

#12a

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQ

Date: 05.12.2016

Weekly Agenda Date: 05.17.2016

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: SHERIFF DAVE DREW

WORDING FOR AGENDA ITEM: : PROPOSED LANGUAGE FOR A NEW ORDINANCE RELATING TO ANIMAL CONTROL.

ACTION REQUIRED:

Approve Ordinance <input type="checkbox"/>	Approve Resolution <input type="checkbox"/>	Approve Motion <input type="checkbox"/>
Give Direction <input checked="" type="checkbox"/>	Other: Informational <input checked="" type="checkbox"/>	Attachments <input checked="" type="checkbox"/>

EXECUTIVE SUMMARY: PROPOSED LANGUAGE FOR A NEW ORDINANCE RELATING TO ANIMAL CONTROL.

BACKGROUND: THE SHERIFF'S OFFICE HAS SEEN A MARKED INCREASE RECENTLY IN DOMESTICATED LIVESTOCK ON ROADWAYS AS A RESULT OF LIVESTOCK OWNERS NOT SUFFICIENTLY CONTROLLING THE MOVEMENT OF THE LIVESTOCK AND MAINTAINING FENCES.

FINANCIAL IMPACT: N/A

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION: DISCUSSION AND DIRECTION ON PROCEEDING WITH ORDINANCE APPROVAL.

ACTION REQUIRED / PROPOSED MOTION: DISCUSSION AND DIRECTION ON PROCEEDING WITH ORDINANCE APPROVAL.

Approved by Board of Supervisors April 5, 2016.

**ORDINANCE NO.
ORDINANCE RELATING TO ANIMAL CONTROL**

DEFINITIONS. The following terms are defined for use in this Ordinance pertaining to Animal Control:

1. "Dog" means a domesticated quadruped descended from different wild species of the genus Canis, as the wolf, fox or jackal.
2. "Cat" means a domesticated animal of the feline family.
3. "Domesticated animal" means any animal that is tame and under the control of a person.
4. "Livestock" means any animal owned and maintained for agricultural purposes including but not limited to: breeding, feeding, milking or fattening for marketing or resale purposes.
5. "At large" means any dog or cat, or any domesticated animal or livestock found off the premises of such animal's owner and not under the control of a competent person, restrained within a motor vehicle, or housed in a veterinary hospital or kennel, barn or pen. The premises of such animal's owner should not include any public property. The premises shall only include private property.
6. "Owner" means any person owning, keeping, sheltering or harboring a dog or cat or other domesticated animal or livestock.

(Code of Iowa, Sec. 351.2)

DOGS OR CATS RUNNING AT LARGE. It is unlawful for dogs or cats to run at large within Woodbury County. The owner of any dogs or cats found running at large is guilty of violation of this section.

AT LARGE: IMPOUNDMENT. Dogs or cats found at large in violation of this Ordinance shall be seized and impounded, or at the discretion of the peace officer, the owner may be served a summons to appear before a proper court to answer charges made for violation of this ordinance.

DISPOSITION OF DOGS OR CATS. When a dog or cat has been apprehended and impounded, written notice shall be given in not less than two days to the owner, if known. Impounded dogs or cats may be recovered by the owner upon payment of impounding, and if an unvaccinated dog or cat, by having it immediately vaccinated. If the owner does not redeem the dog or cat within seven days of the date of notice, or if the owner cannot be located within seven days, the dog or cat may be humanely destroyed or otherwise disposed of in accordance with law.

(Code of Iowa, Sec. 351.37, 351.41)

IMPOUNDING COSTS. Impounding costs shall be set by resolution of the Board of Supervisors, and shall be taxed to the owner when the owner is in violation or fails to respond to a notice or summons.

(Code of Iowa, Sec. 351.37)

ANIMAL AT LARGE PROHIBITED. It shall be a violation of this ordinance for an owner or person in control to permit or allow any domesticated animal or livestock to run at large or to remain at large.

ANIMAL NUISANCE. It shall be unlawful for any person to permit an animal under such person's control or within such person's custody to commit a nuisance. An animal shall be considered a nuisance if it:

1. Damages, soils, defiles or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner.
2. Causes unsanitary, dangerous or offensive conditions.
3. Causes a disturbance by excessive barking or other noisemaking or chases vehicles, or molests, attacks or interferes with persons or other domestic animals on public property.

(Code of Iowa, Sec. 657.1)

PENALTIES. Any person violating any of the provisions of this ordinance is guilty of a simple misdemeanor. Any person convicted of such violation shall be punished by a fine of not more than \$500.00, nor less than \$100.00

(Code of Iowa, Sec. 331.302(2))

PASSED AND APPROVED this ____ day of _____, 2016.

Jeremy Taylor, Chairman
Woodbury County Board of Supervisors