

Common Ordinances – Animal Control

Sec. 10-73. License; rabies inoculation.

(a) It shall be unlawful for any person to own, keep or harbor any dog within the corporate limits of the City without first having obtained a dog tag from the Department of Finance and Administration and without having paid the yearly registration fee:

(1) Neutered male or spayed female dog the sum established by ordinance, proof thereof to be made at time of obtaining license.

(2) Fertile male or female dog the sum established by ordinance.

Such registration shall expire December 31 of each year.

(b) It shall be the duty of the owner or person harboring a dog within the corporate limits of the City to have such dog inoculated against rabies. Persons owning or harboring a dog shall not be issued a license or dog tag as provided in this Section, unless the applicant exhibits an unexpired certificate by a licensed veterinarian showing compliance with the provisions of this Section. The metal plate or tag issued by the Department of Finance and Administration for the current year for such dog, as provided by subsection (d) of this Section, shall be deemed to have been inoculated for rabies.

(c) Penalties.

(1) The registration fee shall be increased by an amount established by ordinance on March 1 each year, the total registration fee, including penalty, to be as follows:

a. An amount established by ordinance on a neutered male or spayed female dog; and

b. An amount established by ordinance on a fertile male or female dog.

(2) The registration fee shall be increased an additional amount as established by ordinance on June 1 each year, the total registration fee including penalty to be as follows:

a. An amount established by ordinance on a neutered male or spayed female dog; and

b. An amount established by ordinance on a fertile male or female dog, to any person who has failed to register any dog; provided, however, that any person who acquires a dog after March 1 each year shall not be subject to the increased license fee as provided in this Section and shall pay only the yearly fee otherwise required upon furnishing the Department of Finance and Administration an affidavit showing the date on which such dogs were born or brought into the City.

(d) Such license tax shall be paid to the Department of Finance and Administration, and such department shall keep a record thereof and issue a receipt therefor giving the date of payment, a description of the dog and the name of the person paying such tax. On receipt of the payment of the license tax for any dog, the Department of Finance and Administration shall deliver to the person paying such tax a metal plate or tag on which shall be stamped the year for which the license tax has been paid, and the number of the receipt for the license tax. The Department of Finance and Administration shall authorize the animal control officer to collect such license tax and furnish a metal tag on impounded dogs and from owners of dogs in answer to a complaint.

(Code 1975, §§ 3-201--3-203)

Sec. 10-74. Running at large described.

(a) It shall be unlawful for the owner, keeper, harbinger or possessor of any dog to allow or permit a dog to run at large in, on or upon any public alley, street, sidewalk, park or thoroughfare or in, on or upon any premises except the premises of the person who owns, keeps, harbors or possesses such dog. The factual determination that the dog was running at large shall be prima facie evidence of violation of this Section.

(b) A dog shall be deemed to run at large when it is not under the physical control of the person who owns, keeps, harbors or possesses the dog by a leash or other similar device which is adequate to control the dog. Under no circumstances shall voice control be considered adequate or physical control.

(Code 1975, § 3-206; Ord. No. G-882, § 1, 9-13-2001)

Sec. 10-76. Barking dogs.

No person shall own, keep or harbor any dog which by loud, frequent and habitual barking, howling or yelping shall annoy or disturb any neighborhood or person in the City.

(Code 1975, § 3-211)

Secs. 10-77--10-100. Reserved

Pit Bull Dogs

Sec. 10-105. Keeping, harboring, owning or possession unlawful.

It shall be unlawful to keep, harbor, own or in any way possess a pit bull dog within the City limits, except that pit bull dogs located within the City on the effective date of the ordinance from which this division is derived may be kept within the City upon strict compliance with the standards and requirements set forth in Section 10-106.

(Code 1975, § 3-502)

Sec. 10-106. Standards and requirements.

The following standards and requirements shall apply to pit bull dogs located within the City limits upon the effective date of the ordinance from which this division is derived.

(1) *Registration.* Within ten days of the effective date of this Section each owner, keeper, harborer, or possessor of a pit bull dog shall register such dog with the City Clerk.

(2) *Leash and muzzle.* No person shall permit a pit bull dog to go outside its kennel or pen unless such dog is securely leashed with a leashed no longer than four feet in length. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person of suitable age and discretion is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, building or structures. In addition, all pit bull dogs on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.

(3) *Confinement.* All pit bull dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as provided in subsection (2) of this Section. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine pit bull dogs must be locked with a key or combination lock when such animals are within the structure, and the structure must have a secure floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two feet. All structures erected to house pit bull dogs must comply with all zoning and building ordinances and regulations of the City and shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

(4) *Confinement indoors.* No pit bull dog may be kept on a porch, patio or any part of a house or structure that would allow the dog to exit such building on its own volition. In addition, no such dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacles preventing the dog from exiting the structure.

(5) *Signs.* All owners, keepers, harborers, or possessors of pit bull dogs within the City shall within ten days of the effective date of this Section display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog." In addition, a similar sign is required to be posted on the kennel or pen of such animal.

(6) *Insurance.* All owners, keepers, harborers or possessors of pit bull dogs must within 20 days of the effective date of this Section provide proof to the City Clerk of public liability insurance in a single incident amount of \$50,000.00 for bodily injury to or death of any persons which may result from the owning, possessing, keeping or maintaining of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten days' written notice is first given to the City Clerk.

(7) *Identification photographs.* All owners, keepers, possessors or harborers of pit bull dogs must within 20 days of the effective date of this Section provide to the City Clerk two color photographs of the dog clearly showing the color and approximate size of the animal.

(8) *Reporting requirements.* All owners, keepers, possessors, or harborers of pit bull dogs must, within ten days of the incident, report the following information in writing to the City Clerk as required:

- a. The removal from the City or death of a pit bull dog;
- b. The birth of offspring of a pit bull dog;
- c. The new address of a pit bull dog owner should the owner move within the corporate City limits.

(Code 1975, § 3-503)