

IOWA COUNTY ORDINANCE NO. 18

ANIMAL TREATMENT, PROTECTION AND CONTROL

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SECTION 1. Purpose. The purpose of this ordinance is to establish regulations regarding the treatment and control of animals in the unincorporated areas of Iowa County, Iowa, and to protect animals from the dangers of abuse, cruelty and neglect.

SECTION 2. Definitions. For use in this ordinance, the following terms or words are defined for use in the chapters of this Code of Ordinances pertaining to Animal Treatment, Protection and Control:

1. "Animal" means any non-human vertebrate.
2. "At Large" means any animal off the premises of its owner and on other premises against the wishes of the person in possession of such other premises or upon the public streets, alleys, public grounds, school grounds or parks within the County. An animal shall not be deemed at large if:
 - a. The animal is on the owner's property or a neighbor's property with that neighbor's consent; or
 - b. The animal is confined in a cage or motor vehicle; or
 - c. The animal is restrained by a leash of sufficient strength to control its action; or
 - d. The animal is actively engaged in training in animal obedience, for hunting or for other service under continual control of its owner or trainer provided that the owner or trainer is conducting the training in an open public area, is not endangering other users or animals in the area, has the animal within 30 yards and under continual voice control and has in his/her possession an animal leash appropriate to control the animal; or

- e. The animal is a draft animal engaged in drawing vehicles or conveyances.
- 3. "Owner" means any person owning, keeping, sheltering or harboring an animal. (Code of Iowa, Sec. 351.2)
- 4. "Animal Control Officer" shall be the Iowa County Sheriff who shall be the officer charged with the duty of enforcing any provisions pertaining to this ordinance or his designee.

SECTION 3. Cruelty to Animals. No person who impounds or confines, in any place, any domestic animal, or fowl, or dog or cat shall fail to supply such animal during confinement with a sufficient quantity of food and water, or shall fail to provide the dog or cat with adequate shelter, or shall torture, torment, deprive of necessary sustenance, mutilate, overdrive, overload, drive when overloaded, beat, or kill any such animals by any means which causes unjustified pain, distress or suffering, whether intentionally or negligently. (Code of Iowa, Sec. 717.2)

SECTION 4. Abandonment. A person who has ownership of an animal shall not abandon the animal, except the person may deliver the animal to another person who will accept ownership and custody or the person may deliver the animal to an animal shelter or pound. (Code of Iowa, Sect. 717.4)

SECTION 5. Exhibitions and Fights. No person shall arrange, promote, or stage an exhibition at which any animal is tormented, or any fight between animals or between a person and an animal, or shall keep a place where such exhibitions and fights are staged for the entertainment of spectators. (Code of Iowa, Sec. 717.3)

SECTION 6. Injuries to Animals. No person, having no right to do so, shall maliciously kill, maim, or disfigure any animal of another, or maliciously administer poison to any such animal, or expose any poisonous substance with the intent that the same should be taken by any such animal. (Code of Iowa, Sec. 717.1)

SECTION 7. At Large Prohibited. It shall be unlawful for any owner to allow an animal to run at large within the unincorporated areas of Iowa County.

SECTION 8. Damage or Interference. It shall be unlawful for the owner of an animal to allow or permit such animal to pass upon the premises of another thereby causing damage to, or interference with, the premises.

SECTION 9. Immunization Required. It shall be unlawful for any person to own or have a dog in the person's possession, six (6) months of age or over, which has not been vaccinated against rabies. Dogs kept in kennels and not allowed to run at large shall not be subject to these vaccination requirements. (Code of Iowa, Sec. 351.33)

SECTION 10. Owner's Duty. It shall be the duty of the owner of any dog, cat or other animal which has bitten or attacked a person or any person having knowledge of such bite or attack to report this act to the animal control officer or law enforcement official. It shall be the duty of physicians and veterinarians to report to the local board of health the existence of any animal known or suspected to be suffering from rabies. (Code of Iowa, Sec. 351.38)

SECTION 11. Confinement. When the animal control officer receives information that any person has been bitten by any animal or that a dog or animal is suspected of having rabies, it shall order the owner to confine such animal in the manner the officer directs. If the owner fails to confine such animal in the manner directed, the animal shall be apprehended and impounded by the animal control officer, and after two weeks the board may humanely destroy the animal. If such animal is returned to its owner, the owner shall pay the cost of impoundment. (Code of Iowa, Sec. 351.39)

SECTION 12. At Large: Impoundment. Animals found at large in violation of this chapter shall be seized and impounded, or at the discretion of the animal control officer, the owner may be served a summons to appear before a proper court to answer charges made hereunder.

SECTION 13. Disposition of Animals. When an animal has been apprehended and impounded, written notice shall be given within two days to the owner, if known. Impounded animals may be recovered by the owner upon payment of impounding costs, and if an unvaccinated dog, by having it immediately vaccinated. If the owner does not redeem the animal within seven days of the date of notice, or if the owner cannot be located within seven days, the animal may be humanely destroyed or otherwise disposed of in accordance with law. (Code of Iowa, Sec. 351.37, 351.41).

SECTION 14. Impounding Costs. Impounding costs shall be established by resolution of the Board of Supervisors. (Code of Iowa, Sec. 351.37)

SECTION 15. Penalties. A violation of any provision of this ordinance shall constitute a misdemeanor.

SECTION 16. Liability. Nothing in this ordinance absolves the keeper of an animal that inflicts injury to a person or property from financial responsibility for the animal's actions.

SECTION 17. When Effective. This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Effective Date: June 12, 2003