

505.01 DOGS AND OTHER ANIMALS RUNNING AT LARGE.

(a) No person being the owner or having charge of cattle, sheep, geese, ducks, turkeys, chickens or other fowl or animals shall permit them to run at large upon any public place, or upon any unenclosed lands, or upon the premises of another.

(b) No person being the owner of or having charge of any dog shall permit it to run at large upon any public place or upon the premises of another. Dogs not confined on the owner's property shall be maintained on a leash of a length no longer than six feet. The name and address of the owner and the City tax tag shall be attached to the collars of dogs at all times. The regulations governing the keeping of dangerous dogs as set forth in Section [505.04](#) shall supersede any conflicting provisions within this subsection.

(c) The running at large of any such animal in or upon any of the places mentioned in this section is prima-facie evidence that it is running at large in violation of this section.

(d) For purposes of this section, cats shall be permitted to run at large only if such cat is wearing identification as set forth in Section [505.15](#).

(e) Should any dog, while running at large, bite or otherwise inflict injury upon any person, the person or owner having charge of any such dog shall be guilty of a misdemeanor, shall be fined five hundred dollars (\$500.00), and may be ordered by the Municipal Judge to provide restitution, where appropriate. A conviction for the violation of this particular subsection shall not be a prerequisite for the filing of a civil action by the victim of any such dog incident.

(Ord. 00-11. Passed 4-18-00.)

505.02 KEEPING ANIMALS; PENS AND STABLES.

(a) Rabbits. No person shall confine, keep or house live rabbits, exceeding two in number, within the City, in any pen, coop or structure located within 120 feet of the residence or dwelling of any other person without the consent of such person in writing.

(1967 Code Sec. 4-4.)

(b) Permitting Pens to Become Offensive. No person shall permit any yard, kennel, pen, coop, or other structure wherein live animals may be confined, kept or housed to become or be offensive, noxious or deleterious to health.

(Ord. 94-77. Passed 10-18-94.)

(c) Chickens. No person shall confine, keep or house chickens or other domestic fowl, exceeding two in number, in any pen, coop or structure located within eighty feet of the residence or dwelling of any other person without the consent in writing of such other person; provided, that this section shall not be construed to prohibit the proprietor of any market, hotel, restaurant, boarding house or residence from keeping or confining for sale or slaughter chickens or other fowls in a pen or coop within such prescribed limit for a period not exceeding ten days; provided that such pen or coop is thoroughly cleaned at least once during each forty-eight hour period and rendered free from offensive, noxious or deleterious odors.

(1967 Code Sec. 4-6.)

(d) Permitting Coops to Become Offensive. No person shall permit any pen, coop or other structure wherein chickens or other fowl may be confined, kept or housed, to become offensive, noxious or deleterious to health.

(1967 Code Sec. 4-7.)

(e) Stables. whoever shall keep a stable within the City shall cause all the stable manure produced thereat to be kept within such stable until hauled away, and he shall in no case allow such manure to accumulate in such quantities or condition as to become offensive, or deleterious to health; and all manure so kept within the stable shall be protected from flies by means of screens or other fly-excluding devices. The floor of every stable shall be kept free from standing or seeping stable liquids, excrements and other offensive matters. (1967 Code Sec. 4-8.)

505.00 PENALT

(DTOR'S NOT: See Section [501.99](#) for general Code penalty if no specific penalty is provided).

(a) whoever violates Section [505.01](#)(b) shall be fined not more than one hundred dollars (\$100.00). Second offenders of Section [505.01](#)(b) shall be subject to the penalty provided in Section [501.99](#) and also be given the alternative of paying the maximum fine under this section or present evidence of having their dogs spayed or neutered within thirty days of any violations hereof.

(b) whoever violates Section [505.11](#) shall be fined not more than twenty-five dollars (\$25.00); provided, that after any violation has been called to the attention of the violator by any member of the Police Department of this City, each day on which such violation continues or is repeated shall constitute a separate offense.

(1967 Code Sec. 4-27; Ord. 90-8. Passed 4-3-90.)

(c) (1) whoever violates Section [505.03](#)(a) shall be fined not less than three hundred dollars (\$300.00) nor more than two thousand dollars (\$2,000) or imprisoned not more than thirty days, or both, for a first offense. Any person convicted of a second or subsequent violation of Section [505.01](#)(a) shall be imprisoned for not more than thirty days or fined not less than five hundred dollars (\$500.00) nor more than three thousand dollars (\$3,000), or both. The incarceration set forth in this subsection shall be mandatory unless the provisions of subsection (c)(2) are complied with.

(2) A. Notwithstanding any provision of this Code to the contrary, no person who has been convicted of a violation of the provisions of Section [505.03](#)(a) may be granted probation until the defendant has undergone a complete psychiatric or psychological evaluation and the court has reviewed such evaluation. Unless the defendant is determined by the court to be indigent, he or she shall be responsible for the cost of said evaluation.

B. For any person convicted of a violation of subsection (c) of this section, the court may, in addition to the penalties provided in this section, impose a requirement that he or she complete a program of anger management intervention for perpetrators of animal cruelty. Unless the defendant is determined by the court to be indigent, he or she shall be responsible for the cost of the program.

(3) In addition to any other penalty which can be imposed for a violation of Section [505.03](#), a court shall prohibit any person so convicted from possessing, owning or residing with any animal or type of animal for a period of five years following entry of a conviction. A violation under this subsection is punishable by a fine not exceeding two thousand dollars (\$2,000) and forfeiture of the animal.

(d) whoever violates Section [505.03](#)(b) shall be fined not less than five hundred dollars (\$500.00) nor more than two thousand dollars (\$2,000).

(aC 61-8-19)

(e) whoever violates Section [505.031](#) shall be fined not more than one thousand dollars (\$1,000) or imprisoned not more than thirty days, or both. In addition the humane Officer may remove the dog or cat involved and place it in the pound and such dog or cat shall not be returned

to the owner or perpetrator of the act of cruelty, but shall be put up for adoption to a desirable home, or given into the care of a humane society or upon the recommendation of a licensed veterinarian shall be humanely destroyed.