

## Chapter 6.04 GENERAL PROVISIONS

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### 6.04.010 Definitions.

For the purposes of this title, unless otherwise apparent from the context, certain words and phrases used in this title are defined as follows:

"Dog" means any domesticated animal of the canine family, including domesticated coyotes, wolves and other wild species of the canine family.

"Dog license" means the license required to be issued annually for each individual dog.

"Dog license collector" means the city clerk or any authorized deputy or the agricultural commissioner of the county when there shall exist a contract between the county and the city for the enforcement of the provisions of this title within the city by the county and its officers.

"Health officer" means the health officer of the city or any authorized deputy or the director of health, health officer or any duly authorized deputy of the health department of the county when the contract between the county and the city referred to this section is in effect.

"Kennel license" means an annual license issued to the owner or proprietor of a kennel where there is maintained more than five dogs for breeding, training, treating, sale or other commercial purpose.

"Owner" means any person who owns, controls, harbors or keeps in his or her possession any dog over the age of four months.

"Poundmaster" means the poundmaster of the city or any authorized deputy or the poundmaster of the county when the contract between the county and the city referred to in this section is in effect.

(Prior code § 6-1.01)

### 6.04.020 Poundmaster—Duties.

The duties of the poundmaster shall be as follows:

- A. To enforce all the provisions of this title and all the laws of the state relating to the issuance of licenses, the impounding and destroying of unlicensed dogs and the impounding of animals and licensed dogs found unlawfully running at large in the city;

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- B. To destroy all dogs and other animals not redeemed by any person as provided in this chapter;
- C. To maintain and keep a pound or other place where dogs and other animals may be kept under restraint in a proper and sanitary manner and to feed and keep in a humane manner all impounded dogs and other animals;
- D. To take up and impound any horse, mule, ass, kine, hog, sheep, goat or other animal which may be found in or upon any public street, alley or public grounds, unless the animal is securely fastened with a tether not exceeding four feet in length; provided, however, the poundmaster shall not impound any such animal which is in the immediate charge of any person;
- E. To keep a register in which he or she shall enter in numerical order a full description of each dog and animal impounded, together with all natural and artificial marks and brands, including the time when and the place where taken;
- F. To remove the carcass of any horse, mule, ass, kine, hog, sheep, goat, dog, cat or other animal that may be found in or upon any public street, alley or other public grounds and, if the carcass is unclaimed by the owner thereof, to dispose of the carcass; and
- G. To cooperate with the health officer for the prevention of rabies and the quarantine of all dogs suspected of having rabies and, with the consent of the owner and upon the certificate of a qualified physician or veterinarian, to destroy any dog forthwith which is infected with rabies.

(Prior code § 6-1.02)

#### **6.04.030 Poundmaster—Bond.**

The poundmaster, upon the date of his or her appointment and thereafter upon his or her reappointment, shall give a bond to the city in the penal sum of one thousand dollars (\$1,000.00).

(Prior code § 6-1.03)

#### **6.04.040 Animals—Impounded—Redemption.**

Any animal, other than a dog, taken up and impounded pursuant to the provisions of this chapter may be redeemed by the owner thereof within the periods set forth in the Food and Agricultural Code of the state. If not redeemed, such animal shall be disposed of as provided in the Food and Agricultural Code.

(Amended during 2004 codification; prior code § 6-1.12)

#### **6.04.050 Dogs and animals—Impounded—Disposition—Records.**

Whenever any impounded dog or other animal has been redeemed, the poundmaster shall enter in his or her register under the same number as its description the date it was redeemed, by whom and the total costs and expenses, specifying each item charged and unpaid. Whenever any impounded dog or other animal has been sold, the poundmaster shall enter in his or her register under the same number as its description the date it was sold, to whom, the price and the total costs and expenses, specifying each item charged and unpaid. Such register may be examined and copied free of charge at all reasonable hours.

(Prior code § 6-1.13)

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**6.04.060 Enforcement.**

The council shall from time to time make such provisions as shall be proper for the expenses incident to the enforcement of the provisions of this chapter, for transportation facilities for the poundmaster and for the expense of impounding, feeding and disposing of dogs and other animals.

(Prior code § 6-1.17)

**6.04.070 Funds.**

The poundmaster shall pay to the dog license collector all fees, costs and mileage collected by him or her in the discharge of his or her duties and the dog license collector shall pay all license fees collected and all fees, costs and mileage collected by him or her from the poundmaster into the general fund of the city or into the county treasury when the contract between the county and the city referred to in Section 6.04.010 of this chapter is in effect.

(Prior code § 6-1.18)

**6.04.080 Violation—Penalty.**

It shall be a violation of the provisions of this chapter and punishable as set forth in Chapter 1.24 of this code for any person to violate any of the provisions of this chapter or to commit any of the following acts:

- A. If unauthorized, to remove from any dog any collar, harness or other device to which a license tag for the current year is attached or to remove such license tag therefrom;
- B. To attach to or keep upon or cause or permit to be attached to or kept upon, any dog, any license tag issued pursuant to the provisions of this chapter except the tag issued for such dog or to attach to or keep upon or cause or permit to be attached to or kept upon, any dog or to make or cause or permit to be made or to have in possession, any counterfeit or imitation of any tag provided for by this chapter;
- C. To have, harbor, control or keep or cause or permit to be harbored or kept, any unlicensed dog or to maintain, conduct or operate or cause or permit to be maintained, conducted or operated, any unlicensed dog kennel;
- D. For any person owning or having in his or her possession any dog to cause, permit or allow the dog to be in or upon any public street, alley or other public grounds or place unless the dog is under the immediate charge of a person and securely restrained with a leash not in excess of five feet; and
- E. To interfere with, oppose or resist the poundmaster or any other person authorized pursuant to the provisions of this chapter to take up and impound dogs and other animals, while the poundmaster or such other person is engaged in the performance of any act authorized by this chapter.

(Prior code § 6-1.19)