

Chapter 6.12

REGULATIONS⁴

Sections:

6.12.010	Restraint of animals required.
6.12.015	Canine Unit Exemption from Restraint Requirement.
6.12.020	Impoundment of unrestrained animals authorized.
6.12.030	Staking out unattended animals.
6.12.040	Use of poisonous substances for disposal of animals.
6.12.050	Removal of excreta-Owner's responsibility.
6.12.060	Nuisances.
6.12.070	Dead animals deemed nuisances when.
6.12.080	Animals prohibited in city.
6.12.090	Selling rabbits or fowl as novelties prohibited.
6.12.100	Using animals for prizes or attracting trade prohibited.
6.12.110	Cruelty.
6.12.120	Animals prohibited on school premises and city playgrounds.
6.12.130	Dangerous and vicious animals - Restraint required.
6.12.140	Dangerous and vicious animals - Impoundment and disposal.
6.12.150	Animals prohibited in public buildings and stores.
6.12.160	Limit of number of dogs and cats per household.

6.12.010 Restraint of animals required.

Each owner of any animal shall keep such animal exclusively on such owner's premises, except that any such animal may be off the premises if restrained by a substantial leash or chain or other appropriate instrument or physical device and under the direct supervision and immediate control of a competent person.

Any person violating this section shall be fined fifty dollars (\$50.00) for the first offense and in accordance with section 6.08.100 for each subsequent offense.
(Ord. 2008-M-45 § 1; Ord. 1977-M-11 (part): prior code § 20.23.)

6.12.015 Canine unit exemption from restraint requirement.

Trained police dogs utilized by an official law enforcement agency and assigned to a sworn peace officer as part of a canine team/unit shall be exempt from all provisions of Section 6.12.010, "Restraint of animals required". (Ord. 1994-M-49 § 1.)

6.12.020 Impoundment of unrestrained animals authorized.

It shall be the duty of the animal control officer to take up, if possible and impound any animal not under restraint as prescribed in Section 6.12.010. Any animal so taken up and impounded shall be considered as a stray on records of the city. (Ord. 1977-M-11 (part): prior code § 20.24.)

6.12.030 Staking out unattended animals.

No owner shall stake out unattended, or leave unrestrained outside and unattended, any bitch in season, i.e., while she is in heat, or to stake out any animal, male or female, in such manner that said animal may be or go beyond the owner's lot or land. (Ord. 1977-M-11 (part): prior code § 20.25.)

6.12.040 Use of poisonous substances for disposal of animals.

No person shall place, leave or expose in any place accessible to domestic or wild animals, with the intent to kill or harm such animals, any poisonous substance or ingredient or any edible or other ingredient which has been treated with any poisonous substance or ingredient unless same has been approved by the city sanitarian as proper for pest control and safe for all animals other than the pest(s) to be controlled, or unless the same shall be utilized for the humane disposal of animals by owners or their agents. (Ord. 1978-M-33 § 1; Ord. 1977-M-11 (part): prior code § 20.36.)

REGULATIONS

6.12.050 Removal of excreta - Owner's responsibility.

No owner shall fail to remove excrement deposited by his pet upon the public ways or within the public places of the city or upon the premises of any person other than the owner's without that person's consent. This section shall not apply to a blind person while walking his or her guide dog. (Ord. 1977-M-11 (part): prior code § 20.37.)

6.12.060 Nuisances.

An animal shall be classed as a nuisance, and its owner held in violation of this title, when such animal shall commit and repeat any of the following acts:

- A. Molesting persons or moving vehicles by chasing or barking or otherwise encumbering them;
- B. Attacking other animals that are being maintained in a lawful and otherwise proper way on the premises of their owner(s) or that are in the ordinance-prescribed control of their owners away from their home premises;
- C. Damaging property other than that of the owner;
- D. Barking, whining, howling or otherwise emitting loud noises excessively for an extended and uninterrupted period while on the property of the owner or within the confines of the owner's residence or other enclosed building on the owner's property;
- E. Creating noxious or offensive odors.

(Ord. 1979-M-48 § 1; Ord. 1977-M-11 (part): prior code § 20.38.)

6.12.070 Dead animals deemed nuisances when.

It also shall be classed as a nuisance for any person to leave in or throw into any public way, public place or public water or to bury within the city the body or any part thereof of any dead or fatally sick or injured animal, or to display the unpreserved body or any unpreserved part of the dead animal in a place where it may be dangerous to the life or detrimental to the health of any animal or person. (Ord. 1977-M-11 (part): prior code § 20.39.)

6.12.080 Animals prohibited in the city.

It is unlawful to keep any pigs, swine, sheep, cattle, goats, or similar animals, or any naturally wild animals other than birds and fish within the city unless allowed by the zoning ordinance of the city, unless same shall be properly and safely confined in zoological parks, performing animal exhibitions, educational institutions, veterinary hospitals, or animal shelters licensed under the Animal Welfare Act of the State. (Ord. 1977-M-11 (part): prior code § 20.40.)

6.12.090 Selling rabbits or fowl as novelties prohibited.

No person shall sell, offer for sale or give away as a pet any rabbit or fowl that has been dyed, colored or otherwise treated to impart an artificial color thereto. Baby chicks, ducklings, goslings and turtles shall not be sold, offered for sale, bartered or given away as pets or novelties. (Ord. 1977-M-11 (part): prior code § 20.41.)

6.12.100 Using animals for prizes or attracting trade prohibited.

No person shall give away any animal, as defined in Section 6.04.020, as a prize or as an inducement to enter any competition or contest or place of amusement, or offer such as an incentive to any business agreement for the purpose of attracting trade. (Ord. 1977-M-11 (part): prior code § 20.42.)

6.12.110 Cruelty.

No person shall do any of the following:

- A. Beat, torture, torment, bait or incite toward fighting, mutilate or cruelly kill any animal, or cause or knowingly allow the same to be done;
 - B. Unnecessarily fail to provide any animal in his charge or custody with proper food, water, air and sanitary shelter, such shelter to be sufficient to provide natural light or artificial illumination during reasonable hours, protection from drafts, reasonable safeguards against chilling and overheating caused by temperatures extremes, and space within that is sufficient for the animal to stand in an upright position and lie down stretched out so that no part of its body need touch the top or sides of the shelter structure;
 - C. Cruelly force any animal into undue physical exertion;
 - D. Carry, keep, drive, or cause to be carried, driven or kept, any animal in a cruel manner;
 - E. Leave for any length of time any animal unattended in a motor vehicle and/or trailer when the outside temperature is such that the animal may suffer from excessive heat, cold, or physical stress;
 - F. Have, keep or harbor any animal that is infected with any disease transmissible to other animals or human beings, or that is afflicted with any painful disease or injury, including severe parasitism, unless such animal shall be under the care of a licensed veterinarian;
 - G. Abandon any animal on any public way or in any place where it may suffer or become a public charge.
 - H. Use an electric prod or similar device on any animal at a rodeo once the animal is in the holding chute, unless necessary to protect the participants and spectators of the rodeo.
 - I. Conduct a rodeo without a licensed veterinarian being on call during the entirety of the rodeo.
- (Ord. 2001-M-29 § 1; Ord. 1977-M-11 (part): prior code § 20.43.)

6.12.120 Animals prohibited on school premises and city playgrounds.

It is unlawful for any animal, even though on leash, to go or be upon any school premises or city maintained, park district maintained, or school maintained premises, or upon a path or sidewalk extending through or within any school premises or city maintained playground; except, that this provision shall not apply to dogs leading blind persons, to animal exhibits or demonstrations or to animal training classes staged as part of an officially sanctioned program of any school or playground, or to animals utilized by law enforcement agencies. (Ord. 1977-M-11 (part): prior code § 20.45.)

6.12.130 Dangerous and vicious animals - Restraint required.

- A. No owner shall permit any dangerous or vicious animal to be in any public way or other public place within the city or upon the private premises of any person other than the owner of such animal, unless said animal is securely muzzled and closely restrained or caged.
- B. Vicious animals on the premises of the owner shall be restrained so that they cannot attack persons lawfully on the premises, and the premises shall be so maintained that children cannot gain access thereto.

(Ord. 1977-M-11 (part): prior code § 20.46.)

6.12.140 Dangerous and vicious animal - Impoundment and disposal.

- A. Any animal found in violation of any of the provisions of Section 6.12.130 shall be impounded in the animal control center at its owner's expense and not released before its future maintenance is ruled upon by a court of law.
- B. If any dangerous or vicious animal cannot be taken safely and impounded when necessary for the protection of any person or property, such animal may be slain, by the most humane method available at the site of trouble, by a police officer or other person authorized by the

REGULATIONS

city; provided, however, that in all cases where an animal to be slain is known or suspected to have bitten any person, no injury shall be done to its head, and it shall be the duty of the person euthanizing it to deliver or cause to have delivered the carcass immediately to any place designated by the animal control section for the purpose of rabies examination as prescribed by law.

- C. If any warmblooded animal bites a person and subsequently expires, the bite shall be reported and the carcass delivered immediately to the animal control section or to any place designated by the animal control section for the purpose of rabies examination as prescribed by law.

(Ord. 1977-M-11 (part): prior code § 20.47.)

6.12.150 Animals prohibited in public buildings and stores.

It is unlawful for any animal, even though on a leash, to be in or enter any public building, food establishment, or any store except a store for the sale of animals, anywhere within the city during the time that any of said places are open for use by the public. (Ord. 1977-M-11 (part): prior code § 20.51.)

6.12.160 Limit of number of dogs and cats per household.

No person shall possess more than a total of three dogs and/or cats in any household, apartment or other dwelling unit within the city. Any dwelling unit containing more than a total of three dogs and/or cats is hereby deemed a nuisance, and any person who violates this ordinance shall be subject to the enforcement provisions under this title. (Ord. 1989-M-75 § 1.)