees and fines, and for leased premises, the tenant on the lease shall be liable for the payment of license fees and fines.

(Ord. 188, Passed 1962)

(Ord. 685, Passed 2007)

4-1-5 LICENSE REQUIRED. It is unlawful for any owner to own, possess or harbor a dog in the City without having obtained a license therefor in compliance with the provisions set forth in this chapter, except that a license shall not be required for dogs under the age of six months, which are confined to the owner's premises.

"Number of dogs and cats" means any person shall not own, keep, possess, shelter, or harbor more than four dogs and cats of one specie and no more than a total of four dogs and cats permitted per street address. "Owner" means any person owning, keeping, sheltering, or harboring dogs and cats.

No person may license more than four dogs and cats of one species and no more than a total of four dogs and cats permitted per street address. From the date of the birth of a litter, the owner

shall have six months to dispose of the litter and comply with this section. Owners possessing more than four dogs and cats as of the date of enactment of the ordinance codified in this section are exempt from the licensing restriction of not more than four dogs and cats provided that they license all of said dogs and cats within sixty days of the enactment of the ordinance codified in this section and thereafter maintain current licenses for all dogs and cats at the residence. Thereafter, after the death or disposal of the dogs and cats exceeding four at a residence, the licensing restrictions shall thereafter apply.

(Ord. 188, Passed 1962)

(Ord. 685, Passed 2007)

4-1-6 LICENSE--FINES. A violation of the licensing provisions shall carry the following fines and be charged by citation or municipal infraction:

1. For an unregistered dog and cat found on the premises - first offense per owner or property, a warning to correct the violation within two business days of the date of the warning.

2. For unregistered dogs and cats found on the premises, a fine of twenty-five dollars for the second and subsequent offenses.

3. For dogs and cats running at large, without registration, a twenty-five dollar fine for each dog and cat running at large in addition to the pickup fee for a first offense, and fifty dollars for second and subsequent offenses, plus the pick-up fee.

(Ord. 685, Passed 2007)

4-1-7 LICENSE--FEE--DESIGNATED. A license shall be issued after submission of the written application, rabies certification, and after payment of the following applicable fees:

- 1. For each unneutered male dog\$6.00
- 2. For each unneutered male cat\$6.00
- 3. For each unspayed female dog.....\$6.00
- 4. For each unspayed female cat\$6.00
- 5. For each neutered male dog\$3.00
- 6. For each neutered male cat\$3.00
- 7. For each spayed female dog.....\$3.00
- 8. For each spayed female cat\$3.00

(Ord. 692, Passed 2008)

(Ord. 552, Passed 1987)

4-1-8 LICENSE--DUE DATE. A dog or cat must be licensed by March 31st of each year,

or at the time a dog or cat comes into possession or ownership. All dogs and cats must be licensed by the time they reach six months of age. A dog or cat licensed the previous year must be licensed by March 31st of each subsequent year. Failure to re-license a dog or cat by March 31st will result in a late license penalty fee of \$10.00, which must be paid at the time a license issued.

(Ord. 692, Passed 2008)

(Ord. 188, Passed 1962)

4-1-9 HARBORING VICIOUS DOG OR CAT UNLAWFUL. It is unlawful for any person to harbor or keep a vicious dog or cat within the City. A dog or cat is deemed to be vicious when it shall have attacked or bitten a person, without provocation, and when propensity to attack or bite a person shall exist and is known or reasonably ought to be known to the owner.

(Ord. 623, Passed 1996)

4-1-10 SEIZURE, IMPOUNDMENT AND DISPOSITION OF VICIOUS DOGS OR CATS.

1. The humane officer or their designee, in their discretion, or a Camanche police officer, in their discretion, or upon receipt of a complaint alleging that a particular dog or cat is a vicious dog or cat as defined in this article, may declare such dog or cat a vicious dog or cat by delivering a written notice of declaration to the owner. The notice shall include a description of the dog or cat and the basis of the declaration of viciousness. The notice shall also set forth that the owner shall be required to license and confine the dog or cat as required by this article. The notice shall be served upon any adult residing at the premises where the animal is located or may be posted on those premises if no adult is present to accept service.

2. The person owning, keeping, sheltering or harboring the dog in question may contest the declaration of viciousness by filing a written request for a hearing with the City Clerk within three business days of the receipt of the officer's declaration. If at this time the owner agrees to confine the dog or cat pursuant to this Chapter and submits to the Clerk proof of insurance, the dog or cat shall not be impounded pending appeal. Failure to file a request for hearing shall constitute a waiver of any right to contest the declaration of the officer, and the humane officer or their designee shall be authorized to seize and impound the dog or cat. A dog or cat so seized shall be impounded for a period of seven days. If, at the end of the impoundment period, the owner has not licensed and shown ability to confine the dog or cat as required by this article or has not declared an intent to remove the dog or cat from the City, the animal control officer or their designee shall cause the dog or cat to be destroyed.

3. The person owning, keeping, sheltering or harboring the dog or cat in question shall be given not less than seventy-two hours written notice of the time and place of the hearing. The notice shall set forth the description of the dog or cat in question and the basis for the allegation of viciousness. The notice shall also set forth that, if the determination of the officer is upheld, the owner shall be required to license and confine the dog or cat as required by this article. The notice shall be served in the same manner as the declaration notice.

4. The hearing shall be held before the mayor, or the Mayor's designee, which may be the police chief, assistant chief, or a member of the Camanche City Council so designated by the mayor. If, after hearing, the hearing officer upholds the determination of the officer that the dog or cat is a vicious dog or cat, or is a vicious dog or cat held in violation of this ordinance, as set out in the notice of hearing, the hearing officer, or their designee shall either order the person owning, sheltering, harboring or keeping the animal to permanently license and confine the dog or cat as required by this article or remove it from the City or order it destroyed. The order shall immediately be served upon the individual or entity against whom issued in the same manner as the notice of hearing. If the order is not complied with within three days of the issuance, the humane officer, the police chief or their designee is authorized to seize or impound the dog or cat. A dog or cat so seized shall be impounded for a period of seven days. If, at the end of the impoundment period, the individual or entity against whom the order of the hearing officer or their designee was issued has not appealed such order to the Iowa District Court or has not complied with the order, the humane officer, the police chief or their designee shall cause the dog or cat to be destroyed.

5. The order to license, confine, or remove a vicious dog or cat from the City issued by the hearing officer or their designee may be appealed to the Iowa District Court within seven days after receipt of the order. Failure to file such appeal shall constitute a waiver of the right to appeal the order of the hearing officer or their designee.

6. The hearing officer or their designee shall order in its written decision that the individual or entity owning, sheltering, harboring, or keeping such vicious dogs or cats shall license and confine the dog or cat as required by this article or remove such animal from the City. The decision or order shall immediately be served upon the person against whom rendered in the same manner as the notice set out in subsection (1) of this section. If the original order of the hearing officer or their designee is not appealed and is not complied with within three days of its issuance, the humane officer or their designee is authorized to seize and impound the dog or cat. A dog or cat so seized shall be impounded for a period of seven days. If, at the end of the impounding period, the individual or entity against whom the order of the hearing officer or their designee was issued has not appealed such order to the Iowa District Court or has not complied with the order, the humane officer, police chief, or their designee shall cause the dog or cat to be destroyed in a humane manner.

7. Failure to comply with an order of the humane officer, the police chief or their designee issued pursuant to this section and not appealed, or of the district court after appeal is a misdemeanor.

8. Any dog or cat that is alleged to be vicious and that is under impoundment or quarantine at the animal shelter shall not be released to the owner, but shall continued to be held at the expense of the owner pending the outcome of the hearing and or appeal. All costs of such impoundment or quarantine shall be paid by the owner if the dog or cat is determined to be vicious. If the dog or cat is not determined to be vicious, all costs shall be paid by the City, except costs attributable to initial confinement prior to notice or costs of any required quarantine which shall nonetheless be paid by the owner.

(Ord. 650, Passed 2001).

4-1-11 CONFINEMENT OF VICIOUS DOGS OR CATS.

1. All vicious dogs or cats shall be securely confined within an occupied house or residence or in a securely enclosed and locked pen or kennel, except when leashed as provided in this ordinance. Such pen, kennel, or structure must have secure sides and a secured top attached to the sides or, in lieu of a top, walls at least six feet in height and at least six feet taller than any internal structure.

2. All pens or other structure designed, constructed or used to confine vicious dogs or cats must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom, floor or foundation attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than two feet as to prevent digging under the walls by the confined dog.

3. All structures erected to house vicious dogs or cats must comply with all City zoning and building regulations. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition. No vicious dog or cat may be kept on a porch, patio or in any part of a house or structure that would allow the dog or cat to exit such building on its own volition.

4. No persons shall permit a vicious dog or cat to go outside its kennel or pen unless such dog or cat is securely leashed with a leash no longer than six feet in length. No person shall permit a vicious dog or cat to be kept on a chain, rope or other type of leash outside its kennel or pen unless both the dog or cat and the leash are under the actual physical control of a person eighteen years of age or older.

5. Vicious dogs or cats may not be leashed to inanimate objects such as trees, posts, buildings, or any other objects or structures.

6. An owner of a dog or cat alleged to be vicious or found to be vicious, as a condition of keeping said vicious dog or cat shall provide the City Clerk a certificate of insurance issued by an insurance company licensed to do business in this state, providing personal liability insurance coverage as in a homeowner's policy, with a minimum liability amount of one hundred thousand dollars for the injury or death of any person or damage to property of others and for acts of negligence by the owner or their agents, in the keeping or owning of such vicious dogs or cats. The certificate shall require notice to the City, in conformity with general City standards for certificates of insurance, if the underlying policy of insurance is canceled for any reason. In lieu of such a certificate, a copy of a current homeowner's policy designating these requirements shall be sufficient proof of insurance for purposes of this subsection. If a certificate of insurance or policy is not immediately available, a binder indicating the coverage may be accepted for up to thirty days subsequent to the determination that a dog or cat is vicious; however, if after thirty days a certificate of insurance or policy has not been submitted, the dog or cat shall be impounded.

7. A vicious dog or cat which is found more than once in any calendar year not to be confined as required by this article shall be required to be permanently removed from the City

or destroyed. An animal which is returned to the City after removal under this section shall be destroyed.

(Ord. 650, Passed 2001)

4-1-12 DANGEROUS ANIMALS OR REPTILES.

1. It is unlawful for any person to keep, raise, harbor, use, possess or have on their premises or under their control or attempted control any dangerous animal. A dangerous animal is any wild or feral mammal or reptile which by its nature or breeding has the capability of inflicting serious bodily injury to humans.

2. Any dangerous animal kept in violation of this section or found at large may be impounded by the animal control officer with whatever force is reasonably necessary to safely secure impoundment. The animal control officer shall be authorized to impound or seize any animal found at large or kept in violation of this code. The animal control officer or any police officer shall also be authorized upon obtaining a search warrant, to impound any dangerous animal which the health authority or police officer has probable cause to believe is being kept in violation of this section. The impoundment remedies in this section shall not be exclusive. The City shall have the right to exercise any and all other remedies available at law or in equity.

3. The animal control officer or any police officer shall be authorized to destroy any dangerous animal running at large which because of its nature, disposition or disease condition would present a hazard to life or limb in an attempt to capture it. A peace officer may destroy any such animal in any life threatening situation.

4. No owner or custodian or person in possession of a dangerous animal shall allow such animal to be at large. The animal control officer may, but shall not be required to enlist the voluntary aid of any person in attempting to capture a dangerous animal at large.

5. The owner or custodian of any impounded dangerous animal shall be liable to the City in the amount of the impoundment fees charged for other impoundment animals pursuant to the provisions of this Chapter or for such fee as may be set by ordinances and for actual feeding, care, cost and impoundment cost as determined by the impoundment facility. No impounded dangerous animal shall be released until all required fees and costs have been paid or arranged to be paid, and disposition of the animal has been approved by the animal control officer. Prior to the release of an impounded animal to the owner or custodian, the animal control officer shall determine that adequate provision has been made for the removal of the animal to a place outside the City or for confinement within the City under authority of Section 4-1-12(6).

6. It shall be an affirmative defense to a prosecution that:

a. The keeping of such an animal was temporarily for public exhibition by a circus, a carnival or other traveling exhibition,

b. The animal was enroute to a duly licensed veterinary clinic or that the keeping of such an animal was in a duly licensed veterinary clinic.

7. Dangerous animals kept under authority of Section 4-1-12(6), within the City shall be securely confined to prevent injury to persons and properly cared for. A person possessing or keeping a dangerous animal with the City under the authority of Section 4-1-12(6) shall have enforced liability insurance in the amount of not less than \$500,000 (five hundred thousand dollars) per claim. Proof of insurance shall be filed with the City Clerk within thirty days of the keeping or bringing into the City of any dangerous animal.

8. The animal control officer or any police officer is authorized to release custody and possession of a dangerous animal to the impoundment facility if such animal is not reclaimed by its owner or custodian within seven calendar days after the date of impoundment, not including the day of impoundment. Any animal so released by the City after the expiration of such time may then be disposed of in a lawful manner by the impoundment facility including but not limited to, the sale or destruction of said animal. The animal may be released to and disposed of by the impoundment facility prior to the expiration of such time if in the professional opinion of the veterinarian or manager of the control facility, disposition is necessary to avoid the unnecessary suffering of a sick or injured animal.

(Ord. 604, Passed 1994)

4-1-13 HUMANE OFFICER--APPOINTMENT. The Mayor with the approval of the Council shall appoint some suitable person who shall be known as and perform the duties of humane officer. The humane officer shall have the same powers as a police officer and shall be under the supervision and direction of the Chief of Police. The Humane Officer shall hold the office for such time as the Mayor shall direct and shall receive as compensation an amount as fixed by the Council. The Chief of Police, or a deputy, may be appointed and designated humane officer.

(Ord. 188, Passed 1962)

(Ord. 719, Passed 2012)

4-1-14 HUMANE OFFICER--DUTIES. It shall be the duty of the humane officer to impound any dogs found running at large in violation of the terms of this chapter or those being kept, owned, sheltered, or harbored in violation of the terms of this chapter.

(Ord. 188, Passed 1962).

4-1-15 RESPONSIBILITY FOR ANIMALS.

1. All animals shall be kept under restraint.

2. It is unlawful for any person owning, harboring or keeping any dog, cat or animal to permit such dog, cat or animal to run at large within the City; provided that the provisions of this prohibition shall not apply to any animal confined within a building, structure or enclosed vehicle if such confinement is otherwise lawful and with the consent of the owner of the building, structure or vehicle, or to any dog, cat or animal owned or kept by an employee or agent of the City while such animal is being impounded in the enforcement of this section. The fact that a dog, cat or animal was running at large without the knowledge or permission of the owner of such animal shall not be a defense to any charge of a violation of this subsection.

3. No owner shall fail to exercise proper care and control of their animal to prevent

them from becoming a public nuisance.

(Ord. 623, Passed 1996).

4-1-16 HUMANE OFFICER--IMPOUNDMENT DUTIES. It shall be the duty of the humane officer to apprehend any animal found running at large, committing a public nuisance, or a vicious animal contrary to the provisions of this title and to impound such animal. The humane officer, upon receiving any animal, shall make a complete registry, entering the animal species,

breed, color and the sex of such animal and whether licensed. If licensed, the humane officer shall enter the name and address of the owner and the number of the license tag in a book kept

for that purpose.

(Ord. 623, Passed 1996)

4-1-17 IMPOUNDMENT--NOTICE. Not later than three days after the impounding of any dog, cat or other animal the owner shall be notified by regular mail, addressed to such owner as such owner's name and address appears upon the license tag of the dog, cat or other animal. If the owner of the dog, cat or other animal is unknown or if such dog, cat or other animal is unlicensed, then written notice shall be posted for three days on the front door of the pound describing the dog, cat or other animal and the place and time of taking.

(Ord. 188, Passed 1962)

(Ord. 623, Passed 1996)

4-1-18 IMPOUNDMENT--REDEMPTION. The owner of any dog, cat or other animal impounded may reclaim such dog, cat or other animal upon securing a license, if none has been secured, and upon payment of all costs and charges from impounding and maintaining of such dog, cat or other animal as set out below:

1. Transportation cost to reimburse the City for transporting the animal, ten dollars

(Ord. 719, Passed 2012)

2. For keeping any dog, cat or other animal, actual fees incurred by the City as charged by the Clinton Humane Society Animal Shelter

3. For giving notice, actual cost of publication

4. Any such dog or cat may be redeemed by the owner upon payment of the fees provided in this section, provided that such redemption is made within a three day holding period as set forth in 4-1-17. Before any impounded dog or cat is released to the owner thereof, the owner shall pay to the City or the animal shelter the daily pound boarding fee as established by contract between the City and the humane society for each day during which the dog or cat has been kept within the pound or other approved shelters, together with an impoundment fee as follows:

Impoundment

Fee

- | | |
|--|----------|
| 1. First impoundment | \$ 25.00 |
| 2. Second impoundment | 50.00 |
| 3. Third impoundment | 100.00 |
| 4. Fourth impoundment | 200.00 |
| 5. Fifth and each subsequent impoundment | 300.00 |

Any impounded dog or cat shall be released to the owner thereof upon the presentation of a current license tag issued for each dog or cat, or receipt for such license for the current, and upon payment of the fees required in this section. The impoundment fees collected are the property of the City and shall be forwarded to clerk on weekly basis. These fees shall be used for animal control and welfare.

(Ord. 552, Passed 1987)
(Ord. 623, Passed 1996)
(Ord. 650, Passed 2001)

4-1-19 UNCLAIMED DOG, CAT OR OTHER ANIMAL--DESTRUCTION. Unless reclaimed by the owner, it shall be the duty of the humane officer to keep all dogs, cats and other animals impounded for a period of three days after notice to the owner or from the date of posting notice. If at the expiration date of three days from the date of notice to the owner or the date of posting notice such dog, cat or other animal shall not have been reclaimed, it may be destroyed.

(Ord. 188, Passed 1962)
(Ord. 623, Passed 1996)

4-1-20 INFECTED DOG, CAT OR OTHER ANIMAL--DESTRUCTION. Any unlicensed dog, cat or other animal required by law to be licensed, or any dog, cat or other animal which appears to be suffering from rabies, mange, or other disease which, in the opinion of the humane officer, is infectious or dangerous, shall not be released but may be forthwith destroyed in a humane manner.

(Ord. 188, Passed 1962)
(Ord. 623, Passed 1996)

4-1-21 CONFINEMENT. No dog, cat or other animal which, in the opinion of the humane officer or a policeman, is dangerous or of vicious propensities, whether licensed or not, shall be allowed to run at large or upon the premises of one other than the owner. Every female dog in season (in heat) shall at all times be confined in an enclosure. If any dog, cat or other animal is found either running at large or not properly confined in violation of this section, it shall be taken up and impounded and shall not be released except upon approval of the humane officer after the payment of the fees as provided herein; provided, however, that if any dog, cat or other animal found at large, which in the opinion of the humane officer is dangerous or vicious and cannot be safely taken up and impounded, such dog, cat or other animal may be slain by the humane officer.

(Ord. 188, Passed 1962)
(Ord. 623, Passed

1996)

4-1-22 ANIMAL CARE.

1. No owner shall fail to provide their animals with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.

2. No person shall beat, cruelly treat, torment, overload or overwork, or otherwise abuse an animal, or cause, instigate or permit any combat between animals or between animals and humans.

3. No owner of an animal shall abandon such animal.

4. No person except a licensed veterinarian shall crop a dog's ears.

5. Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner, and in the event that the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency or to the local Humane Society.

(Ord. 623, Passed 1996).

4-1-23 KEEPING OF WILD ANIMALS.

1. No person shall keep or permit to be kept on his or her premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply to circuses.

2. No person shall keep or permit to be kept any wild animal as a pet.

3. The humane officer shall have the power to impound any wild animal.

(Ord. 623, Passed 1996).

4-1-24 BARKING--REMOVAL OF WASTE.

1. Barking. It is unlawful for any person to keep or harbor within the City any dog, cat or animal which by loud or frequent barking, yelping or howling causes serious annoyance to other persons in the area. No persons shall be convicted under this paragraph except upon evidence of two or more persons of different households.

2. Waste. It is unlawful for any person owning, keeping, harboring or controlling any dog, cat or animal to permit or allow such dog, cat or animal to discharge or deposit on any property in which such person has no proprietary interest, any feces or other waste matter. In the event any animal does discharge or deposit such matter in such a location, and the owner, keeper or person in control of such animal is present, such person shall immediately remove

and lawfully dispose of such matter. A violation of this subsection is a simple misdemeanor offense.

(Ord. 188, Passed 1962)

(Ord. 623, Passed 1996)

(Ord. 650, Passed 2001)

4-1-25 TRESPASSING UNLAWFUL. It is unlawful for any person, firm, or corporation keeping, owning or sheltering a dog, cat or other animal to allow or permit such animal to pass upon the premises of another causing damage or annoyance or otherwise interfering with the premises.

(Ord. 188, Passed 1962)

(Ord. 623, Passed 1996)

4-1-26 DISTURBING PEACE, TRESPASS--EVIDENCE REQUIRED. No person shall be convicted under the provisions of Sections 4-1-24 and/or 4-1-25, except upon the evidence of two or more persons of different households.

(Ord. 188, Passed 1962)

4-1-27 FEMALE DOG IN SEASON. It is unlawful for any owner to allow such owner's female dog that is in season to run at large or to so confine the female dog in such a manner which would attract male dogs to the area and by their presence cause a nuisance. Any person violating the provisions of this section shall be punished as provided in this chapter and the female dog shall be subject to seizure and impoundment at the expense of the owner, during the remainder of the period of time the female dog is in season.

(Ord. 427, Passed 1980)

4-1-28 RABIES--SURRENDER FOR QUARANTINE. The owner of any dog, cat or other animal which has contracted rabies, or which has been subject to same or which is suspected of having rabies, or which has bitten any person, shall upon demand of the humane officer of the City produce and surrender up such dog, cat or other animal to the humane officer to be held in quarantine for observation for a period determined by the humane officer at the expense of the owner of such dog, cat or other animal.

(Ord. 427, Passed 1980)

(Ord. 623, Passed

1996)

4-1-29 RABIES--ACCEPTABLE CONFINEMENT. The humane officer may permit the owner to properly confine the dog, cat or other animal instead of having it impounded. The term "properly confined" shall be construed to include:

1. Chaining at home or penning at home if the dog, cat or other animal can be so protected as to prevent the intimate approach of any other animal or person by a metal or wood barrier of sufficient size, height, and construction as to absolutely prevent the ingress or egress of any person or animal.

2. Confinement in an animal hospital under the supervision of a registered veterinarian.

(Ord. 427, Passed 1980)

(Ord. 623, Passed 1996)

4-1-30 RABIES--DESTRUCTION. If upon examination by a veterinarian, any dog, cat or other animal proves to be infected with rabies, such dog, cat or other animal can be disposed of as directed by the humane officer. It shall be the duty of such veterinarian to notify the county health officer of any positive rabies case found, without delay.

(Ord. 427, Passed 1980)

(Ord. 623, Passed 1996)

4-1-31 BITE BY RABID ANIMAL--QUARANTINE. Any animal bitten or attacked by any known rabid animal shall be quarantined under supervision of the humane officer by being confined as provided above for a period of not less than ninety days.

(Ord. 427 Passed, 1980)

4-1-32 RABIES--FAILURE TO SURRENDER ANIMAL--ACTION. Any person who knowingly harbors or keeps any dog, cat or other animal infected with rabies, or any dog, cat or other animal known to have been bitten by a rabid dog, cat or other animal or who fails to report to the police or humane officer the existence of a dog, cat or other animal which is known to be so infected or who fails to produce and surrender any dog, cat or other animal pursuant to Section 4-1-28 shall be punished as provided in this chapter.

(Ord. 427, Passed 1980).

(Ord. 623, Passed 1996)

4-1-33 RABIES OUTBREAK--SECTIONS EFFECTIVE WHEN. Sections 4-1-34 through 4-1-36 shall become effective only after and during such time as the City Council, on the recommendation of the humane officer, by resolution declares that a state of emergency due to rabies exists.

(Ord. 427, Passed 1980)

(Ord. 623, Passed 1996)

4-1-34 AT LARGE--PERMITTING UNLAWFUL. It is unlawful for the owner of any dog, cat or other animal to permit or suffer such dog, cat or other animal to be at large. Any dog, cat or other animal found at large shall be deemed to be so with the permission or at the sufferance of its owner.

(Ord. 188, Passed 1962)

(Ord. 623, Passed 1996)

4-1-35 SETTING AT LARGE UNLAWFUL. It is unlawful for any person, except the owner of a dog, cat or other animal or his or her agent, to open any door or gate of any private premises, or to otherwise entice or enable any dog, cat or other animal to leave any private premises, for the purpose or with the result of setting such dog, cat or other animal at large.

(Ord. 188, Passed

1962)

(Ord. 623, Passed 1996)

4-1-36 AT LARGE--IMPOUNDMENT. Any dog, cat or other animal found at large shall be impounded whether licensed or not.

(Ord. 188, Passed 1962)

(Ord. 623, Passed 1996)

4-1-37 POUND--ESTABLISHMENT. The mayor, with the approval of the Council, may establish and provide for maintenance of a public pound, or, in lieu thereof, may contract with any incorporated society or association for the prevention of cruelty to animals for the use of their facilities for impounding such dog, cat or other animal.

(Ord. 188, Passed 1962)

(Ord. 623, Passed 1996)

4-1-37A KEEPING OF DOMESTIC FOWL AND LIVESTOCK. Livestock or domestic fowl may be kept on any property within the City of Camanche that meets the following conditions:

1. The property upon which livestock or domestic fowl, excluding chickens is to be kept shall be taxed by Clinton County as agricultural land.

2. The property upon which livestock or domestic fowl, excluding chickens, is kept shall be made up of no less than five (5) contiguous acres under common ownership.

3. No portion of an enclosure for livestock or domestic fowl, excluding chickens, shall be located closer than one hundred feet (100') from any portion of a principle structures located on an adjoining property.

4. No portion of an enclosure for livestock or domestic fowl shall be located closer than fifteen feet (15') from a property line.

5. In the keeping of chickens, only hens are permitted. Roosters are prohibited in any area not zoned agricultural.

6. Domestic fowl or livestock must be kept in an enclosure and are not allowed to run at-large on a property or within the community.

7. Domestic fowl or livestock are not allowed to be kept in a dwelling in the City of Camanche.

8. Chickens may be kept on single family residential properties in the City of Camanche. The number of chickens kept on residentially zoned properties shall be limited to no more than six chickens. Chickens may be kept in the rear yard only.

9. Properties taxed as agricultural land and zoned AG-1, Agricultural Rural by the City of Camanche are exempt from items a-f listed above.

10. Domestic fowl that were kept within the corporate limits of the City of Camanche on or before July 1st, 2012 are exempt from the provisions of this ordinance.

(Ord. 722, Passed 2012)

4-1-38 ENFORCEMENT. The civil municipal infractions and the criminal provisions of this chapter shall be enforced by those persons or agencies designated by the City. It would be a

violation of this chapter to interfere with a police officer or a humane officer in the performance of their duties. If any person be found guilty by court of violations of this title, their permit to own, keep, harbor or have custody of animal shall be deemed automatically revoked and no new permit or license may be issued.

(Ord. 623, Passed 1996)

4-1-39 PENALTY FOR VIOLATIONS. Anyone violating any of the provisions of this chapter shall, upon conviction, be subject to ~~imprisonment not to exceed thirty days, or~~ a fine not to exceed five hundred dollars. The City may charge anyone violating any of the provisions of this chapter under the municipal infraction ordinances, and if so charged, the fine may not exceed five hundred dollars for a first offense and seven hundred and fifty dollars for subsequent offenses. Each day that a violation is permitted to exist constitutes a separate offense.

(Ord. 188, Passed 1962)

(Ord. 650, Passed 2001)

(Amended during 2019 codification)