

## CHAPTER 3 Animals

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5-3-1: **CRUEL TREATMENT.** Any person who carries or causes to be carried in or upon any vehicle any domestic animal in a cruel or inhuman manner or knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind is guilty of a misdemeanor.

5-3-2: **ANIMAL FIGHTS.** Any person who causes any bull, bear, cock, dog or other animal to fight for amusement, or for gain, or to worry or injure each other; and any person who permits the same to be done on any premises under his charge or control; and any person who aids, abets or is present at such fighting or worrying of such animals, as a spectator, is guilty of a misdemeanor.

5-3-3: **TRAINING ANIMALS FOR FIGHTING.** Any person who owns, possesses, keeps or trains any bird or animal, with the intent that such bird or animal engage in an exhibition of fighting, or any person who is present at any place, building or tenement, where preparations

are being made for an exhibition of fighting of birds or animals, with the intent to be present at such exhibition, is guilty of a misdemeanor.

5-3-4: **CRUEL IMPOUNDMENT OF ANIMALS.** Any person who confines, or causes to be confined, any domestic animal, without supplying the animal with a sufficient quantity of good and wholesome food and water, is guilty of a misdemeanor. If any domestic animal is so confined for more than twelve (12) hours, any person may enter upon any place where such animal is confined, and supply it with necessary food and water. Such person is not liable for trespass as a result of such action for such entry, and the reasonable cost of such food and water may be collected by him from the owner of such animal.

5-3-5: **FAILURE TO PROVIDE ADEQUATE CARE.** Every owner or person having the custody or control of any domestic animal who shall fail to provide proper care and attention to such animal shall be guilty of a misdemeanor. Nothing herein shall prevent the humane disposal of any sick, disabled, infirm, crippled or abandoned animal.

5-3-6: **BEATING.** Every person who cruelly whips, beats, starves or otherwise ill treats any animal in his care or charge, whether belonging to him or any other person, is guilty of a misdemeanor.

5-3-7: **DEFINITIONS.** Certain terms used in this chapter shall have the meaning ascribed below:

ANIMAL CONTROL SERVICES MANAGER:	As defined in Section 5-4-1 of this City Code.
ANIMAL CONTROL SHELTER:	As defined in Section 5-4-1 of this City Code.
IDENTIFIED:	The placement of the current name, street address, and telephone number of the owner on the animal by either (i) a collar and tag or (ii) a microchip.
NOTIFIED:	Notification of the owner of an animal by either (i) actual notice, whether oral, electronic, written, or otherwise (effective as of the date actual notice is provided); or (ii) written notice, sent by first class mail, postage prepaid (effective two days after being sent through the mail).

OWNER:	Any person owning, keeping or harboring an animal.
RUNNING AT LARGE:	Any condition where an animal is not under the physical control of a person, either by leash, cord or chain or confined within a structure or fenced yard.
UNIDENTIFIED ANIMAL:	Any animal that is not identified.

(Ord. 237-12-19, 12/17/2019).

5-3-8: **KEEPING OF SWINE AND CERTAIN FOWL PROHIBITED.** Except as set forth below, any person who keeps or maintains any swine, turkey, goose, duck, peacock, guinea hen or other exotic bird within the City is guilty of a misdemeanor. Nothing herein shall prohibit the temporary keeping or maintenance of such animals within any public zoo, circus, exhibition, pet show, pet store, veterinarian clinic or auctioneering business. For the purposes hereof, “temporary” shall mean a period of less than one (1) week.

5-3-9: **KEEPING OF FERAL ANIMALS.** Any person who keeps or maintains any feral animal weighing in excess of 25 pounds or any poisonous, dangerous or fetid animal within the City is guilty of a misdemeanor. Nothing herein shall prevent the temporary keeping or maintenance of such animals within any public zoo, circus, exhibition, pet show, pet store, veterinarian clinic or auctioneering business. For the purposes hereof, “temporary” shall mean a period of less than one (1) week.

5-3-10: **[REPEALED].** (Ord. 185-07-14; 10/21/14).

5-3-11: **ANIMALS RUNNING AT LARGE.** Except as expressly permitted by section 5-4-10(B) of this Code, any owner or custodian of any animal, other than a domestic cat, who permits or allows such animal to run at large within the City is guilty of a misdemeanor. For the purposes hereof, the term "running at large" means off the premises of the owner or custodian of the animal and not under his or her immediate control.

(Ord. 196-08-15, 7/21/15).

5-3-12: **IMPOUNDMENT OF ANIMALS.** All animals found running at large are declared to be public nuisances and may be immediately impounded in the Animal Control Shelter

without notice to the owner. The impoundment, redemption, sale or other disposal of impounded animals shall be as follows:

- (A) **Unidentified Animals.** All unidentified animals impounded within the Animal Control Shelter shall be retained for a minimum of three (3) business days after its delivery to the Animal Control Shelter. At any time during this period, the owner of such animal may redeem it by paying the impound fee set forth in this Section.
- (B) **Identified Animals.** All impounded animals which are identified with a tag or microchip or whose owner is known by the Animal Control Services Manager shall be retained in the Animal Control Shelter for a minimum period of five (5) business days after the owner is notified of the impoundment, which shall occur as soon as reasonably possible following impoundment of such animal. The Animal Control Services Manager shall keep a record of the date, time, and manner each owner is notified, with respect to each impounded animal. At any time during such five (5) business day period the owner may redeem the animal by paying the impound fee set forth in this Section.
- (C) **Unneutered Cats.** An unneutered cat that has been impounded at the Animal Control Shelter on two (2) previous occasions during the previous one (1) year period shall be required to be spayed or neutered prior to the owner redeeming the animal. The owner of such cat shall be required to pay the Animal Control Shelter its reasonable charge for the spay or neuter, in addition to the impound fee.
- (D) **Unclaimed Animals.** The ownership of any animal not redeemed within the periods of time herein stated shall be abandoned and forfeited and the animal may be sold thereafter by the Animal Control Services Manager to any person or may be humanely destroyed.
- (E) **Identification.** No unidentified cat shall be released from the Animal Control Shelter unless such cat has been identified. The owner of such cat shall be required to pay the Animal Control Shelter its reasonable charge for the identification goods and services, in addition to the impound fee.
- (F) **Disposal of Animals.** If any animal is not redeemed or sold, the animal may be humanely destroyed, and the carcass disposed of in any lawful manner.
- (G) **Impound Fee.** No animal impounded at the Animal Control Shelter shall be released to the owner unless the owner pays an impound fee in the amount determined by the resolution of the Council.

(Ord. 237-12-19, 12/17/2019).