

CHAPTER 1 ANIMAL CONTROL

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4-1-1 DEFINITIONS. The following words and phrases whenever used in the ordinances of the City, shall be construed as defined in this section unless, from the context, a different meaning is intended or unless different meaning is specifically defined and more particularly directed to the use of such words or phrases:

1. "Dogs" shall mean both male and female animals of the canine species whether altered or not.
2. "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. "Owner" shall mean any person or persons, firm, association, or corporation owning, keeping, sheltering, or harboring a dog and/or cat.
4. "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. "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. 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.

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.

It shall be unlawful to permit dog manure to accumulate upon the premises.

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. 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.

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.

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 assessed 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:
 1. Chimpanzees (Pan)
 2. Gibbons (Hylobates)
 3. Gorillas (Gorilla)
 4. Orangutans (Pongo)
 5. Siamangs (Symphalangus).
3. Baboons (Papoi, Mandrillus).
4. Bears (Ursidae).
5. Bison (Bison).
6. Cheetahs (Acinonyx jubatus).
7. Crocodilians (Crocodilia), 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.

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| <ul style="list-style-type: none"> 11. Elephants (<i>Elephas</i> and <i>Loxodonta</i>). 12. Game cocks and other fighting birds. 13. Hippopotami (<i>Hippopotamidae</i>). 14. Hyenas (<i>Hyaenidae</i>). 15. Jaguars (<i>Panthera onca</i>). 16. Leopards (<i>Panthera pardus</i>). 17. Lions (<i>Panthera leo</i>). 18. Lynxes (<i>Lynx</i>). 19. Monkeys, old world (<i>Cercopithecidae</i>). | <ul style="list-style-type: none"> 20. Ostriches (<i>Struthio</i>). 21. Piranha fish (<i>Characidae</i>). 22. Repealed by Ordinance 1076, Passed 10-19-09. 23. Pumas (<i>Felis concolor</i>): also known as cougars, mountain lions and panthers. 24. Rhinoceroses (<i>Rhinocerotidae</i>). 25. Sharks (class <i>Chondrichthyes</i>). 26. Snow leopards (<i>Panthera uncia</i>). 27. Swine (<i>Suidae</i>). 28. Tigers (<i>Panthera tigris</i>). 29. Wolves (<i>Canis lupus</i>). |
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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.

4-1-7A PROBLEMATIC AND VICIOUS ANIMALS DEFINITIONS. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

1. “At Large” Animals found off premises of the owner or keeper. An animal shall not be deemed at large if the animal is:
 - a. Muzzled, attached to a leash of sufficient strength and no greater than six feet in length to control the animal where such leash is held by its owner or keeper at all time;
 - b. Contained within an enclosed motor vehicle or crate;
 - c. Housed in a licensed veterinarian’s clinic or kennel;
 - d. The animal is trained and used by a government agency and accompanied by the appropriate government agency handler;

- e. The owner and the animal are participating in a regularly scheduled competitive or exhibition event sanctioned or sponsored by a nationally recognized organization, local chapter thereof, or other generally recognized local organization:
 - f. The animal is actively engaged in training for hunting or is in the act of hunting:
 - g. The animal and the owner are actively engaged in a generally recognized obedience training program or training for a generally recognized kennel club event, provided:
 - h. The animal is in the actual physical presence of the owner or trainer at all times:
 - i. The owner or trainer is at no time more than 50 feet from the animal:
 - j. The animal is immediately obedient to the commands of the owner or trainer: and
 - k. The owner or trainer has, at all times, on his or her person a leash of sufficient strength to restrain the animal.
2. “Owner” Any person owning, keeping, harboring, in control of, or in possession of one or more animals.
 3. “Problematic Animal” An animal that may reasonably be assumed to pose a threat to public safety as demonstrated by at least one of the following behaviors:
 - a. Any animal that bites or attacks any person or other domestic animal without provocation either on public or private property:
 - b. Any animal, running at large, as defined herein, and impounded, or owners cited by the Police Department or the organization authorized to enforce the problematic or vicious animal law two times for running at large within any 12-month period:
 - c. Any animal who, in a dangerous or terrorizing manner, approaches any person or other domestic animal and displays threatening or aggressive behavior:
 - d. Any animal with a history, known propensity, tendency, or disposition to attack or cause injury to or otherwise endanger the safety of humans or domestic animals.
 4. “Proper Enclosure” An enclosure that is sufficiently constructed and maintained to effectively prevent an animal subject to this subchapter from escaping. Such enclosure requires the following minimum requirements:
 - a. Problematic and vicious animals to be securely confined within an occupied house or residence or in an enclosed and locked pen or kennel, except when leashed as provided in this subchapter. Such pen, kennel or structure must have secure sides and a secure top attached to the sides or, in lieu of a top, walls at least six feet in height and at least six feet taller than any internal structure. Confinement conditions must be humane, permitting the animal adequate exercise and protection from the elements:
 - b. All pens or other structures designed, constructed, or used to confine problematic and vicious animals must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom, floor or foundation attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than two feet so as to prevent digging under the walls by the confined problematic or vicious animal:
 - c. Compliance with all pertinent zoning ordinances and other ordinances: and
 - d. No problematic or vicious animal may be kept on a porch, patio or in any part of a house or structure that would allow the animal to exit such building on its own volition.
 5. “Quarantine” The strict isolation imposed to prevent the spread of disease.
 6. “Rabies” An acute viral disease of the central nervous system that is transmitted through the saliva from a bite or abrasion from an infected animal.

7. “Responsible Person” A person at least 18 years old who is able to keep the animal under control at all times.
8. “Review Committee” A three-member board appointed by the City Council consisting of a member of the public, an animal professional and a city employee for the purpose of making a determination of whether an animal is a problematic or vicious animal.
9. “Serious Injury” Any injury causing heavy bleeding, permanent nerve damage, damage beneath the skin or stitches.
10. “Vicious Animal” Any animal that has been declared or found to pose an unacceptable risk to public safety by the animal control authority, law enforcement agency or court for conduct consistent with at least one of the following:
 - a. Any animal that on any single occasion caused the death or the serious injury to a person:
 - b. Any animal that has killed a domestic animal or pet or inflicted injury upon a domestic animal or pet such that the domestic animal or pet later dies or must be euthanized due to the attack:
 - c. Any animal that has previously been designated as a “problematic animal” by this or any other jurisdiction, and engages in behavior that poses a threat to public safety:
 - d. Any animal that has previously been designated as “vicious animal” by this jurisdiction or its substantial equivalent by any other jurisdiction: or
 - e. Any animal that has engaged in or has been trained to engage in exhibitions of fighting.
 - f. Any animal that has been trained to attack human beings, upon command or spontaneously in response to human activities.

DETERMINATION OF PROBLEMATIC ANIMALS. After an investigation, the Police Chief or his or her designee is authorized to make a determination whether an animal is problematic based on the definition of this chapter and shall notify the owner of the animal in writing by certified mail or hand delivery.

Following attempted notice to the owner if the Police Chief or his or her designee has probable cause to believe that an animal is a problematic animal and may pose a threat to public safety, the Police Department may, by owner consent or warrant, impound the animal pending disposition of the case or until the animal owner has fulfilled the requirements hereof. The owner of the animal will be liable for the costs of impounding and maintaining the animal.

The owner may request a hearing before a review committee by sending a written notice to the City Clerk within 15 days after the date of notice from the city of the determination of a problematic animal. Upon receipt of a request for hearing, the review committee shall schedule a hearing concerning the determination of a problematic animal to be held within 30 days after receipt by the city of the request for hearing.

If the owner timely requests a hearing before the review committee, such hearing shall follow the following procedures:

1. A hearing officer appointed by the review committee shall impartially preside over the hearing.
2. Each case before the hearing officer shall be presented by the Police Chief or his or her designee who will have the burden of presenting evidence that the animal is a problematic animal and should be classified as such. If the evidence indicates that the animal is problematic, the burden is on the owner to present evidence that the animal is not problematic. At the hearing, the Chief of Police or his or her designee may call witnesses, cross examine witnesses, present evidence, and examine evidence.
3. All testimony shall be under oath and shall be recorded. The hearing officer shall hear testimony from the animal control officer, the owner of the animal, and any witnesses for either side. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.
4. At the conclusion of the hearing, the hearing officer shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order classifying an animal as problematic, or an order stating that there's insufficient cause to declare the animal as problematic. A decision by the review committee overturning the determination shall not affect the city's right to later declare an animal to be a problematic animal, or to determine that the animal poses a threat to public safety, for the animal's subsequent behavior.
5. Nothing in this section shall prohibit a hearing officer from taking a case under advisement or continuing a hearing in the interest of justice.

DETERMINATION OF VICIOUS ANIMALS. After an investigation, the Police Chief or his or her designee is authorized to determine whether an animal is vicious as defined by this chapter and shall notify the owner of the animal in writing by certified mail or hand delivery.

Following attempted notice to the owner, if the Police Chief or his or her designee has reason to believe that an animal is a vicious animal and poses an unacceptable risk to public safety, the Police Department may, by owner consent or warrant, impound the animal pending disposition of the case or until the animal owner has fulfilled the requirements of this chapter. The owner of the animal will be liable for the costs of impounding and maintaining the animal.

The owner may request a hearing before a review committee by sending a written notice to the City Clerk within 15 days after the date of notice from the city of the determination of a vicious animal. Upon receipt of a request for hearing, the review committee shall schedule a hearing concerning the determination of a vicious animal to be held within 30 days after receipt by the city of the request for hearing. The determination regarding a vicious animal shall be stayed pending the results of the hearing.

If the owner timely requests a hearing before the review committee, such hearing shall follow the following procedures:

1. A hearing officer appointed by the review committee shall impartially preside over the hearing.

2. Each case before the hearing officer shall be presented by the Police Chief or his or her designee who will have the burden of presenting evidence that the animal is a vicious animal and should be classified as such. If the evidence indicates that the animal is vicious, the burden is on the owner to present evidence that the animal is not vicious. At the hearing, the Chief of Police or his or her designee may call witnesses, cross examine witnesses, present evidence, and examine evidence.
3. All testimony shall be under oath and shall be recorded. The hearing officer shall hear testimony from the animal control officer, the owner of the animal, and any witnesses for either side. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.
4. At the conclusion of the hearing, the hearing officer shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order classifying an animal as vicious, or an order stating that there's insufficient cause to declare the animal as vicious. A decision by the review committee overturning the determination shall not affect the city's right to later declare an animal to be a vicious animal, or to determine that the animal poses a threat to public safety, for the animal's subsequent behavior.
5. Nothing in this section shall prohibit a hearing officer from taking a case under advisement or continuing a hearing in the interest of justice.

In the event that the vicious animal determination has been in place for 12 months or more, and provided there have been no further violations of the provisions of this chapter during such time, the owner may make application to the review committee to have the vicious animal designation or any requirements contained therein rescinded or amended. The owner shall make such application by providing a written request for hearing to the City Clerk. This request must state the full name and address of the applicant, the breed, age, and name of the vicious animal, proof of current applicable vaccinations for the vicious animal, a brief summary as to why the vicious animal designation should be lifted, and a certification from the Police Department, or agency tasked with enforcing this Chapter, that no further violations of this chapter have occurred in the 12-month period immediately preceding such application. Within 20 days of receipt of the application, the City Clerk shall set the matter for hearing before the review committee, which hearing shall occur no later than 45 days after the date the application was filed with the City Clerk. In rendering its decision, the review committee may consider, among other items, the severity of the incident that resulted in the designation, the need to protect the public from further incidents, and the likelihood of future incidents based on the history of the owner and/or the subject animal. At the conclusion of the hearing, the review committee may rescind the vicious animal designation, may rescind, or amend specific requirements set forth in the designation, or may take no action. The original vicious animal determination shall remain in effect pending the results of the hearing. In the event the review committee declines to rescind or amend the vicious animal designation or any requirements contained therein, the owner may not request another hearing before the review committee for another 12 months from the date of the review committee's decision, unless the review committee in rendering its decision shall specifically provide for a subsequent review within a shorter period of time.

EXCEPTIONS: CONSEQUENCES OF DETERMINATIONS. No animal shall be declared a vicious animal or a problematic animal if the animal was being utilized by a law enforcement agency for law enforcement purposes while under the control and direction of a law enforcement officer.

If the Police Chief or his or her designee determines that an animal is a problematic or vicious animal, the owner shall comply with the provisions of this chapter and any other special security or care requirements which are reasonable.

The Police Chief or his or her designee may cause an animal to be quarantined for observation for a minimum period of no less than ten days when any such animal has bitten, scratched or otherwise broken the skin of a person or domesticated animal. If said animal has a current rabies certificate, then such quarantine may be at the discretion of the person or persons in charge of animal enforcement and the quarantine may occur on the owner's premises in a manner ordered and as directed. If the owner fails to confine the animal as directed, then it shall be apprehended and held for the remainder of the ten-day quarantine at a veterinarian's office. If said animal has not been vaccinated against the rabies virus or the rabies vaccination has since expired, then said animal will be quarantined at a veterinarian's office for no less than ten days. If an animal is placed in quarantine outside of the home, the owner shall be required to pay the impounding fees. If the owner fails to pay the fees at the end of the period of isolation as directed by the animal enforcement authority, the animal will be turned over to the local animal shelter for assessment of adoptability. No animal shall be adopted back to the owner of the animal to avoid paying reclaim fees and citations issued. If said animal is deemed unadoptable it will be humanely euthanized. If an animal has bitten a domesticated animal or a person or caused a skin abrasion upon a person and is unclaimed or the owner is unknown, then it shall be held for a quarantine time of no less than ten days and then may be humanely euthanized.

The Police Chief or his or her designee may require immediate impoundment of the animal if the owner is unable or unwilling to comply with the requirements of this chapter until the owner of the animal has satisfied all the requirements of the certificate of registration. The requirements must be met within 30 days. If, after 30 days, the owner has not satisfied all the requirements of the certificate of registration, the animal may be humanely euthanized. The owner of the problematic/vicious animal shall be liable to the organization designated to hold said animal for all costs incurred while housing whether or not the animal is reclaimed by the owner.

If the occurrence results in the death of a person, the animal shall be euthanized, and the costs of impoundment and euthanizing shall be assessed to the owner of the animal.

REGISTRATION AND HANDLING REQUIREMENTS. The Police Department shall issue a certificate of registration to the owner of a problematic animal if the owner establishes to the satisfaction of the Police Chief, or his or her designee that:

1. The owner of the problematic animal is 18 years of age or older.
2. The owner of the problematic animal shall present a certificate of insurance issued by an insurance company licensed to do business in the state, providing personal liability insurance coverage as in a homeowner's policy, with a minimum liability amount of \$50,000 for the injury or death of any person, for damage to property of others and for

acts of negligence by the owner or his or her agents. The certificate shall require notice to the city, in conformity with general city standards for certificates of insurance, if the underlying policy of insurance is cancelled for any reason. In lieu of such a certificate, a copy of a current homeowner's policy designating these requirements shall be sufficient proof of insurance for purposes of this division. If a certificate of insurance or policy is not immediately available, a binder indicating the coverage may be accepted for up to 30 days subsequent to the determination that an animal is problematic: however, if after 30 days a certificate of insurance or a policy has not been submitted, the animal shall be deemed unlicensed and subject to immediate impoundment or humane euthanasia at the owner's expense.

3. A valid license has been issued for the problematic animal at the owner's expense pursuant to jurisdiction. The City of Maquoketa is authorized to impose an additional licensing fee on pets designated as problematic animals.
4. The problematic animal has a current rabies vaccination at the owner's expense.
5. The owner has a proper enclosure to prevent the entry of any person or animal and the escape of said problematic animal.
6. The problematic animal has been spayed or neutered at the owner's expense.
7. The problematic animal has been implanted with a microchip containing owner identification information at the owner's expense. The microchip information must be registered with the law enforcement, the animal authority, the animal control authority or his or her designee of the jurisdiction.
8. The problematic animal has been photographed for identification purposes.

The Police Department shall issue a certificate of registration to the owner of a vicious animal if the owner, in addition to satisfying the requirements for registration of a problematic animal pursuant to division above, establishes to the satisfaction of the Police Chief or his or her designee that:

1. The owner will maintain the vicious animal exclusively on the owner's property, except for medical treatment or examination.
2. The owner of the vicious animal has posted on the premises a clearly visible "Beware of Animal" warning sign indicating there is a vicious animal on the property. The sign shall be very visible from the public roadway or 50 feet, whichever is less.

The Police Chief or his or her designee may order the immediate impoundment of a vicious animal if the owner fails to abide by the conditions for registration or confinement or handling of a vicious or problematic animal.

If any animal previously determined to be a problematic animal has not exhibited any of the behaviors specified in this chapter within 12 months since the date of the problematic animal determination, then that animal is eligible for a review of the determination with the potential for lifting the requirements of this section. Annual reviews shall be completed by the Police Chief upon application of the owner, which application shall be made to the City Clerk. The Police Chief may rescind the problematic animal designation, may rescind, or amend specific requirements set forth in the designation, or may take no action.

If an owner applies for an annual review to the Police Chief and the owner is aggrieved by the Police Chief's decision, the owner may make application to the review committee to have the problematic animal designation or any requirements contained therein rescinded or amended. The owner shall make such application by providing a written request for hearing to the City Clerk. The application must be submitted within 15 days from the date of the Police Chief's decision to continue the problematic animal determination, must set forth the full name of the applicant and the subject animal, and must contain a certification that no further violations of this chapter have occurred in the 12-month period immediately preceding such application. Within 20 days of receipt of the Application, the City Clerk shall set the matter for hearing before the review committee, which hearing shall occur no later than 45 days after the date the application was filed with the City Clerk. In rendering its decision, the review committee may consider, among other items, the severity of the incident that resulted in the designation, the need to protect the public from further incidents, the likelihood of future incidents based on the history of the owner and/or the subject animal. At the conclusion of the hearing, the review committee may rescind the problematic animal designation, may rescind, or amend specific requirements set forth in the designation, or may take no action. The original problematic animal determination shall remain in effect pending the results of the hearing. In the event the review committee declines to rescind or amend the problematic animal designation or any requirements contained therein, the owner may not request another hearing before the review committee for another 12 months from the date of the review committee's decision, unless the review committee in rendering its decision shall specifically provide for a subsequent review within a shorter period of time.

OWNER RESPONSIBILITY. It shall be unlawful to:

1. Keep an animal determined to be vicious or problematic without a valid certificate of registration issued under this chapter:
2. Permit a problematic animal to be outside a proper enclosure unless the problematic animal is under the control of a responsible person, as defined in this chapter, muzzled, and restrained by a sturdy lead not exceeding six feet in length. The muzzle shall be made in a manner that will not cause injury to the animal or obscure its vision or interfere with its respiration, but shall prevent it from biting any person or animal:
3. Fail to maintain a vicious animal exclusively on the owner's property as required except for medical treatment or examination. When removed from the owner's property for medical treatment or examination, the vicious animal shall be crated or under the control of a responsible person, as defined in this chapter, muzzled and restrained with a sturdy lead not exceeding six feet in length. The muzzle shall be made in a manner that will not cause injury to the animal or obscure its vision or interfere with its respiration, but shall prevent it from biting any human being or animal:
4. Keep a vicious or problematic animal chained or otherwise tethered to any object or structure, including, but not limited to, trees, posts, fences, buildings, or other structures:
5. Fail to immediately notify the Police Department in person or by telephone upon escape of a vicious or problematic animal such that the animal is running at large, is unconfined, has attacked a domestic animal or has attacked a person:

6. Fail to notify within seven (7) days the Police Department with the name, address and telephone number of the new owner of the vicious or problematic animal if the animal has been sold or has been given away to an owner inside or outside the jurisdiction: and, if requested by the Police Chief or his or her designee, the owner must execute an affidavit under oath setting forth the complete name, address and telephone number of the person to whom the animal has been transferred:
7. Fail to notify, within seven (7) days, the Police Department of a change of address or telephone number by the owner of the vicious or problematic animal:
8. Fail to notify within seven (7) days the Police Department if the vicious or problematic animal has died: and
9. Fail to surrender a vicious or problematic animal to law enforcement, the animal control authority or his or her designee for safe confinement pending a disposition of the case when there is a reason to believe that the vicious or problematic animal poses a threat to public safety.
10. The animal owner's property and the animal are subject to periodic inspection by the Police Department to ensure compliance with this subchapter.

LICENSE REQUIRED. All animals shall be licensed in compliance with other sections within this Title in addition to the requirements provided herein.

PENALTY. Except as provided in subsection (B), a violation of this Chapter shall be a municipal infraction under Title III, Chapter 17 of this Code of Ordinances and violators shall be subject to a civil penalty. The City may also seek alternative relief, including but not limited to, removal of the problematic or vicious animal from the City, relinquishment of ownership, or euthanasia of the problematic or vicious animal.

Running At Large Ticket. If an animal is observed running at large, and law enforcement or the animal control entity charged with enforcement of this chapter, are summoned to secure the animal, a running at large ticket may be issued to its owner requiring the payment of a fee for the city's cost in attempting to secure the animal and enforce the provisions of this chapter.

Municipal Infraction. In the event the owner of an animal has been served a ticket for the payment of the running at large fee and fails to pay the required amount due to the city within 30 days of the date of issuance, such failure shall constitute a municipal infraction under Title III, Chapter 17 of this Code of Ordinances.

4-1-8 ACTIONS OF CATS CONSTITUTING A NUISANCE. It shall be unlawful:

1. For the owner of a cat to allow or permit the cat to enter upon the premises or property of another.
2. 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. 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 municipal infraction. (Ord. 1142, 06-02-2018)

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 municipal infraction. (Ord. 1031, 09-18-2006)(Ord. 1142, 06-02-2018)

TITLE IV MENTAL AND PHYSICAL HEALTH

