

Title 6

ANIMALS

Chapters:

6.04 Dogs

Chapter 6.04

DOGS

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6.04.010 Definitions. In this chapter, unless the context otherwise requires:

A. "Animal shelter" means any premises designated by the city manager for the purpose of impounding and caring for all animals found running at large;

B. "At large" means any dog when he is off the property of his owner and not under control of a competent person;

C. "Commercial kennel owner" means any person, group of persons, or corporation engaged in the commercial buying, selling, keeping or boarding of dogs;

D. "Owner" or "person" means any person, group of persons, partnership, head of household, firm, trust or corporation owning, having any interest in, or having control, custody or possession of any dog;

E. "Poundmaster" means any person appointed by the city manager to impound animals within the city. If no such person is appointed, the poundmaster shall be any police officer authorized by the city manager to take up animals;

F. "Restraint" means that a dog is controlled by a leash;

G. "Spayed female" is a bitch which has been operated upon to prevent conception;

H. "Stray" means any dog who is off the property of its owner and not under control of a competent person or which no one seeks or claims;

I. "Vicious dog" is any dog which when unprovoked has ever bitten or attacked a human being or other animal. (Ord. 361-97 §2, 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.010)

6.04.020 Exemptions.

A. Humane Society shelters, animal shelters, clinics and premises operated by licensed veterinarians for the care and treatment of dogs are exempt from the provisions of this chapter except where duties are expressly imposed.

B. The licensing requirements of this chapter do not apply to any dog belonging to nonresidents of the city which is kept within the city for not longer than ninety days. However, all such dogs shall at all times while in the city be kept within a building enclosure or vehicle or be under restraint and control of the owner.

C. No license fee for seeing-eye dogs regardless of sex are required. No impoundment fees or other penalties mentioned in this chapter apply to a blind person so long as the dog is being used as a seeing-eye dog. A tag for identification purposes shall be provided seeing-eye dogs upon presentation of proof of immunization to the Police Department as provided in Section 6.04.090. (Ord. 361-97 §3(part), 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.120)

6.04.030 License—Required. No person shall own, keep or harbor any dog over six months old within the city limits unless such dog is licensed as herein provided. Application for such license shall be made to the police department or such agents of the police department as shall be designated, and shall state the name and address of the owner and the name, breed, color, age and sex of the dog. The license fee shall be paid at the time of making application, a numbered receipt given to the applicant and a numbered metallic tag for the dog shall be issued to the owner. No license or tag shall be issued unless evidence is given of a veterinarian's statement in writing to the effect that the dog for which the license is sought has received immunization for rabies within the past twelve months if phenolized vaccine is used, or the past twenty-four months if modified virus vaccine is used, or unless the owner is able to furnish other proof of immunization satisfactory to the agent from whom the license is purchased. Such proof may consist of, but shall not be limited to, a statement or receipt from a veterinarian showing such immunization. (Ord. 361-97 §3, 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.020(A))

6.04.040 License—Fee. The yearly license fee shall be ten dollars per year for each neutered male or spayed female over the age of six months and twenty dollars for each un-neutered male and un-spayed female over the age of six months. All fees shall be reduced by one-half for dogs acquired after July 1st of each year, or becoming six months of age after July 1st of each year. (Ord. 355-97 §2, (part), 1997: Ord. 12-16-82 (part), 1982: prior code §17.05.020(B))

6.04.050 License—Commercial kennel. A commercial kennel owner may obtain a kennel license for one hundred dollars yearly in lieu of individual license of the dogs, provided all dogs owned or kept by the kennel have individually numbered identification tags and have been vaccinated for rabies as provided in Section 6.04.030. (Ord. 361-97 §4, 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.020(C))

6.04.060 License—Term. All licenses required by this chapter shall be issued for a term of one year beginning January 1st of each year. Applications for licenses may be made prior to the start of the beginning of the year. If a dog has been licensed by the city the year immediately previous then the dog need not be licensed before February 1st of the current calendar year. (Ord. 12-16-82 (part), 1982: prior code §17.05.020(D))

6.04.070 License—Transfer of change of ownership. If there is a change of ownership of a dog or kennel during the license year, the new owner must have the current license transferred to his or her name within ten days upon payment of a transfer fee of two dollars per dog, or ten dollars per kennel. (Ord. 361-97 §5, 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.020(E))

6.04.080 License—Legal transfer required. No person shall use any dog license for another dog unless legal transfer has been made. (Ord. 12-16-82 (part), 1982: prior code §17.05.020(F))

6.04.090 Tag and collar.

A. Upon complying with the provisions of Sections 6.04.030 through 6.04.080 there shall be issued to the owner or commercial kennel owner a metallic tag stamped with the number for which it is issued.

B. Every owner is required to see that the tag is securely fastened to the dog's choke chain, collar or harness which must be worn by the dog at all times except when kenneled or fenced.

C. In the event that a metallic license tag issued for a dog is lost, the owner may obtain a replacement tag upon payment of two dollars. (Ord. 361-97 §6,(part), 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.030)

6.04.100 Control of dogs. The owner shall keep his dog under restraint at all times and shall not permit such a dog to be at large off the premises or property of the owner unless under the control of a competent person. (Ord. 12-16-82 (part), 1982: prior code §17.05.040(A))

6.04.110 Running at large. Unlicensed or licensed dogs found running at large shall be taken up by a law enforcement officer or poundmaster and impounded in the shelter designated as the area animal shelter, and there confined in a humane manner for a period of not less than seventy-two hours, excluding Saturdays and Sundays. If not claimed by their owner in the above given time, and the condition and health of the animals are adjudged by the poundmaster to be sound enough to humanely permit additional grace, they will be held for adoption for an additional period of not less than seventy-two hours, excluding Saturdays and Sundays. Unclaimed and unadopted dogs may thereafter be disposed of in a humane manner. (Ord. 12-16-82 (part), 1982: prior code §17.05.040(B))

6.04.120 Impoundment—Notification. Immediately upon impounding any animal the enforcement agent shall make reasonable effort to notify the owner thereof and to inform such owner of the conditions under which he may regain custody of such animal. The enforcement agent may file a complaint against the owner of any animal which has been impounded for being found running at large. He shall file a complaint against the owner of any animal found running at large if any dog owned by the owner has been previously impounded within the past two years. (Ord. 12-16-82 (part), 1982: prior code §17.05.040(C))

6.04.130 Impoundment—Transfer to Humane Society. The law enforcement agent may transfer animals held by him to the Humane Society after legal detention period has expired and the animal has not been claimed by its owner. (Ord. 12-16-82 (part), 1982: prior code §17.05.040(D))

6.04.140 Redemption.

A. The owner shall be entitled to resume possession of any impounded dogs, except as may hereinafter be provided in this chapter, upon the owner's compliance with the license provisions of Sections 6.04.030 through 6.04.080 and the payment of impoundment fees set forth in Section 6.04.150.

B. When, in the judgment of the police officer and a licensed veterinarian, an animal should be destroyed for humane or health reasons, such animal may not be redeemed. (Ord. 361-97 §7, 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.050)

6.04.150 Impoundment fees.

A. Impoundment fees shall be ten dollars per day for each day or partial day a dog is in custody.

B. In addition, a fee of ten dollars will be imposed for each time a dog is picked up and kept. (Ord. 361-97 §8, 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.060)

6.04.160 Confinement of vicious dogs. The owner shall confine within a building or secure enclosure every fierce, dangerous or vicious dog and not take such dog out of such building or secure enclosure unless such dog is securely muzzled. (Ord. 12-16-82 (part), 1982: prior code §17.05.070(A))

6.04.170 Confinement of female dogs in season. Every female dog in season shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, or maintained under direct control of a competent person physically by restraint and in such manner that such female dog cannot come in contact with another

dog for unplanned breeding purposes. (Ord. 361-97 §9, 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.070(B))

6.04.180 Objectionable dogs.

A. The owner of any dog shall not suffer or permit the same repeatedly to disturb a neighborhood or any number of persons by frequent or prolonged barking, howling or other noises.

B. The owner of any dog shall not suffer or permit the same to defecate, dig upon or injure private or public property or a public thoroughfare.

C. The owner of any dog shall not permit the same to frequently or habitually growl, snap at, jump upon or otherwise menace, injure or frighten persons within the city. This provision does not apply to persons who are trespassing or otherwise in violation of law.

D. Any stray dog chasing, harassing or otherwise disturbing or injuring wild game shall be immediately impounded by any law enforcement officer or poundmaster and may be immediately impounded by a private citizen. (Ord. 12-16-82 (part), 1982: prior code §17.05.080)

6.04.190 Rabies control—Biting dogs.

A. Every dog which bites a person shall be promptly reported to the poundmaster and local health officer and shall upon capture be securely quarantined under the direction of the local health officer for a period of ten days. Such dog shall not be released from quarantine except by permission of the health officer or a licensed veterinarian. In the discretion of the health officer, the quarantine may be on the premises of the owner, at the shelter designated as the area animal shelter or, at the owner's option and expense, in a veterinary hospital of his choice. In the case of stray dogs, such quarantine shall be at the shelter designated as the area animal shelter.

B. The owner, upon demand made by the poundmaster, health officer or a police officer, shall forthwith surrender any dog which has bitten a human for supervised quarantine at the owner's expense as provided in 6.04.150. If such dog is suspected of having been exposed to rabies but no human has been bitten, the owner shall surrender such animal for supervised quarantine. The expense of such quarantine shall be borne by the city. (Ord. 361-97 §10 repeal & reenact section)

C. When a dog under quarantine has been diagnosed as being rabid, such dog may be humanely destroyed.

D. When the report of the health officer gives a positive diagnosis of rabies, the health department may recommend an area wide quarantine. After public notice of an area wide quarantine is given by the health officer or the city manager, no animal shall be taken into the streets or permitted to be in the streets during such period of quarantine. During such quarantine, no animal may be taken or shipped from the city without written permission of the local health officer.

E. In the event there are additional positive cases of rabies occurring during the period of the quarantine, the period of area wide quarantine may be extended for whatever additional period in the judgment of the health officer such quarantine is needed.

F. No person shall kill or cause to be killed any rabid animal or any animal suspected of having been exposed to rabies, except as herein provided, nor shall any person remove such animal from the city without the permission of the local health officer.

G. The carcass of any dead animal exposed to rabies shall, upon demand, be surrendered to the health department.

H. The health department shall direct the disposition of any animal found to be infected with rabies.

I. No person shall fail or refuse to surrender any animal for quarantine or destruction as required herein when demand is made therefor by the poundmaster or health department. (Ord. 361-97 §10, 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.090)

6.04.200 Rabies control—Immunization. No person shall own, keep or harbor a dog over six months of age within the city limits unless the dog has received an immunization for rabies within the past twelve months if phenolized vaccine was used or after twenty-four months if modified virus vaccine was used. (Ord. 361-97 §11, 1997; Ord. 12-16-82 (part), 1982: prior code §17.05.100)

6.04.210 Dead dogs.

A. No person shall deposit any dead or fatally sick or injured animal upon any public or private place except as provided in this chapter, or into any body of water.

B. No person shall fail to dispose immediately of any dead dog whether his own or found upon his property, either by proper burial or by depositing the covered animal in a sanitary fill. (Ord. 12-16-82 (part), 1982: prior code §17.05.110)

6.04.220 Interference with officials. No person shall interfere with, hinder or molest any law enforcement officer, health officer or the poundmaster in the performance of any duty required by this chapter. No person shall seek to release any animal in the custody of the poundmaster or health department or their agents except as provided in this chapter. (Ord. 12-16-82 (part), 1982: prior code §17.05.130(A))

6.04.230 Investigation authority. For the purpose of discharging the duties imposed by this chapter and to enforce its provisions, the poundmaster or any police officer is empowered to enter upon any premises upon which a dog is kept or harbored and to demand the exhibition by the owner of such dog, the license for such dog, provided that a proper warrant is first obtained. (Ord. 12-16-82 (part), 1982: prior code §17.05.130(B))

6.04.240 Records. Accurate and detailed records shall be kept by the police department as to:

- A. Licenses issued;
- B. Dogs impounded;
- C. Disposition of all animals coming into the custody of the poundmaster;
- D. All bite cases reported to the poundmaster; and
- E. All moneys received. (Ord. 12-16-82 (part), 1982: prior code §17.05.140)

6.04.250 Entry into certain business establishments restricted. No owner of any animal or person having control of any animal shall allow such animal to enter upon any public premises where food for human consumption is sold, processed, stored or consumed or to enter into any barbershops or establishments for the practice of

hairdressing or beauty culture. (Ord. 12-16-82 (part), 1982: prior code §17.05.150)

6.04.260 Business operator responsibilities. No owner or operator of public premises where food for human consumption is sold, processed, stored or consumed, barbershops or establishment for the practice of hairdressing or beauty culture shall allow any domestic animal to enter upon such public premises or to remain thereon. (Ord. 12-16-82 (part), 1982: prior code §17.05.160)

6.04.270 Exemption for Seeing-eye dog. None of the provisions of Sections 6.04.250 and 6.04.260 apply to Seeing-eye dogs. (Ord. 12-16-82 (part), 1982: prior code §17.05.170)

6.04.280 Contract for enforcement. Nothing contained in this chapter shall be construed to prevent the city from entering into a contract with a person or agency for the purpose of enforcing the provisions of this chapter. (Ord. 12-16-82 (part), 1982: prior code §17.05.180)

6.04.290 Disposal at owner's request. Upon payment of a fee and execution of a consent including a promise to hold the city harmless from any liability, an owner may request the poundmaster to dispose of any animal. The fee shall be established by the city manager in an amount sufficient to compensate the city for its cost and shall be paid to the police department. (Ord. 12-16-82 (part), 1982: prior code §17.05.190)

6.04.300 Citation. When a dog is found running at large and its ownership is known to the enforcement agents, such dog need not be impounded, but the agent may cite the owner of the dog to appear in the proper court to answer a charge of violation of this chapter. (Ord. 12-16-82 (part), 1982: prior code §17.05.200)

6.04.310 Violation—Penalty. First offense shall be a fine of not less than ten dollars and no more than one hundred dollars. Should any dog owner be cited a second time, he shall pay double the above fees and each subsequent time the owner is cited, the fees shall double again. (Ord. 12-16-82 (part), 1982: prior code §17.05.210)