

CHAPTER 57

KEEPING OF PIT BULL DOGS

57.01 Purpose

57.02 Keeping Prohibited

57.03 Definition

57.04 Keeping of Registered Pit Bulls

57.01 PURPOSE. In order to protect the health, safety and welfare of the residents and citizens of the City, the Council has enacted the following provisions.

57.02 KEEPING PROHIBITED. It is unlawful to keep, harbor, own or in any way possess within the corporate limits of the City any pit bull dogs; provided, pit bull dogs licensed on or before June 27, 1994, may be kept within the City subject to the standards and requirements set forth in Section 57.04 of this chapter.

57.03 DEFINITION. “Pit bull dog” is defined to mean:

1. The Bull Terrier breed of dog;
2. The Staffordshire Bull Terrier breed of dog;
3. The American Pit Bull Terrier breed of dog;
4. The American Staffordshire Terrier breed of dog;
5. Dogs of mixed breed or of other breeds than above listed which breed or mixed breed is known as pit bulls, pit bull dogs or pit bull terriers; or
6. Any dog which has the appearance and characteristics of being predominately of the breeds of Bull Terrier, Staffordshire Bull Terrier, American Pit Bull Terrier, American Staffordshire Terrier, any other breed commonly known as pit bulls, pit bull dogs or pit bull terriers, or a combination of any of these breeds.

57.04 KEEPING OF REGISTERED PIT BULLS. The provisions of Section 57.02 of this chapter are not applicable to owners, keepers or harborers of pit bull dogs licensed on or before June 27, 1994. The keeping of such dogs, however, is subject to the following standards:

1. **Leash Requirement.** No person shall permit a licensed pit bull dog to go outside its kennel or pen unless such dog is securely leashed with a leash no longer than six (6) feet. 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 is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc.

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

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

4. Signs. All owners, keepers or harborers of licensed pit bull dogs within the City shall within ten (10) days of the effective date of the ordinance codified herein display in a prominent place on their premises a sign easily readable by the public using the words "Beware of Dog, Pit Bull on Premises." In addition, a similar sign is required to be posted on the kennel or pen of such animals.

5. Insurance. All owners, keepers or harborers of licensed pit bull dogs within the City shall provide proof to the Clerk of public liability insurance in a single incident amount of \$50,000.00 for bodily injury to or death of any person or persons or for damages to property owned by any persons which may result from the ownership, keeping or maintenance of such animal. The insurance requirement of this section may be met by a homeowner's or tenant's insurance policy if such policy clearly and specifically provides coverage in the amounts required herein. Such insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days' written notice is first given to the Clerk.

6. Identification Photographs. All owners, keepers or harborers of licensed pit bull dogs must provide to the Clerk two color photographs of

the registered animal clearly showing the color and approximate size of the animal.

7. Reporting Requirements. All owners, keepers or harborers of pit bull dogs must report the following information in writing to the Clerk as required herein:

- 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.

8. Sale or Transfer of Ownership Prohibited. No person shall sell, barter or in any other way dispose of a pit bull dog licensed to any person within the City unless the recipient person resides permanently in the same household and on the same premises as the licensed owner of such dog; provided that the licensed owner of a pit bull dog may sell or otherwise dispose of a licensed dog or the offspring of such dog to persons who do not reside within the City.

9. Animals Born of Licensed Dogs. All offspring born of licensed pit bull dogs must be removed from the City within six (6) weeks of the birth of the animal.

10. Irrefutable Presumptions. There shall be an irrefutable presumption that any dog listed or registered with any kennel, association or public authority or licensed as a pit bull dog or any of those breeds prohibited by Section 57.02 of this chapter is in fact a dog subject to the requirements of this section.

11. Failure to Comply. It is unlawful for the owner, keeper or harbinger of a licensed pit bull dog to fail to comply with the requirements and conditions set forth in this chapter. Any dog found to be the subject of a violation of this chapter shall be subject to immediate seizure and impoundment. In addition, failure to comply may result in the revocation of the license of such animal resulting in the immediate removal of the animal from the City.

12. Violation and Penalties. Any person violating or permitting the violation of any provisions of this chapter shall upon conviction in Magistrate Court be fined a sum not more than two hundred dollars (\$200.00). In addition to the fine imposed, the Court may sentence the defendant to imprisonment in the County jail for a period not to exceed thirty (30) days. In addition, the Court shall order the license of the subject pit bull revoked and the dog removed from the City. Should the

defendant refuse to remove the dog from the City, the Magistrate shall find the defendant owner in contempt and order the immediate confiscation and impoundment of the animal. Each day that a violation of this chapter continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates this chapter shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this chapter.

[The next page is 285]