

CHAPTER 55

ANIMAL PROTECTION AND CONTROL

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55.01 DEFINITIONS. The following terms are defined for use in this chapter.

1. "Animal" means a nonhuman vertebrate.
(Code of Iowa, Sec. 717B.1)
2. "Animal Control Officer" means the official designated by the City Council to enforce the provisions of this chapter and Chapter 56 of this Code of Ordinances.
3. "At large" means off the premises of the owner and not under the control of a competent person, restrained within a motor vehicle, or housed in a veterinary hospital or kennel.
4. "Livestock" means an animal belonging to the bovine, caprine, equine, ovine or porcine species, ostriches, rheas and emus; farm deer as defined in Section 170.1 of the Code of Iowa; or poultry.
(Code of Iowa, Sec. 717.1)
5. "Owner" means any person owning, keeping, sheltering or harboring an animal.

55.02 ANIMAL NEGLECT. It is unlawful for a person who impounds or confines, in any place, an animal, excluding livestock, to fail to supply the animal during confinement with a sufficient quantity of food or water, or to fail to provide a confined dog or cat with adequate shelter, or to torture, deprive of necessary sustenance, mutilate, beat, or kill such animal by any means which causes unjustified pain, distress or suffering.

(Code of Iowa, Sec. 717B.3)

55.03 LIVESTOCK NEGLECT. It is unlawful for a person who impounds or confines livestock in any place to fail to provide the livestock with care consistent with customary animal husbandry practices or to deprive the livestock of necessary sustenance or to injure or destroy livestock by any means

which causes pain or suffering in a manner inconsistent with customary animal husbandry practices.

(Code of Iowa, Sec. 717.2)

55.04 ABANDONMENT OF CATS AND DOGS. A person who has ownership or custody of a cat or dog shall not abandon the cat or dog, except the person may deliver the cat or dog to another person who will accept ownership and custody or the person may deliver the cat or dog to an animal shelter or pound.

(Code of Iowa, Sec. 717B.8)

55.05 LIVESTOCK. It is unlawful for a person to keep livestock within the City except by written consent of the Council or except in compliance with the City's zoning regulations.

55.06 AT LARGE PROHIBITED. It is unlawful for any owner to allow an animal to run at large within the corporate limits of the City. This section is not applicable in A2 zoning districts.

55.07 DAMAGE OR INTERFERENCE. It is unlawful for the owner of an animal to allow or permit such animal to pass upon the premises of another thereby causing damage to, or interference with, the premises.

55.08 ANNOYANCE OR DISTURBANCE. It is unlawful for the owner of a dog to allow or permit such dog to cause serious annoyance or disturbance to any person or persons by frequent and habitual howling, yelping, barking, or otherwise; or, by running after or chasing persons, bicycles, automobiles or other vehicles.

55.09 FEMALE DOGS IN HEAT. The owner of a female dog in heat shall confine such dog indoors during such period.

55.10 RABIES VACCINATION. Every owner of a dog shall obtain a rabies vaccination for such animal. It is unlawful for any person to own or have a dog in said person's possession, six months of age or over, which has not been vaccinated against rabies. Dogs kept in kennels and not allowed to run at large are not subject to these vaccination requirements.

(Code of Iowa, Sec. 351.33)

55.11 OWNER'S DUTY. It is the duty of the owner of any dog, cat or other animal which has bitten or attacked a person or any person having knowledge of such bite or attack to report this act to a local health or law enforcement official. It is the duty of physicians and veterinarians to report to the local

board of health the existence of any animal known or suspected to be suffering from rabies.

(Code of Iowa, Sec. 351.38)

55.12 CONFINEMENT. If a local board of health receives information that an animal has bitten a person or that a dog or animal is suspected of having rabies, the board shall order the owner to confine such animal in the manner it directs. If the owner fails to confine such animal in the manner directed, the animal shall be apprehended and impounded by such board, and after ten (10) days the board may humanely destroy the animal. If such animal is returned to its owner, the owner shall pay the cost of impoundment. This section does not apply if a police service dog or a horse used by a law enforcement agency and acting in the performance of its duties has bitten a person.

(Code of Iowa, Sec. 351.39)

55.13 AT LARGE: IMPOUNDMENT. Animals found at large in violation of this chapter shall be seized and impounded, or at the discretion of the peace officer, the owner may be served a summons to appear before a proper court to answer charges made thereunder.

55.14 DISPOSITION OF ANIMALS. When an animal has been apprehended and impounded, notice shall be provided to the owner within two (2) days after impoundment, if the owner's name and current address can reasonably be determined by accessing a tag or other device that is on or part of the animal. Impounded animals may be recovered by the owner upon payment of impounding costs, and if an unvaccinated dog, by having it immediately vaccinated. If the owner fails to redeem the animal within (7) days from the date of notification, or if the owner cannot be located within seven (7) days, the animal shall be disposed of in accordance with law or destroyed by euthanasia.

(Ord. 17-07 – Jul. 07 Supp.)

(Code of Iowa, Sec. 351.37, 351.41)

55.15 IMPOUNDING COSTS. Impounding costs shall be paid by the owner at the negotiated rate with the Dubuque County Humane Society. The expenses involved include the impoundment and disposition of the animal.

(Ord. 17-07 – Jul. 07 Supp.)

(Code of Iowa, Sec. 351.37)

55.16 DEAD ANIMALS. Any person finding a dead animal on any public property shall immediately notify the police department.

55.17 CONTROLLED LIVESTOCK GRAZING.

1. A controlled livestock grazing contractor may temporarily keep or maintain within the corporate limits of the City any pens, yards, sheds or

enclosures wherein any grazing livestock approved by the City are temporarily kept for the limited and express purposes of controlled livestock grazing in accordance with the City's Controlled Livestock Grazing Program. Controlled livestock grazing within the corporate limits will not be allowed in any one location for more than thirty (30) consecutive days.

2. All such pens, yards, sheds or enclosures used for the limited and express purpose of controlled livestock grazing will be temporary and may not remain in place for more than thirty (30) consecutive days. Due to the temporary nature of such pens, yards, sheds, or enclosures used for the limited and express purpose of controlled livestock grazing, concrete floors shall not be installed for any pens, yards, sheds or enclosures used to shelter and keep animals participating in controlled livestock grazing.

3. All fences used to keep or maintain livestock used for controlled livestock grazing within the corporate limits must comply with the fencing regulations set forth in the City's Controlled Livestock Grazing Policy.

4. Any controlled livestock grazing contractor who wished to keep or maintain livestock within the corporate limits for controlled livestock grazing must obtain a permit from the City and comply with all terms and conditions of the City's Controlled Livestock Grazing Program.

(Section 55.17 – Ord. 4-2020 – Aug. 20 Supp.)

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