

## CHAPTER 55

# ANIMAL PROTECTION AND CONTROL

55.01 Definitions

55.02 Animal Neglect

55.03 Livestock Neglect

55.04 Abandonment of Cats and Dogs

55.05 Livestock

55.06 At Large Prohibited

55.07 Damage or Interference

55.08 Annoyance or Disturbance

55.09 Vicious Dogs

55.10 Rabies Vaccination

55.11 Owner's Duty

55.12 Confinement

55.13 At Large: Impoundment

55.14 Seizure and Impoundment of Licensed and  
Unlicensed Dogs

55.15 Impounding Costs

**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. "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.
3. "Livestock" means an animal belonging to the bovine, caprine, equine, ovine or porcine species; farm deer, as defined in Section 481A.1 of the Code of Iowa; ostriches, rheas, emus or poultry.  
*(Code of Iowa, Sec. 717.1)*
4. "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.

**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 VICIOUS DOGS.** It is unlawful for any person to harbor or keep a vicious dog within the City. A dog is deemed to be vicious when it has attacked or bitten any person without provocation, or when propensity to attack or bite persons exists and is known or ought reasonably to be known to the owner.

**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.

*(Ord. 21 – Nov. 01 Supp.)*

*(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 SEIZURE AND IMPOUNDMENT OF LICENSED AND UNLICENSED DOGS.** The Police Chief or other officer directed by the Police Chief is hereby authorized to seize all dogs found running at large within the City limits without proper license. Dogs seized shall be impounded for seven (7) days, and if claimed within this time, the person claiming the dog shall be cited according to this Code of Ordinances; if the dog is not claimed, it shall be disposed of after the impoundment time. Owners of dogs running at large with a proper license, on first pickup, shall be issued a warning, and on second pickup a citation will be issued. The owner of any dog impounded may claim said dog, upon presenting documentary evidence that said dog has been properly licensed in the City. Owners of unlicensed dogs, upon claiming such dogs, will be required to provide evidence of inoculation and purchase a license for the dog before the dog can be released.

**55.15 IMPOUNDING COSTS.** Impounding costs are five dollars (\$5.00) dollars per day or any part thereof.

*(Code of Iowa, Sec. 351.37)*