

Title 6

ANIMALS*

Chapters:

<u>6.04</u>	<u>Dogs</u>
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Chapter 6.04
DOGS

Sections:

- 6.04.010 Definitions.
- 6.04.020 Licensing and registration requirements--Fees.

***Editor's note**—Ord. No. 1100, § 1, adopted September 9, 2008, amended title 6 in its entirety to read as herein set out. Formerly, title 6 pertained to similar subject matter, and derived from Ord. No. 13, § 1, adopted 1910; Ord. No. 370, § 1, adopted 1973; Ord. No. 472, §§ 101--121, 123, adopted 1979; Ord. No. 496, § 1, adopted 1980; Ord. No. 575, §§ 1, 3, 4, 6--10, adopted 1983; Ord. No. 650, § 1, adopted 1987; Ord. No. 750, § 1, adopted 1993; Ord. No. 760, § 1, adopted 1994; Ord. No. 783, § 1, adopted 1995; Ord. No. 867, §§ 1, 2, adopted 1998, and Ord. No. 868, § 1, adopted 1998. Ord. No. 1120, § 1, adopted Dec. 15, 2009, states: "As the terms "town Marshall," "police chief," "police department," "public works director," or "public works" are referenced throughout Title 6, "Animals," to the Granger Municipal Code, those terms shall mean "city."
"City" is defined to mean, within the context of Title 6, the mayor or his or her designee. Thus, at the mayor's discretion, any given department, department head, or employee within a department may be authorized to enforce the provisions of Title 6 to the Granger Municipal Code."

- 6.04.030 Tag requirements--Retention of certificate by owner--Records open to the public.
- 6.04.040 Unlawful to remove collar or tag and/or microchip.
- 6.04.050 Unlawful to harbor strays.
- 6.04.060 Impoundment authority.
- 6.04.070 Impoundment--Records kept.
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- 6.04.190 Chief of police and police department-Obstructing prohibited.
- 6.04.200 Chief of police and police department-Authority and conditions for entering private property.
- 6.04.210 Exhibition of registration certificate or tag or microchip scan.
- 6.04.220 Abatement of nuisances.
- 6.04.230 City pound.
- 6.04.240 Violation-Penalty.

6.04.010 Definitions.

The following words and phrases used or referred to in this chapter shall have the following meanings unless a different meaning appears from the context:

"Adopted" means an impounded animal released to a purchaser who assumes all responsibility of the animal.

"Adult dog" means any dog having a set of permanent canine teeth or older than six months of age.

"Aggressively bites" means any physical bite by a dog in combination with any of the following: snarling, baring teeth, chasing, growling, snapping, pouncing, lunging, multiple attacks, multiple lunges, or multiple bites.

"Animal" means any dog; cat; exotic, wild or dangerous animal; or livestock.

"At large" means, with regard to dogs, being physically present on public property and not under the actual control of a competent person or being physically present on private property without permission of the person in control of such premises. Exception: "At large" does not include dogs exhibited in dog shows, field trials, obedience training or trials, or the training of dogs therefore.

"City" means the City of Granger.

"Council" means the City Council of the City of Granger, Washington.

"Dangerous dog" means any dog that:

1. Without provocation bites or otherwise inflicts serious physical injury on a human being on public or private property;

2. Injures or kills a domestic animal without provocation while off the dog owner's property; or

3. Aggressively bites, attacks, threatens, or endangers the safety of humans or domestic animals after such dog has been previously found to be potentially dangerous by an appropriate authority, including but not limited to any law enforcement officer, animal control officer or court, and the owner of such dog has received notice that the dog has been determined to be potentially dangerous.

"Dog owner" means a person who owns, keeps or harbors a dog.

"Head of the household" means any person who owns, leases or otherwise controls any private premises.

"Kennel" definitions :

1. "Kennel" means any buildings, animal runs, enclosures, and/or any other facilities used for the keeping or housing of four or more dogs over four months of age, sufficient to secure the dogs on the premises. Exception:

"Kennel" does not include a veterinarian business operated by a veterinarian licensed by the State of Washington.

2. "Commercial kennel" means the business of boarding, breeding, letting for hire, selling, bartering, or giving away dogs; provided, selling of three or fewer litters of offspring per year by a hobby kennel shall not be construed as commercial.

3. "Foster shelter kennel" means a kennel where four or more adult dogs are kept and temporary housing and care of owner-released dogs is provided for the purpose of placing them in permanent homes.

4. "Hobby kennel" means a kennel where four or more, but less than ten, adult dogs are kept for hunting, breeding, exhibition, organized events, field working, working of livestock or obedience trials.

"Litter" means two or more viable offspring.

"Livestock" means cattle, sheep, horses, llamas, buffalo, deer, elk, rabbits, mules, donkeys, goats, swine, fowl, poultry, and any fur-bearing animal bred and maintained commercially or otherwise within pens, fences, cages or hutches.

"Microchip" means a device implanted for identification purposes.

"Nuisance" means any unlawful act or failure to perform a duty, which act or failure to act either annoys, injures or endangers the comfort, repose, health or safety of other persons, or interferes with other persons' use of property.

"Owner" means any person or legal entity having a possessory property right in an animal or who harbors, cares for, exercises control over, or knowingly permits any animal to remain on premises occupied by that person.

"Permit" means and includes human conduct that is intentional, deliberate, careless, inadvertent or negligent in relation to any animal owned by that person.

"Person" means any individual, natural person, association, firm, partnership, corporation or other legal entity.

"Physical injury" means impairment of physical condition or substantial pain which is directly caused by a dog's behavior, and includes scratches, cuts, scrapes, punctures or other evidence of physical injury.

"Potentially dangerous dog" means:

1. Any dog that without provocation:
 - a. Bites or otherwise injures a human person or a domestic animal on either public or private property; or
 - b. Chases, threatens or approaches a person on either public or private property in a menacing fashion or apparent attitude of aggression or attack; or
2. Any dog which reasonably should be known by its owner to be disposed:
 - a. To attack or chase or approach persons in a menacing fashion or apparent attitude of aggression or attack without provocation; or
 - b. To cause injury or otherwise threaten the safety of humans or domestic animals.

"Premises" means the area of land to which a person has legal or equitable rights of possession, use and control.

"Quarantine area" means any area defined by a veterinarian, physician or public health official where, for a specific period, a dog is to be kept separated from other animals or people.

"Secure enclosure" means the secure confinement of a dangerous dog or a potentially dangerous dog on its owner's premises, either indoors or in a securely enclosed and locked

pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides and a secure top and shall also provide protection from the elements for the dog. Such pen, kennel or structure shall have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in t h e ground no less than two feet. Any pen, kennel or structure erected shall comply with all zoning and building regulations of the city. Any pen, kennel or structure shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

"Serious physical injury" means any physical injury that creates a substantial risk of death or causes permanent loss or protracted impairment of any bodily organ or function, or substantial disfigurement.

"Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery.

"Tag" means a prenumbered metal or plastic identification license sold to an owner/custodian for a specific pet animal. Rabies identification or other identification may not be substituted or accepted in lieu of a license tag.

"Tattoo" means a pre designated identification number inked in to the inside of the ear, lip or flank of the dog.
(Ord. No. 1100, § 1, 9-9-2008)

6.04.020 Licensing and registration requirements-Fees.

A. All dogs over the age of three months, kept, harbored or maintained by any person in the city shall be licensed and registered.

B. Dog licenses shall be issued by the city clerk upon payment of a license fee of \$10.00 f o r each and every dog, of either sex, and whether altered, or not.

C. The owner shall state at the time application is made f o r such license his name and address, and t h e sex, breed and color of each dog owned or kept by him.

D. The license fee shall cover the period of one year (12 months) commencing on April 1st and terminating on March 31st of the following year, or any part thereof.

E. 1. Any person owning four or more dogs, which are over four months of age, will be charged a kennel fee of one hundred fifty dollars per year. No other license shall be required.

2. No kennels license shall be issued until the applicant has secured a special use permit under the zoning ordinance, includes special application fees.

3. Holders of kennel permits at the time of passage of the ordinance codified in this section shall not be required to secure a special use permit, but shall be limited to existing number of animals as provided for in said permit application. If the kennel permit at any time is allowed to lapse for one year or more, then a special use permit shall be required. (Ord. No. 1100, § 1, 9-9-2008; Ord. No. 1160, § 1, 4-24-2012)

6.04.030 Tag requirements--Retention of certificate by owner--
Records open to the public.

A. Upon payment of the license fee to the city clerk, the latter shall issue to the owner a certificate and metallic tag for each dog so licensed.

B. Said tag shall have the month and year in which it expires, the words "Granger, WA." and the license number corresponding with the tag number of the certificate.

C. Every owner shall be required to provide each dog with a collar or harness to which the license tag must be affixed, and shall be responsible for seeing to it that the collar and tag are constantly worn.

D. Duplicate dog tags shall be issued upon payment of \$0.50 for each tag so issued to replace the original tag which has been lost, destroyed or damaged beyond further use.

E. The dog tag shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee for any reason whatsoever, and the license fees shall not be prorated.

F. The original certificate of registration shall be retained by the owner or harborer of the licensed dog for inspection by the chief of police or his designated agents.

G. A careful record of each number and the accompanying license and certificate shall be maintained by the city clerk and available as a free public record, particularly for identifying lost, strayed or impounded animals.

(Ord. No. 1100, §1, 9-9-2008)

6.04.040 Unlawful to remove collar or tag and/or microchip.

No person shall remove or cause to be removed the collar, harness, metallic tag, or microchip from any animal without the consent of the owner, keeper or harborer thereof.

(Ord. No. 1100, §1, 9-9-2008)

6.04.050 Unlawful to harbor strays.

A. It is unlawful for any person to harbor or keep within the city any lost or strayed animal.

B. Whenever an animal is found which appears to be lost or strayed, it shall be the duty of the finder to notify the police department personnel who shall impound said animal and dispose of the same as provided in this chapter for the disposition of an animal impounded for running at large contrary to the terms of this chapter.

C. If there is attached to such dog a license tag for the then current year, said animal control person or police department shall notify the person to whom such license was issued at the address given in said license.

(Ord. No. 1100, §1, 9-9-2008)

6.04.060 Impoundment authority.

The provisions of this chapter shall be enforced by the appropriate clerical and law enforcement officers of the city and by the animal control person or agency designated by the chief of police. Law enforcement officers and the animal manager shall have concurrent jurisdiction to effect such enforcement.

(Ord. No. 1100, §1, 9-9-2008)

6.04.070 Impoundment-Records kept.

The chief of police shall keep a record of each animal impounded, the date of the receipt of such animal, the date and manner of its disposal, and if redeemed, reclaimed or sold, the name of the person by whom redeemed, reclaimed or purchased, the address of such person and the amount of all fees received or collected for or because of the impounding, reclaiming or purchasing thereof, together with the number of any tag and the date of any exhibited or issued upon the redemption or sale of any such dog.

(Ord. No. 1100, §1, 9-9-2008)

6.04.080 Impoundment-Notice.

The chief of police or his designee shall give written notice within 24 hours after impounding a dog, to the owner, if known. Said notice shall specify the time of taking and a description of the dog and shall post the same at the city pound and in the police department, each in a public place.

(Ord. No. 1100, §1, 9-9-2008)

6.04.090 Impoundment-Redemption-Disposal.

A. 1. Any dog impounded as a licensed or unlicensed dog may be redeemed and taken from such pound by the owner or any authorized person upon exhibiting to the person having charge of

said pound a certificate of registry as provided in section 6.04.020 showing that the license in said section imposed has been paid for such dog and upon paying the city clerk an impound fee of \$25.00 for the first time a dog is impounded, \$50.00 for the second time a dog is impounded, and \$100.00 for the third time and repeated impounds that an animal is impounded, together with a notice fee of \$2.00.

2. The impound fee for the first violation shall be reimbursed to the authorized person upon proof that the animal has been spayed or neutered within 15 days of the redemption.

B. All impounded animals not redeemed within 48 hours may be adopted by a new owner for a fee of \$5.00. Such new purchaser will sign a letter of intent to assume all responsibility of animal

C. All animals that are not redeemed in the required time or are not adopted shall be turned over to the Yakima County Humane Society to be dealt with along humane principles. The chief of police may segregate from the unclaimed animals such worthy or valuable animals, which he deems likely to be claimed by the owners, or because previous requests have been made with desire to adopt the animal; provided, that no unclaimed animals shall be kept longer than a total of 14 calendar days after the date of impound.

(Ord. No. 1100, §1, 9-9-2008)

6.04.100 Vicious dogs.

No person owning or having custody or control of any dog known by such person to be potentially dangerous, vicious or dangerous shall permit it to run at large or permit it to run loose on or within the premises of such person in such a manner as to endanger the life or limb of any person lawfully entering such premises. Violation of this section constitutes a criminal misdemeanor and subjects a person convicted to a penalty up to \$1,000.00 and to imprisonment up to 90 days or both.

(Ord. No. 1100, §1, 9-9-2008)

6.04.110 Rabid dogs-Reporting.

A. Anyone having knowledge of the whereabouts of a dog known to have or suspected of having rabies shall report the fact immediately to the police department.

B. The police department shall likewise be notified of any person or animal bitten by a rabid or suspected rabid dog.

C. It is also the duty of any physician upon treatment of any person bitten by any dog or other animal to immediately report the name and address of such person to the police department.

(Ord. No. 1100, §1, 9-9-2008)

6.04.120 Rabid dogs-Observational quarantine.

A. A dog which is known to have bitten or injured any person so as to cause an abrasion of the skin or a suspected rabid dog, shall be placed in confinement under observation of a veterinarian, which shall be at the sole expense of the owner, and shall not be killed or released until at least 14 days after observation.

B. Any animal of a species subject to rabies that has bitten a person shall likewise be confined and observed for at least 14 days.

C. No person shall fail, refuse or neglect to allow the chief of police department, or his designees, to make an inspection or examination thereof at any time during such period.

(Ord. No. 1100, §1, 9-9-2008)

6.04.130 Disturbance to neighborhood prohibited.

A. No person or persons shall own, keep or harbor any dog which by loud, continued or frequent barking, howling or yelping, annoys or disturbs any neighborhood.

B. Any such dog is declared to be a nuisance and may be seized and impounded as provided in this chapter.

C. For the purpose of this section a dog may not be seized until three complaints have been received, whether consecutive or reported over a period no more than four months.

(Ord. No. 1100, 51, 9-9-2008)

6.04.140 Running at large unlawful.

A. It is unlawful for any owner, possessor or person who keeps any animal to permit the same to run at large upon the private premises of others or upon the streets, alleys, sidewalks, highways, vacant lots, school yards or other public places in the city.

B. An animal shall be deemed to be running at large, when off or away from the premises of the owner, possessor, keeper thereof, and not under the immediate control of such owner, possessor, keeper or his agent, or servant or a member of his immediate family, either by leash cord, chain or otherwise.

C. Procuring a license and tag shall not authorize the running at large of said animal.

D. In addition, the violation of the provisions of this section is a nuisance and a menace to the public health and safety, and said animal or animals shall be taken up and impounded as provided in this chapter.

(Ord. No. 1100, 51, 9-9-2008)

6.04.150 Snarling or growling dogs.

It is unlawful for any person to keep or harbor any dog that frequently or habitually snarls or growls at or snaps or jumps upon or threatens persons lawfully upon the public sidewalks, streets, alleys or public places of the city and the same is a nuisance; and, any such dog may be seized or impounded as provided in this chapter.

(Ord. No. 1100, 51, 9-9-2008)

6.04.160 Keeping animal in nauseous conditions prohibited.

It is unlawful for any person to keep, harbor or maintain any animal, or any pen, or any yard, enclosure or building in which an animal is kept, in the city in such a manner as to be nauseous, foul or offensive, and any such animal or condition or manner of maintenance is a nuisance.

(Ord. No. 1100, 51, 9-9-2008)

6.04.170 Giving accurate information to the chief of police required.

A. The chief of police, or his designee shall not receive any animal into the pound from any person unless such person signs a record which shall be registered in a proper book kept by the chief of police or his designee.

B. It is unlawful for any person to give any false information or statement concerning the owner, keeper or harbinger of any animal, or concerning any animal brought into the city pound or impounded therein.

(Ord. No. 1100, 51, 9-9-2008)

6.04.180 Police chief and police department-Duties.

It shall be the duty of the chief of police, law enforcement officers, and other designees to carry out and enforce all the provisions of this chapter and any amendment thereof, and any ordinance later enacted relating to dogs, including but not limited to filing complaint in the city court against any person or persons failing to license any dog as provided in this chapter, or otherwise fails to comply with any of the provisions of this chapter as hereafter amended.

(Ord. No. 1100, §1, 9-9-2008)

6.04.190 Chief of police and police department-Obstructing prohibited.

It is unlawful for any person to hinder, delay, interfere with or obstruct the chief of police or his designee while engaging in the capturing, securing or taking to the pound any animal or animals liable to be impounded, or who shall break open or in any manner directly or indirectly aid, council or

advise the breaking open of any animal pound, wagon or other vehicle use for the collection or conveying of animals to the animal pound.

(Ord. No. 1100, §1, 9-9-2008)

6.04.200 Chief of police and police department-Authority and conditions for entering private property.

In the enforcement of any provisions of this chapter, any police officer and/or the chief of police or his designees are authorized to enter the premises of any person to take the possession of the licensed or unlicensed, fierce, dangerous or vicious animal when in fresh pursuit of such animal at the time the animal goes onto private property.

(Ord. No. 1100, 51, 9-9-2008)

6.04.210 Exhibition of registration certificate or tag or microchip scan.

It is unlawful for any person keeping or harboring a dog for which a license is required by this chapter to fail or refuse to exhibit the registration certificate or license tag or scanning of microchip upon demand by police officers, the chief of police or his designees.

(Ord. No. 1100, §1, 9-9-2008)

6.04.220 Abatement of nuisances.

A. Any person violating any provisions of this chapter in the keeping or maintaining of any nuisance as defined in this chapters shall, in addition to the fine or imprisonment, or both, provided for in section 6.04.240, by order of the court in such action be ordered to forthwith abate and remove such nuisance, and if the same is not done by such offender within 24 hours thereafter, the same shall be abated and removed under the direction of the officer authorized by order of the court, which said order abatement shall be entered upon the docket of the court and made a part of the judgment in said action.

B. Any such person shall be liable for all costs and expenses of abating the same when such nuisance has been abated by an officer of the city.

(Ord. No. 1100, §1, 9-9-2008)

6.04.230 City pound.

A. The city shall provide suitable premises and facilities to be used as a city animal pound.

B. It shall be maintained in some convenient location and be operated upon a schedule and pursuant to rules and regulations prescribed by the city mayor.

(Ord. No. 1100, §1, 9-9-2008)

6.04.240 Violation-Penalty.

Any person violating any of the provisions of this chapter or who creates, keeps or maintains any nuisance as defined in this chapter, shall, upon conviction thereof, be deemed guilty of a misdemeanor and punished by a fine of not to exceed \$500.00, or by imprisonment for a period of not to exceed 60 days, or by both such fine and imprisonment unless specified otherwise herein. (Ord. No. 1100, §1, 9-9-2008)

Chapter 6.06
DANGEROUS DOGS

Sections:

- 6.06.010 Definitions.
- 6.06.020 Unconfined dangerous dog on premises of Owner.
- 6.06.030 Dangerous dog o f f premises.
- 6.06.040 Applicability to adult dogs only.
- 6.06.050 Disposal of dangerous dog.
- 6.06.060 Impounding authority.

6.06.010 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

"Dangerous dog" means:

1. Any dog with a known propensity, tendency or disposition to attack, unprovoked, to cause injury to, or to otherwise endanger t h e s a f e t y of humans o r o t h e r domestic animals; or
2. Any dog which attacks a human being or other domestic animal without provocation; or
3. Any dog known by t h e owner to be a pit bull terrier, which shall here in after be defined as any American Pit Bull Terrier or Staffordshire bull terrier or American Staffordshire terrier or dog, or any mixed breed of dog which contains as an element of its breeding the breed of American Pit Bull Terrier, Staffordshire Bull Terrier or American Staffordshire terrier as to be identifiable as partially of t h e breed of American Pit Bull Terrier, Staffordshire bull terrier or American Staffordshire terrier;

4. Any dog that frequently or habitually snarls or growls at or snaps or jumps upon or threatens persons lawfully upon the public sidewalks, streets, alleys or public places of the city.

A dangerous dog is "unconfined" if such dog is not securely confined indoors or confined in a securely enclosed or locked pen or structure upon the premises of the owner of such dog. Such pen or structure must have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot in depth.

"Owner" means any person or legal entity having a possessors property right in a dog or who harbors, cares for, exercises control over, or knowingly permits any animal to remain on the premises occupied by them.
(Ord. No. 1100, §1, 9-9-2008)

6.06.020 Unconfined dangerous dog on premises of owner.

The owner of a dangerous dog shall not suffer or permit such dog to go unconfined upon the premises of such owner. Violation of this provision constitutes a criminal misdemeanor crime punishable by fine up to \$1,000.00 or imprisonment up to 90 days or both. (Ord. No. 1100, §1, 9-9-2008)

6.06.030 Dangerous dog off premises.

The owner of a dangerous dog shall not suffer such dog to go beyond the premises of such person unless such dog is securely leashed and muzzled or otherwise securely restrained and muzzled. Violation of this provision constitutes a criminal misdemeanor crime punishable by fine up to \$1,000.00 or imprisonment up to 90 days or both. (Ord. No. 1100, §1, 9-9-2008)

6.06.040 Applicability to adult dogs only.

The provisions of this chapter shall apply to adult dogs only, which shall mean any dog over the age of six months.
(Ord. No. 1100, §1, 9-9-2008)

6.06.050 Disposal of dangerous dog.

Whenever any dog shall be determined to be dangerous, pursuant to this chapter, by reason of said dog's viciousness, molesting people, or attacking people or other animals, where such behavior results in conviction for a violation under this chapter, then, in the discretion of the judge who presides over the court hearing wherein the conviction was entered, and based upon the severity of the behavior involved, said dog shall be impounded and destroyed in a humane manner.
(Ord. No. 1100, §1, 9-9-2008)

6.06.060 Impounding authority.

The animal control person or any police officer shall have the authority to impound a dangerous dog, pursuant to the procedures provided in chapter 6.04. (Ord. No. 1100, § 1, 9-9-2008)

Chapter 6.08

RESERVED*

Chapter 6.12

HORSES, CATTLE AND SWINE

Sections:

6.12.010 Running at large prohibited.

6.12.010 Running at large prohibited.

No horses, stallions, geldings, mares, and no cattle, studding bulls, steer, heifers, cows, calves, and no asses, and no ewe or sheep or goats, shall be permitted to run at large, picketed or tethered upon any street, alley, or thoroughfare within the corporate limits of the city.

(Ord. No. 1100, § 1, 9-9-2008)

Chapter 6.16

ANIMALS IN PUBLIC PLACES

Sections:

6.16.010 Hoofed animals on sidewalks or in parks prohibited.

***Editor's note**—Ord. No. 1116, § 1, adopted June 16, 2009, repealed Ch. 6.08, §§ 6.08.010, 6.08.020, which pertained to domestic fowl and derived from Ord. No. 1100, § 1, adopted Sept. 9, 2008.

6.16.010 Hoofed animals on sidewalks or in parks prohibited.

A. It is unlawful for any person to knowingly and willingly ride, walk or in any other way cause any horse or horses, or other hoofed animals, within the limits of a city park; and, it is further unlawful for any person or persons to knowingly and willfully ride, walk or otherwise allow any horse, or horses, or other hoofed animals upon the sidewalks within the city.

B. Said animals are to be ridden, led, driven or otherwise permitted upon the public streets only of the city.

(Ord. No. 1100, §1, 9-9-2008)

Chapter 6.20

LIVESTOCK

Sections:

- 6.20.010 Purposes.
- 6.20.020 Definitions.
- 6.20.030 Livestock lot area-Maintenance and other Requirements.
- 6.20.040 Industrial zones not affected.
- 6.20.050 Fencing of livestock.
- 6.20.060 Humane treatment required.
- 6.20.070 Complaints and grievances.
- 6.20.080 Notification of violation.
- 6.20.090 Violation-Penalty.
- 6.20.100 Butchering of livestock.

6.20.010 Purposes.

The purpose of this chapter is to regulate the husbandry of livestock and domesticated animals other than dogs and cats within the city. These regulations are deemed necessary to protect and secure the public health, safety and general welfare of the residents of the city by enforcing reasonable sanitary, noise, maintenance and other standards. In addition, this chapter establishes regulations to ensure the humane treatment of animals within the jurisdiction of the city.

(Ord. No. 1100, 51, 9-9-2008)

6.20.020 Definitions.

"Livestock" means any horses, mules, sheep, goats, cattle, fowl and rabbits.

"Owner" means any person owning, having an interest in or right of possession to an animal or any person having control, custody or possession of such animal.

"Person" means, firms, corporations, associations, partnerships, societies and individuals.

"Residence" means any building or part of a building used for the purpose of human habitation or dwelling.

(Ord. No. 1100, §1, 9-9-2008)

6.20.030 Livestock lot area-Maintenance and other requirements.

Livestock may be kept for personal noncommercial use in all residential zones within the city subject to the following conditions:

A. No swine shall be permitted in any residential zone of the city.

B. No livestock shall be kept on property less than 4,000 square feet in area.

C. A maximum of two goats or two sheep are permitted on a 4,000 square foot lot. Any and all additional sheep or goats shall require an additional 1,000 square feet per animal.

D. No horses, mules or cattle shall be permitted on property less than 6,000 square feet in area. Where horses, mules and cattle kept, an additional 1,000 square feet shall be required for each and every additional animal in excess of the first animal resulting in 6,000 square feet for one animal, 9,000 square feet for two animals and 12,000square feet for three animals, etc.

E. All accessory buildings used for keeping any cattle, sheep, goats, horses, mules, fowl and rabbits shall conform to the setback requirements of the applicable zone as prescribed in Ordinance No. 548 on file in the city clerk-treasurer's office. In addition, all coops, barns, pens or other structures used to keep any livestock shall not be located less than 30 feet from any portion of any neighboring residence.

F. All stables, pens, barns, coops, or other structures shall be cleaned of manure or other refuse at least twice a week and such manure or refuse shall be placed in a fly proof container until disposed of in a manner approved by the county health officer.

G. Grounds shall be limited or treated to control odors and the breeding of flies. Supp.

H. Barns, pens, coops and other animal enclosures shall be sprayed as needed with an adequate insecticide from April 1st to November 1st each year.

I. With the exception of hay, all feed shall be stored in rodent proof containers.

J. All barns, pens, coops and other animal enclosures shall be kept free of rodents and rodent habitat.
(Ord. No. 1100, §1, 9-9-2008)

6.20.040 Industrial zones not affected.

The provisions of section 6.20.030 shall not affect the operation of feed lots conforming to the provisions of Ordinance No. 548 on file in the city clerk-treasurer's office, or the keeping, husbandry or commercial production of livestock on property zoned industrial within the city.
(Ord. No. 1100, 51, 9-9-2008)

6.20.050 Fencing of livestock.

All livestock shall be contained on private property. Fences shall be of adequate construction to keep the livestock restrained and enclosed at all times on the property of the person owning the livestock or property rented, leased or provided to the owner for the purpose of raising livestock provided that:

A. No barbed wire fences are located within three feet of any public sidewalk.

B. No electrical fences are permitted.
(Ord. No. 1100, §1, 9-9-2008)

6.20.060 Humane treatment required.

Adequate feed, water and shelter shall be available at all times for livestock in the city.
(Ord. No. 1100, §1, 9-9-2008)

6.20.070 Complaints and grievances.

In the event that three residents living within 300 feet of the property of a person not conforming to the requirements of this chapter sign a complaint regarding the keeping of fowl or livestock, it shall be the duty of the police chief to make an investigation and render an opinion to the mayor as to remedial action necessary to address the complaint, if deemed valid by the police chief. If, however, there are not three residents within 300 feet the police chief shall investigate all grievances where more than one resident files a complaint with the city. (Ord. No. 1100, §1, 9-9-2008)

6.20.080 Notification of violation.

Upon receipt and consideration of the remedial action recommended to the mayor by the police chief, the mayor shall notify the person of the violation and order appropriate corrective action in writing within a specified period of time. Upon the expiration of the time allowed for corrective action, a second inspection will be performed to assure compliance with the mayor's order. If the condition persists the violation shall be prosecuted. (Ord. No. 1100, §1, 9-9-2008)

6.20.090 Violation-Penalty.

Any person violating this chapter shall be guilty of a misdemeanor and punished by a fine of not less than \$5.00 or more than \$100.00 plus court costs. Each and every day a violation is allowed to persist may be construed as a separate violation subject to additional penalties and fines. (Ord. No. 1100, §1, 9-9-2008)

6.20.100 Butchering of livestock.

No person other than a licensed butcher shall kill any animal or fowl within the city limits. Butchering of animals and/or fowl shall be conducted inside buildings and in such a manner so as to eliminate any and all potential for public viewing. No carcasses and/or parts thereof shall be in public view within the city limits except for regulated butcher shops and/or lockers approved by the city, state and/or federal authorities. No person shall dispose of carcasses and/or parts thereof in any manner other than in a type of container which prevents any and all accessibility by other animals and/or viewing by the public. (Ord. No. 1100, §1, 9-9-2008)

