

Title 8  
ANIMALS\*

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Chapter 8.04  
DOGS

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8.04.010 Definitions. For use in this chapter the following terms are defined as follows:

Dogs: means both male and female animals of the canine species, whether neutered or not.

At Large: refers to any licensed or unlicensed animal found off the premises of it's owner, whether on or off public or private property, and either not on a leash, not restrained within a vehicle so as to prevent its leaving the vehicle, or not housed in a veterinary clinic or kennel.

Owner: means any person, firm or corporation owning, harboring, sheltering or keeping a dog.

Bite: means any puncture, laceration, abrasion, scratch, or any other break in the skin caused to human or animal. (Ord. 8-68 §2, 1968)

8.04.020 Kennel Dogs. Kennel dogs which are kept or raised solely for the bona fide purpose of sale and which are kept under constant restraint are not subject to the provisions of this chapter. (Ord. 8-68 §2, 1968)

8.04.030 At Large Prohibited. Animals running at large. No person shall allow cattle, horses, swine, sheep or other similar animals or fowl to run at large within the limits of the municipal corporation. At large means an animal found off the premises of the owner or upon the public streets, alleys, public grounds or parks within the City. A dog or cat shall not be deemed at large: (Code of Iowa, Sec. 351.41)

- a. If it is attached to a leash of sufficient strength of not more than ten (10) feet in length and such leash is held by a competent person; or
- b. It is accompanied by or at the side of the owner or a competent person and obedient to commands of the owner or competent person.
- c. It is unlawful for an owner of a dog to allow or permit the dog to run at large within the City.
- d. It is unlawful for an owner of a dog to allow or permit the dog to pass upon the premises of another thereby causing damage to, or interference with, the premises.
- e. It is unlawful for an owner of a dog to allow or permit the 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 person, bicycles, automobiles, or other vehicles.
- f. It is unlawful for the owner of a dog to permit or allow such dog to be in any public cemetery at any time. (Ord. 5-94 §1(part), 1994; Ord. 8-68 §3, 1968)

8.04.040 Immunizations. All dogs six (6) months or older shall be vaccinated against rabies. Before issuance of the license the owner shall furnish a veterinarian's certificate showing that the dog for which the license is sought has been vaccinated, and that the vaccination does not expire within six (6) months from the effective date of the dog license. It shall be a violation of this Ordinance for any dog to not be vaccinated against rabies. A tag showing evidence of proper vaccination shall be worn by every dog when not confined. (Code of Iowa, Sec. 351.33 and 351.34)

8.04.050 Cleanup of Dog Feces. It shall be unlawful for any owner or person in charge of a dog to fail to clean up and remove as soon as possible the feces deposited by their dog from any and all real estate, whether public or privately owner, other than on the premises of the owner or person in charge. (Ord. 5-94 §1(part), 1994)

8.04.060 Impounding. (a) Any dog found at large in violation of this chapter shall be seized and impounded at the owner's expense.

(b) Any person appearing within three days after the impounding of any dog or bitch, and providing they prove ownership of any such animal may have the animal released upon payment of the sum of twenty-five dollars to the City Clerk and exhibiting a current dog license issued by Bremer County, Iowa.

(c) Notice of the impounding of all dogs shall be duly given by posting notice at the City Hall. The notice shall describe the animal, designating the breed, if known, and the sex and color, and shall state that unless claimed and released under the terms of this chapter within five days after the posting or serving of the notice, as provided in this chapter, the animal shall be disposed of in accordance with the conditions and regulations of the Black Hawk county Humane Society. The notice shall be posted within one day after the impounding of the animal and shall bear the date and hour thereof. If the owner's name is known, the notice above contemplated shall be mailed to the person; depositing the notice in the post office, properly addressed, by ordinary mail and shall be held to constitute service of the same under this chapter. In the event the notice is mailed as hereinabove provided, the three day period shall commence upon the date the notice is mailed.

(d) The animal shall be impounded by the Police Chief and shall be impounded at the Black Hawk County Humane Society. In addition to the above twenty-five dollar fee, the owner shall be required to pay the Black Hawk County Humane Society any sums for said dog as

their rules and regulations provide and prior to the release of said animal the City Clerk shall determine that said fees and costs at the Black Hawk County Humane society have been paid. (Ord. 3-78 §1, 1978)

8.04.080 Harassment of Dogs Prohibited. No person, firm or corporation shall, within the City limits of the City of Denver, Iowa, tease or harass any dog or animal so as to cause said animal to bark, bite or disturb the peace. (Ord, 6-78 §1, 1978)

8.04.090 Bullfights and Other Contests. Bullfights and other contests. No person shall keep or use, or in any way be connected with, or be interested in the management of, or receive money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, dog, cock or other creature, or engage in, aid, abet, encourage or assist in any bull, bear, dog or cock fight, or a fight between any other creatures. (Code of Iowa, Sec. 717.3)

8.04.100 Investigation of Complaints. It shall be the duty of the Denver Police Department, to investigate oral or written complaints of any violation of this chapter. The enforcement personnel, shall notify the owner of this violation. If not action by the owner is taken to correct the situation he shall be subject to the Municipal Infraction.

8.04.110 Dangerous and Vicious Animals. 1. “Dangerous Animal” means

(a) any animal which is not naturally tame or gentle and which is of a wild nature or disposition, and which is capable of killing, inflicting, serious injury upon or causing disease among human beings or domestic animals and having the tendencies as a species to do so;

(b) any animal declared to be dangerous by the Police Department or City Council;

(c) the following animals, which are deemed to be dangerous animals per se:

A. Lions, tigers, jaguars, leopards, cougars, lynx, and bobcats;

B. Wolves, coyotes and foxes;

C. Badgers, Wolverines, weasels, skunk and mink;

D. Raccoons;

E. Monkeys and chimpanzees;

F. Bears;

G. Pit Bull Terriers (pure breed and mixed breed);

H. Rottweilers (pure breed and mixed breed);

I. Staffordshire Bull Terriers (pure breed and mixed breed);

J. Alligators and crocodiles;

K. Scorpions;

L. Snakes that are venomous, or constrictors;

M. Lizards that are venomous

2. “Vicious Animal” means (a) any animal, except for a dangerous animal per se, as listed above, with the known propensity, tendency or disposition to attack unprovoked, to cause injury, to, or to otherwise endanger the safety of humans or other animals, or any animal which attacks a human being or other domestic animal without provocation, or

(b) any other animal declared to be vicious by the Police Department or City Council.

8.04.120 Dangerous Animals Prohibited. No person shall keep, shelter, or harbor any dangerous animal as a pet, or act as a temporary custodian for such animal, or keep, shelter, harbor such animal for any other purpose or in any other capacity within the City with the following exceptions: (a) the keeping of dangerous animals in a public zoo, bona fide educational or medical institution, humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study, and has obtained the written approval of the City Council.

(b) The keeping of dangerous animals for exhibition to the public by a bona fide traveling circus, carnival, exhibit or show.

(c) Animals under the control of a law enforcement or military agency.

(d) The keeping of guard dogs: However, guard dogs must be kept within a structure or fixed enclosure at all times, and any guard dog found at large may be processed as a vicious animal pursuant to the provisions of Section 8.04.110. Any business guarded by a guard dog shall be prominently posted with a sign containing the wording "Guard Dog" "Vicious Dog" or words of similar import, and the owner of such premises shall inform the Police Chief that a guard dog is on duty at said business.

8.04.130 Keeping of Vicious Animals Prohibited. It shall be unlawful for any person or persons to harbor or keep a vicious dog or cat within the City. A vicious cat or dog is deemed so when it shall have attacked or bitten any person (without provocation), or when the propensity to attack or bite persons shall exist and such propensity is known or ought reasonably be known to the owner thereof.

8.04.140 Violation-Penalty. Anyone violating any of the provisions of this chapter shall, upon conviction, be subject to a Municipal Infraction.

8.04.150 Seizure of Vicious or Dangerous Animal. (a) If the Denver Police Department in his/her discretion or upon receipt of a complaint alleging that a particular animal is vicious or defined as a dangerous animal, may initiate proceedings to declare such animal as vicious or dangerous. The proceedings shall be conducted by the Council. The person owning, keeping, sheltering or harboring the animal in questions shall be given not less than twenty four hours written notice of the time and place of the hearing, the notice to set forth the description of the animal in question, and the basis of the allegations. The notice shall also set forth that if the animal is determined to be vicious or dangerous the owner will be required to remove it from the City, or allow it to be destroyed. The notice shall be served upon any adult residing at the premises where the animal is located, or may be posted on those premises if no adult is present to accept service.

(b) If after the hearing, the Council determines that the animal is vicious or dangerous, the Council shall order the person owning, sheltering, harboring or keeping the animal to remove it from the City or cause it to be destroyed in a humane manner. The order shall immediately be served upon the person against whom issued in the same manner as the notice of hearing. If the order is not complied with within three days of its issuance, the Denver Police Department is authorized to seize and impound the animal. If the person owning, sheltering, harboring, or keeping the animal refuses entry upon property to impound the animal, officers will request a search warrant. An animal so seized shall be impounded for a period of seven days. If at the end of the impoundment period, the person against whom the order of the Council was issued

has not petitioned the County District Court for review of the order, the officer shall cause the animal to be destroyed.

(c) In the event that a vicious or dangerous animal is found at large and unattended upon the public property, park property, public right-of-way or the property of someone other than its owner, thereby creating hazard to life or property, such animal may, in the discretion of the officer be destroyed if it cannot be confined or captured. The City has no duty to attempt the confinement or capture of a vicious or dangerous animal found at large, nor does it have a duty to notify the owner of such animal prior to its destruction.

8.04.160 Dogs Disturbing the Peace. (a) It is unlawful for an owner of a dog to allow or permit the dog to run at large within the City.

(b) It is unlawful for an owner of a dog to allow or permit the dog to pass upon the premises of another thereby causing damage to, or interference with, the premises.

(c) It is unlawful for an owner of a dog to allow or permit the 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 person, bicycles, automobiles or other vehicles.

(d) It is unlawful for the owner of a dog to permit or allow such dog to be in any public cemetery at any time. (Ord. 5-94 §1(part), 1994; Ord. 8-68 §3, 1968)

## Chapter 8.08 CATS

### Sections:

8.08.010 Definitions

8.08.020 Confinement on Premises Required

8.08.030 Rabies Immunization Required When

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8.08.050 Investigation of Complaints

8.08.060 Disposition of Cats Running at Large

8.08.070 Violation--Penalty

8.08.010 Definitions. For use within this chapter, the following are defined:

(1) "Cats" includes both male and female cats whether altered or not.

(2) "At large" refers to any cat running otherwise than upon the premises of its owner when the cat is not attached to a leash held by a competent person, restrained within a motor vehicle, or in an enclosure upon the premises, or in a kennel.

(3) "Owner" includes any person, firm or corporation owning, harboring, sheltering or keeping a cat. (Ord. 13-74 §1, 1974)

8.08.020 Confinement on Premises Required. All cats shall be confined to the owner's premises or on leash twelve months of the year. (Ord. 13-74 §2, 1974)

8.08.030 Rabies Immunization Required When. The Mayor may order the immunization of all cats against rabies whenever, in his discretion, public health or safety requires. (Ord. 13-74 §3, 1974)

8.08.040 Disturbing the Peace. (a) It is unlawful for an owner of a cat to allow or permit such a cat to pass upon the premises of another thereby causing damage to, or interference with, the premises.

(b) It is unlawful for an owner of a cat to allow or permit such cat to cause serious annoyance or disturbance to any person or persons by frequent and habitual meowing, or otherwise; or by running after or chasing persons, bicycles, automobiles or other vehicles. (Ord. 13-74 §4, 1974)

8.08.050 Investigation of Complaints. It shall be the duty of the Police Chief or other person appointed in writing by the Mayor to investigate oral or written complaints of any violation of this chapter. He shall notify the cat owner of this violation. If no action by the owner is taken to correct the situation he shall be subject to the provisions of Section 8.08.070. (Ord. 13-74 95, 1974)

8.08.060 Disposition of Cats Running At Large. It shall be the duty of the Police Chief or any other person working for the City, to dispose of any cats running at large whose owner cannot be identified. All cats will be taken to the Black Hawk Humane Society for dispose. (Ord. 13-74 §6, 1974)

8.08.070. Violation/Penalty. Anyone violating any of the provisions of this chapter shall, upon conviction, be subject to a Municipal Infraction.