

Sec. 14-1. - Dogs and cats at large prohibited.

(a) *Definitions.* The following definitions shall apply to this section:

At large means off the premises of the owner and not under the immediate control of the owner by a leash not longer than eight feet in length or, in the case of a dog, in an open car or truck by a leash not longer than four feet in length securely fastened to the vehicle.

Cat means any member of the animal species *Felis catus* or *Felis domestica*.

Dog means any member of the animal species *Canis familiaris*.

Owner means any person having a property right in a dog or cat; who keeps a dog or cat; who has a dog or cat in his care or custody; or who knowingly permits a dog or cat to remain on or about any premises occupied by him.

(b) *Prohibition.* It shall be unlawful for any owner of a dog or cat to:

- (1) Allow such dog or cat to be at large; or
- (2) Fail to remove the animal's feces from public walks, rights-of-way, parks, including beaches, recreation areas, or other public property; or
- (3) To allow animal feces to be deposited on private property where the private property owner has not given express permission for such use on their private property.

(c) *Impoundment.* Upon intake of a lost or stray dog or cat, the animal control officer or police officer designated for animal control shall scan the dog or cat for identification in an attempt to identify, notify and return the dog or cat to its owner. If the owner cannot be identified or the dog or cat cannot be returned, the dog or cat at large shall be impounded by the animal control officer or the police officer designated for animal control duty.

(d) *Notification of impoundment.* After an attempt is first made to notify and return the dog or cat to its owner, the owner, if known, shall be notified of the impoundment.

(e) *Release upon payment of fees and expenses.* The dog or cat may be released to the owner upon payment by the owner of all fees and expenses incurred as a result of the impoundment.

(f) *Surrender of dog.* Upon investigation and finding by the police officer designated for animal control duty that a dog has, without provocation, attacked, bitten, scratched, or otherwise caused physical harm or injury to any person or domestic animal on two separate occasions, the officer shall immediately notify the owner in writing that the owner shall forthwith voluntarily forfeit the dog to the police officer for disposition as such officer determines most humane and beneficial to the community but under no circumstances shall a dog be destroyed before expiration of a ten-day quarantine or such other period as may be directed by state law, whichever is longer. Should an owner refuse to voluntarily forfeit the dog, the matter may be brought before the code enforcement board for compliance or before a court of competent jurisdiction for action deemed appropriate.

(g) *Police officers empowered to enforce county animal control ordinance.* The police officer designated for animal control duty is empowered to enforce all pertinent portions of the county animal control ordinance within the city in the same manner as if such ordinance was an ordinance of the city.

(h) *County animal control ordinance effective.* The county animal control ordinance is in effect in the city. The proscriptions of this section are in addition to such ordinance and may be enforced by the code enforcement board or a court of competent jurisdiction.

(Code 1982, § 34.05; Ord. No. 85-33, § 1. 12-3-1985; Ord. No. 2019-03, § 2, 2-5-2019; Ord. No. 2020-01, § 1, 2-4-2020)