

CHAPTER 95: ANIMAL CONTROL

Section

95.01 Leash or restraint required

95.02 Animal nuisance

95.99 Penalty

§ 95.01 LEASH OR RESTRAINT REQUIRED.

(A) No owner or keeper of any dog or other domestic animal (excepting cats) shall permit or cause the dog or animal to be off the premises of the owner or keeper, unless the animal is under leash or other physical restraint.

(B) This section includes public park property.

(C) Those persons walking animals with leashes or other physical restraints in public parks or any property other than that of the owner or keeper also shall be responsible for removing all excrement created by the animal.

(Ord. 03-05, passed 9-2-2003) Penalty, see § 95.99

§ 95.02 ANIMAL NUISANCE.

(A) The animal control officer(s) or any peace officer is authorized to impound any animal deemed a public nuisance as generally defined below, or as may be required to assure compliance with this chapter.

(B) A public nuisance shall be determined by the officer in his or her discretion and based on one or more of the following criteria:

- (1) Excessive noise;
- (2) Animals creating a hazard to people;
- (3) Animals exhibiting aggressive behavior;
- (4) Animals destroying property;
- (5) Animals that appear to be stray or wandering at large;
- (6) Animals that appear to be undernourished, sick or injured; and/or

(7) Violation of the leash or restraint requirement, to include an owner or keeper permitting or failing to restrict a domesticated pet from using another's property as a playground or toilet or otherwise failing to reasonably respect the rights of another property owner.

(Ord. 03-05, passed 9-2-2003) Penalty, see § 95.99

§ 95.99 PENALTY.

(A) The owner or keeper who violates this chapter shall be penalized as follows:

- (1) First offense: verbal warning;
- (2) Second offense: \$50 fine; and

(3) Third and subsequent offense: \$100 fine, impoundment of the animal by the animal control officer and the owner or keeper cited to court, plus reimbursement of all expenses incurred by the city and county relative to the animal, including, but not limited to, boarding charges.

(B) This penalty provision does not prevent an officer from impounding any animal (including cats) prior to the third offense when, in the officer's discretion, the impoundment is warranted and necessary for the safety, health and protection of any person, animal or property.

(Ord. 03-05, passed 9-2-2003)