

TITLE IV MENTAL AND PHYSICAL HEALTH

CHAPTER 1 ANIMAL CONTROL

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4-1-1 DEFINITIONS. For use in this Chapter the following terms are defined:

1. The term "dogs" shall mean both male and female animals of the canine species whether altered or not.
2. The term "at large" shall mean any licensed or unlicensed dog found off the premises of his owner and not under the control of a competent person, restrained within a motor vehicle, housed in a veterinary hospital or kennel, on a leash or "at heel" beside a competent person and obedient to that person's command.
3. The term "owner" shall mean any person or persons, firm, association or corporation owning, keeping, sheltering or harboring a dog and/or cat.
4. The term "kennel" shall mean any person or person's firm, association or corporation keeping, sheltering or harboring dogs over six months old for commercial purposes.
5. The term "cats" shall mean both male and female animals of the feline species whether altered or not.

4-1-2 IMMUNIZATION. All dogs and cats 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 against rabies. It shall be a violation of this ordinance to keep a dog or cat without proper tags demonstrating vaccination.

4-1-3 KENNEL DOGS. Kennels (as defined by 4-1-1-4) may not be operated in residential districts. Pet grooming home occupations may be operated in residential districts subject to 5-1D-8, Home Occupations.

4-1-4 AT LARGE PROHIBITED. No owner of any dog shall permit such dog to run at large, whether the dog be licensed or unlicensed.

4-1-5 ACTIONS OF DOGS CONSTITUTING A NUISANCE.

1. It shall be unlawful for an owner of a dog to allow or permit such dog to enter upon the premises or property of another.
2. It shall be unlawful for an owner of a dog to allow or permit such 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 persons, bicycles, automobiles or other vehicles.
3. It shall be unlawful to permit dog manure to accumulate upon the premises.
4. No dog shall be tethered at a residence that would allow such dog to enter an adjoining public right-of-way, boulevard or alley, or would allow such dog to block access to utility meters or common areas.

4-1-6 IMPOUNDING.

1. Any dog or cat found at large, whether licensed or unlicensed may be seized and impounded, or, at the discretion of, a police officer the owner may be served a summons to appear before a proper court to answer charges made thereunder.

2. Owners of licensed dogs and cats shall be notified by the City of Maquoketa that their animal is impounded and that their animal will be released upon payment of all fees connected with impoundment. In addition to paying all fees connected with impoundment, an administrative fee, established by resolution of the city council, will be assessed to the owner by the City of Maquoketa.

3. If Impounded licensed dogs and cats are not recovered by their owners within ten (10) days after notice, such animals such animals shall be made available for adoption according to the rules and regulations of the impound agency. The fees described in #2 shall be replaced by an impoundment fee, established by resolution of the city council. This fee will be assess to the owner.

4-1-7 KEEPING OF WILD ANIMALS PROHIBITED. It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the City any poisonous reptile or any other dangerous or carnivorous wild animal or reptile, any vicious or dangerous domesticated animal or any other animal or reptile of wild, vicious or dangerous propensities.

It shall be unlawful for any person to keep, maintain or have in his possession or under his control within the City any of the following animals:

1. All poisonous animals including rear-fang snakes.
2. Apes: Chimpanzees (*Pan*); gibbons (*Hylobates*); gorillas (*Gorilla*); orangutans (*Pongo*); and siamangs (*Symphalangus*).
3. Baboons (*Papoi*, *Mandrillus*).
4. Bears (*Ursidae*).
5. Bison (*Bison*).
6. Cheetahs (*Acinonyx jubatus*).
7. Crocodilians (*Crocodylia*), thirty (30) inches in length or more.
8. Constrictor snakes, six (6) feet in length or more.
9. Coyotes (*Canis latrans*).
10. Deer (*Cervidae*); includes all members of the deer family, for example, white-tailed deer, elk, antelope, and moose.
11. Elephants (*Elephas* and *Loxodonta*).
12. Game cocks and other fighting birds.
13. Hippopotami (*Hippopotamidae*).
14. Hyenas (*Hyaenidae*).
15. Jaguars (*Panthera onca*).
16. Leopards (*Panthera pardus*).
17. Lions (*Panthera leo*).
18. Lynxes (*Lynx*).
19. Monkeys, old world (*Cercopithecidae*).
20. Ostriches (*Struthio*).
21. Piranha fish (*Characidae*).

22. Repealed
23. Pumas (*Felis concolor*); also known as cougars, mountain lions and panthers.
24. Rhinoceroses (*Rhinocerotidae*).
25. Sharks (class *Chondrichthyes*).
26. Snow leopards (*Panthera uncia*).
27. Swine (*Suidae*).
28. Tigers (*Panthera tigris*).
29. Wolves (*Canis lupus*).

The provisions of this Section shall not apply to licensed pet shops, menageries, zoological gardens and circuses, if:

1. Their location conforms to the provisions of the zoning ordinances of the City.
2. All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
3. Animals are maintained in quarters so constructed as to prevent their escape.
4. No person lives or resides within one hundred (100) feet of the quarters in which the animals are kept.

4-1-7-A DANGEROUS ANIMALS. It shall be unlawful for any person to keep a dangerous domestic animal except as otherwise provided in this section.

For purposes of this section dangerous domestic animal means:

1. Any animal which has inflicted serious injury on a person without provocation.
2. Any animal which has, at the animal's own initiative, killed a domestic animal.
3. Any animal owned or harbored in whole or in part for the purpose of animal fighting.
4. Any animal which by training, disposition or behavior may pose a potential risk of attacking and inflicting injury without provocation upon people or other animals.

4-1-7B PIT BULL TERRIERS PROHIBITED.

1. As used in this section, the term “pit bull terrier” shall be defined as follows:

- A. Staffordshire Terrier breed of dog; or
- B. The American pit bull terrier breed of dog; or
- C. The American Staffordshire terrier breed of dog; or
- D. Any dog which has the appearance and characteristics of being predominately of the breeds of Staffordshire terrier, American pit bull terrier, or American Staffordshire terrier.

2. It shall be unlawful for any person, from and after six (6) months following the passage and publication of this ordinance, to keep, maintain, or have in his or her possession or under his or her control, within the city limits of the City of Maquoketa, Iowa, a pit bull terrier, as defined in this section.

(Ord. No. 1076, passed October 19, 2009)

4-1-8 ACTIONS OF CATS CONSTITUTING A NUISANCE.

- 1. It shall be unlawful for the owner of a cat to allow or permit the cat to enter upon the premises or property of another.
- 2. It shall be unlawful for an owner of a cat to allow or permit the cat to cause serious annoyance or disturbance to any person or persons by frequent and habitual howling, crying, wailing, or screaming.
- 3. It shall be unlawful to permit cat manure to accumulate upon the premises.

4-1-9 ANIMAL EXCREMENT. It shall be unlawful for any owner or person in charge of a dog, cat, horse or other animal to fail to clean up and/or remove as soon as possible any excrement or droppings deposited by said dog, cat, horse, or other animal on any real estate, whether publicly or privately owned, other than the owner or person in charge’s own property. A violation of this section is a simple misdemeanor.

4-1-10 EXCEPTION TO 4-1-9. 4-1-9 shall not apply to the Jackson County Fair Parade and other activities that are duly approved by the Maquoketa City Council.

4-1-11 PENALTY. A violation of any portion of this chapter constitutes a simple misdemeanor. In addition, any violation constitutes a municipal infraction.

(Ord. No. 1031, 09-18-06)