

# TITLE 4

## POLICE REGULATION

Chapter 1 Animal Control

Chapter 2 Criminal Code



CHAPTER 1

**ANIMAL CONTROL**

- 4-1-1: DEFINITIONS
- 4-1-2: LICENSE REQUIRED
- 4-1-3: LICENSE FEE
- 4-1-4: TAGS TO BE PLACED ON COLLAR
- 4-1-5: COMMERCIAL AND NON-COMMERCIAL KENNEL LICENSE
- 4-1-6: UNLAWFUL FOR DOGS TO RUN AT LARGE
- 4-1-7: UNLAWFUL TO INTERFERE WITH SEIZURE OR KILLING OF DOGS
- 4-1-8: CRUELTY PROHIBITED
- 4-1-9: PENALTY

4-1-1: DEFINITIONS

For the purpose of this Ordinance, unless it is plainly evident from the context that a different meaning is intended, certain terms used herein are defined as follows:

**DOG:** The term dog shall mean and include either male or female.

**DOG OF LICENSING AGE:** Any dog which has attained the age of three (3) months.

**UNLICENSED DOG:** A dog for which a license has not been issued for the current year, or to which the tag provided for in this ordinance is not attached.

**OWNER:** The proprietorship of a dog shall mean any person owning, keeping or harboring a dog.

**AT LARGE:** Any dog off or away from the premises of the owner, possessor or keeper thereof, and not under the control of such owner, possessor or keeper, or his agent or servant or a member of his immediate family, either by leash, cord or chain, or while confined within a vehicle.

**DOG KENNEL:** Commercial or non-commercial as herein provided for, and will be considered a premise where more than three (3) dogs of licensing age are kept or maintained.

4-1-2: LICENSE REQUIRED

- A. It shall be unlawful for any person to keep or harbor any dog three (3) months or more of age within the corporate limits of the city without paying a license fee as herein provided.
- B. Dogs used as guides for blind persons and commonly known as "seeing eye" dogs shall be licensed and registered as other dogs herein provided for, except

that the owner or keeper of such dog shall not be required to pay any fee therefore.

#### 4-1-3: LICENSE FEE

- A. The owner or person keeping, harboring or having charge of any dog of licensing age with the city shall, the first day of May of each year, pay to the clerk the sum of five dollars (\$5.00) for a license for each male and spayed female dog and fifteen dollars (\$15.00) for a license for each unspayed female dog.
1. Upon payment of said fee it shall be the duty of the clerk to issue a license to said person bearing the same number as the number to be worn on the collar of the dog for the current year.
  2. The said license shall give the date of issuance, the date of expiration, the amount paid, the name and address of the person to whom issued and the breed, name and sex of the dog.
  3. The clerk shall furnish with each license a metal tag, which shall be stamped with the number to correspond with the number of the license and the year for which it is issued.
- B. In case a dog is brought within the corporate limits after May 1<sup>st</sup>, the owner or person having such dog in charge shall pay the full cost of such license, and said clerk shall thereupon issue a license as in other cases. Provided, however, that the provisions of this Section shall not apply to any person visiting in the city for a period not exceeding thirty (30) days and owning or possessing a dog currently licensed and bearing the license issued by another licensing authority.

#### 4-1-4: TAGS TO BE PLACED ON COLLAR

The metal tag shall be attached to the collar of the dog, which the owner or person in charge of the dogs shall provide and which shall be placed and kept upon the neck of the dog so licensed. If the metal tag be lost, a new tag shall be obtained by making application to the clerk, who shall issue such new tag upon payment by the applicant of a one dollar (\$1.00) fee.

#### 4-1-5: COMMERCIAL AND NON-COMMERCIAL KENNEL LICENSE

It shall be unlawful to keep, maintain, harbor or possess upon the premises of any one household more than three (3) dogs of licensing age unless the owner or person in charge thereof shall have obtained a commercial or non-commercial kennel license.

- A. Application for a non-commercial kennel license shall be made to the clerk and the original application must be accompanied by the written consent to such non-commercial kennel by at least seventy five percent (75%) of all the persons in possession of premises within one hundred feet (100') of the premises upon which said non-commercial kennel is to be maintained.
1. Accompanied by a deposit of a license fee of fifteen dollars (\$15.00) for each year.
    - a. Thereafter the fee shall be \$15.00 annually for four dogs and an additional \$5.00 annually for each dog over four.
    - b. The deposit shall be returned to the applicant if the license is not finally issued.

2. The application shall state the name and address of the owner, where the non-commercial kennel is to be kept, the number of dogs presently kept, and the breed(s) of dogs.
    - a. All dogs shall be owned by members of the immediate household.
    - b. Separate tags shall be issued for each dog.
  3. Non-commercial kennel licenses shall not be transferable and shall expire on April 30 following the year in which issued.
- B. A commercial kennel shall be considered as a kennel whereby the owner or keeper of dogs shall derive moneys from the boarding, breeding, training, or handling of dogs.
1. Application for a commercial kennel license shall be made to the clerk.
    - a. The original application must state the zone in which the kennel will be maintained and must be accompanied by the written consent to such commercial kennel by at least seventy five percent (75%) of property owners within two hundred feet (200') of said property line of said kennel.
    - b. Accompanied by a deposit of twenty-five dollars (\$25.00), which deposit shall be returned to the applicant if license is not issued.
  2. Licenses shall not be transferable and shall expire on April 30 following the year in which issued.
  3. The annual license fee shall be \$25.00.

4-1-6: UNLAWFUL FOR DOGS TO RUN AT LARGE

- A. Any person who shall harbor or keep on his premises, or in his control any dog which by loud and unusual barking or howling, shall disturb the peace and quiet of the neighborhood, or the occupants of adjacent premises, shall be guilty of a misdemeanor.
- B. It shall be unlawful for any owner or keeper of a dog to allow said dog to be on any public street, alley, sidewalk or any public way or public place within the city unless said dog is on a leash not exceeding ten feet (10') in length or is confined within a vehicle.
  1. The mayor may, upon application of any person, authorize within the city, dog shows, exhibitions and dog training courses allowing the dogs participating therein to be controlled by competent attendants.
  2. Dogs within such area so designated need not be controlled by leash, but shall be under the control of a responsible person and controlled by whistle, voice or other effective command.
- C. It shall be unlawful for any owner or keeper of a dog to allow said dog to run upon any property in the city without the consent of the owner or tenant in possession of said property.
- D. The owner of a female dog shall cause such dog, when in season, to be penned or enclosed in such a manner as to preclude other dogs from attacking such

female dog or being attracted to such female dog so as to create a public nuisance.

- E. It shall be unlawful for any person to let to a female dog any dog, except within an enclosure so arranged as to obstruct such animal completely from the view of all persons who have no proprietary interest in the breeding of such animals.

4-1-7: UNLAWFUL TO INTERFERE WITH SEIZURE OR KILLING OF DOGS

It shall be unlawful for any person to hinder, molest or interfere with any person who is engaged in seizing any dog, killing the same or removing the carcass under the provisions of this ordinance.

4-1-8: CRUELTY PROHIBITED

It shall be unlawful for any person to maltreat or torture any dog, or, having the right or authority to kill any dog, to kill such dog in an inhumane manner.

4-1-9: PENALTY

Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and punished by a fine as follows:

- A. Leash law: A fine of \$5.00 for the first offense, \$15.00 for the second offense, \$25.00 for the third offense, and not exceeding \$100.00 upon all subsequent offenses, all involving the same dog.
- B. Violation of all other sections and provisions of this ordinance, by a fine not exceeding \$100.00. If such violation be continued, each day's violation shall be a separate offense. (Ord. 34, 4-9-1984; Ord. 2008-2)