

ARTICLE 2. DOGS AND CATS

2-201. REGISTRATION AND VACCINATION REQUIRED; FEE. (a) Every owner of any dog or cat over six months of age shall annually register with the city clerk his or her name and address with the name, sex and description of each dog or cat owned and kept within the city. It shall be unlawful for the owner of any newly acquired dog or cat, or any dog or cat brought into the city to fail to register such animal within 30 days from acquisition or bringing the dog into the city. It shall be unlawful for the owner of any previously registered dog to fail to maintain current registration of such dog or cat.

(b) Upon registration, the owner shall present a current, completed certificate of immunization against rabies. No registration shall follow without evidence of this document, and it shall be unlawful for the owner of any dog or cat over six months of age to fail to maintain effective rabies immunization of such dog or cat.

(c) The owner or harbinger of any dog or cat shall, at the time of registering such dog, present to the city clerk a certificate from an accredited veterinarian showing that a male dog or cat has been neutered or a female dog or cat has been spayed, if the dog or cat has been neutered or spayed.

(d) The city clerk shall collect an annual registration fee of \$3.00 for each neutered male dog or cat and for each spayed female dog or cat, and \$5.00 for each unneutered male dog or cat and for each unspayed female dog or cat.

(e) The registration year shall be from January 1st through December 31st of each year. The fee shall be payable before March 1st of each year without penalty.

Registration fees as enumerated above may be prorated for newly acquired dogs or cats, or for dogs or cats owned by a person or persons moving to and establishing a home in the city during a calendar year. Every owner or harbinger of dog(s) or cat(s) who shall fail to register the same prior to the 1st day of March of each year shall pay in addition to the registration fee herein provided a penalty fee for late registration of \$25.00 if less than 30 days late, and \$50.00 for any registration of 30 days late.

(Code 2008)

2-202. TAGS. It shall be the duty of the city clerk or designated agent, upon a showing of current rabies immunization and receipt of the registration fee hereinbefore required, to keep in a book suitable for the registration of dogs and cats, the time of the registration, the name of the owner or keeper, the number of the registration and the amount paid therefor, and shall deliver to the owner or keeper of the dog a certificate in writing, stating that the person has registered the dog or cat and the number by which the dog or cat is registered, and shall also deliver to the owner or keeper of the dog or cat a tag with the registration number and the registration year thereon, which shall be, by the owner or keeper, attached to the collar to be used on the dog or cat so registered. When any tag has become lost during a registration period, the owner of the dog may request a duplicate tag for the remainder of the registration period. When so requested, the city clerk shall, upon presentation of the registration certificate, issue a duplicate of such tag upon the payment of a \$3.00 fee. It shall be unlawful for any person to take off or

remove the city registration tag from any dog or cat belonging to another, or remove the strap or collar on which the same is fastened. (Code 2008)

2-203. SAME; COUNTERFEIT TAG. It shall be unlawful for any person to place on any dog or cat a tag issued for any other dog or cat or to make or use any false, forged or counterfeited tag or imitation thereof. (Code 2008)

2-204. EVIDENCE OF VACCINATION. It shall be unlawful for the owner of any dog or cat kept within the city to fail to display a current certificate of immunization against rabies issued by an accredited veterinarian evidencing the vaccination of such dog or cat within two years, when requested by the animal control officer or any law enforcement officer. (Code 2008)

2-205. VISITING DOGS and CATS. The provisions of this article with respect to registration shall not apply to any dog or cat owned by any person visiting or temporarily remaining within the city for less than 60 days. However, such dogs or cats shall be kept under restraint by the owner thereof at all times. (Code 2008)

2-206. RUNNING AT LARGE; FINE. (a) It shall be unlawful for the owner or harborer of any dog or cat to permit such animal to run at large within the city at any time;

(b) Any dog or cat running at large within the city shall be impounded as set out in section 2-207;

(c) The owner of any dog or cat impounded for running at large without the tag required by section 2-201 shall, for the first offense, pay a fine of \$50.00 plus the board bill. For a second offense of running at large without a tag, the fine shall be \$200.00.

(d) For the first offense of an animal running at large with a tag as required by section 2-201, the owner or harborer claiming any animal, shall, in addition to presenting a registration receipt, pay the cost of the board bill. For a second offense within a one year period, the owner or harborer shall pay a fine of \$50.00 plus the board bill. For a third and all subsequent offenses within a one year period, the owner or harborer shall pay a fine of \$100.00 plus the cost of the board bill.

(Code 2008)

2-207. IMPOUNDMENT; RECORD; NOTICE; REDEMPTION; MINIMUM FEE.

(a) Any dog or cat found in violation of the provisions of this article shall be subject to impoundment by the city.

(b) A record of all dogs and cats impounded shall be kept by the city containing the following information: color, sex, weight, height, identifying marks, registration number (if any) and the date of impoundment.

(c) No dog or cat impounded under this section shall be disposed of until after expiration of a minimum of three full business days of custody during which the public has clear access to inspect and recover the dog or cat through time periods ordinarily accepted as usual business hours. During such time of custody, the city shall attempt to notify the owner or custodian of any dog impounded by such facility if the owner or custodian is known or reasonably ascertainable. Such dog or cat may at any time be released to the legal owner, moved to a veterinary

hospital for treatment or observation, released in any manner, if such dog or cat was a gift to the animal shelter, or euthanized by a licensed veterinarian if it appears to the veterinarian that the dog or cat is diseased or disabled beyond recovery. If within three full business days the owner does not appear to claim the dog or cat, then the animal may be sold, euthanized or otherwise disposed of.

(d) If at any time before the sale or destruction of any dog or cat impounded under the provisions of this article, the owner of an impounded dog or cat does appear and redeem the animal, it shall be turned over to the person claiming it upon payment of any impoundment fees or penalties plus the actual costs of impoundment, and shall not apply to any dog alleged as being vicious under the provisions of this code.

(e) The minimum impoundment fee shall be the same as in 2-110.

(f) Any dog or cat impounded may not be released without a current rabies vaccination.

(g) Impoundment hereunder shall not preclude any court from imposing and executing any fine which might otherwise be levied under this article for violation of any of the provisions thereof; nor shall impoundment be a defense in any prosecution commenced hereunder.

(h) The redemption of any dog or cat impounded for a violation of any provision of this chapter shall be prima facie evidence of the violation of such provision by the person redeeming the dog or cat.

(Code 2008)

2-208. DISPOSITION OF UNCLAIMED DOGS AND CATS. If any dog or cat is not redeemed by its owner or harborer within the time allowed for redemption as specified in section 2-206 thereof, the animal control officer, any authorized law enforcement officer, any authorized veterinarian or any duly authorized pound personnel may destroy such dog or cat or sell the same for the costs of impoundment and keeping, plus any registration fee due for the current year. (Code 2008)

2-209. CONFINEMENT OF DOGS AND CATS IN HEAT. Any unspayed female dog or cat in the stage of estrus (heat) shall be confined during such period of time in a house, building or secure enclosure, and the area of enclosure shall be so constructed that no other dog(s) or cat(s) may gain voluntary access to the confined animal except for purposes of planned breeding. Any animal that is in the state of estrus (heat) and that is not properly confined, or any such animal that is creating a neighborhood nuisances, shall be removed to a boarding kennel, to a veterinary hospital or to the animal shelter. All expenses incurred as a result of the confinement shall be paid by the owner. The owner of animals removed to the animal shelter shall be charged at the rate established from time to time by the animal shelter for routine confinement. (Code 2008)

2-210. LIMIT ON DOGS AND CATS. It shall be unlawful to have more than two dogs and two cats over the age of three months, in any household residentially zoned property, without a special permit from the governing body. (Ord. 559, Sec. 14)

2-211. MUZZLING. Whenever the mayor shall deem it necessary for the protection and welfare of the inhabitants of the city, he or she shall issue an order requiring

all dogs kept within the city to be effectively muzzled for such length of time as may be specified in the order, to prevent them from biting or injuring persons or animals. Such order shall be published in the official newspaper of the city for such period of time as the mayor may deem necessary. (Code 2008)

ARTICLE 3. NORTHEAST ANIMAL CONTROL COMMISSION

- 2-301. FINDINGS. The governing body deems it advisable and necessary that this city adequately control the problems of dead and uncontrolled domestic and wild animals on the streets or roaming at large within the city. It further finds it necessary to join together with other cities to continue a cooperative animal control program with certain other Johnson County cities to effect for the benefit of the citizens of the cities a better animal control service at the lowest possible cost to the cities.
(Ord. 875; Code 2008)
- 2-302. PURPOSE AND OBJECTIVES. (a) It is hereby declared that the cost and operation of animal control can best be effected in the several member cities by cooperative management and financing of personnel and equipment needed to enforce and provide services necessary to pick-up, care for and dispose of, where necessary, domestic, unwanted or at-large animals or dead or dangerous animals within the member cities.
(b) To study and provide new or better methods of animal control, to develop and maintain communications with the governing bodies and residents of the member cities to eliminate problems of animal control
(Ord. 875; Code 2008)
- 2-303. AGREEMENT INCORPORATED. (a) The city joins with at least two other adopting cities to continue the Johnson County Animal Control Commission, which name shall be changed to the Northeast Animal Control Commission.
(b) There is hereby incorporated by reference, as though reproduced herein in its entirety, ordinance 875 providing for the establishment and operation of the Northeast Animal Control Commission.
(Ord. 875; Code 2008)