Title 7
ANIMALS

Chapter 7.04
ANIMAL CODE

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7.04.005 Short title.

This chapter may be known and cited as the “Mercer Island animal code.” (Ord. A-49 § 1, 1988).

7.04.010 Purpose.

This chapter is enacted for the purpose of regulating the keeping of animals within the city. The fees, charges and penalties collected under this chapter shall be budgeted to defray, in whole or in part, the expense of such regulation. (Ord. A-69 § 1, 1988).
7.04.020 Definitions.

In construing the provisions of this chapter, except where otherwise plainly declared or clearly apparent from the context, words used herein shall be given their common and ordinary meaning; in addition, the following definitions shall apply:

1. “Animal” includes any living creature except man.

2. “Animal control authority” means the King County Animal Control Division, Department of General Services, as agent of the city, or any other duly authorized agent of the city, acting alone or in concert with other municipalities for enforcement of the animal control laws of the city and state and for the shelter and welfare of animals.

3. “Animal control officer” means any individual employed, contracted or appointed by the city for the purpose of aiding in the enforcement of this chapter or any other law or ordinance relating to the licensing of animals, control of animals or seizure and impoundment of animals, and includes any state or municipal police officer, sheriff, constable or other employee whose duties, in whole or in part, include assignments which involve the seizure and taking into custody of any animal.

4. “At large” or “running at large” means to be off the premises of the owner and not under the control of the owner or of a competent person authorized by the owner, whether by leash or otherwise; but an animal within an automobile or other vehicle of its owner shall be deemed to be upon the owner’s premises.

5. “Barking dog” means any dog which, by habitual howling, yelping or barking annoys, injures or endangers the comfort, repose, health or safety of others in a neighborhood or public place.

6. “Depredatory animal” means any animal of either sex whose actions or habits customarily defile, despoil or damage property of persons other than its owner.

7. “Dog” means both male and female, altered or unaltered.

8. “Domestic animal” means but is not limited to, any dog, cat, rabbit, horse, mule, ass, bovine animal, lamb, goat, sheep, hog, or other animal made to be domestic.

9. “Euthanasia” means the humane destruction of an animal, accomplished by a method that involves instantaneous unconsciousness and immediate death, or by a method that causes painless loss of consciousness and death during such loss of consciousness.
10. “Grooming parlor” means any place or establishment, public or private, where animals are bathed, clipped or combed for a consideration, for the purpose of enhancing their aesthetic value.

11. Harboring. The occupant of any premises on which an animal remains or to which it customarily returns daily for food and care for a period of 10 days is presumed to be “harboring” or “keeping” the animal within the meaning of this title.

12. “Hobby kennel” means a noncommercial kennel at, or adjoining, a private residence where four or more adult dogs or four or more adult cats are bred and/or kept for hunting, training, exhibition for organized shows, field, working and/or obedience trials, or for enjoyment of the species. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months.

13. “Kennel” means a place where four or more adult dogs or four or more adult cats or any combination thereof are kept whether by owners of the dogs and cats or by persons providing facilities and care whether or not for compensation, but not including a small animal hospital or clinic or pet shop. An adult dog or cat is one of either sex, altered or unaltered, that has reached the age of four months.

14. “Leash” means a cord, thong or chain, not more than eight feet in length by which an animal is controlled by the person accompanying it.

15. “License,” when not preceded by the word “kennel” or “hobby kennel,” means the dog license issued by or on behalf of the city under this chapter.

16. “Officer or official” means any police officer or any officer, official person or persons designated by the city manager or by ordinance of this city to issue licenses, pick up, restrain, impound, sell, dispose or give notice of any other acts, duties or functions prescribed by ordinance of the city relating to the animals regulated in this chapter.

17. “Owner” means any person having an interest in or right to possession of an animal or any person having control, custody or possession of an animal or who by reason of the animal being seen residing consistently at a location shall be presumed to be the owner or keeper.

18. “Pack of dogs” consists of a group of three or more dogs running upon either public or private property not that of the dogs’ owner in a state in which either control of the dog or its ownership is in doubt and when such dogs are not under control.

19. “Pet shop” means any establishment or place where live animals, birds or fish and/or supplies are kept and offered for sale to the public.
20. “Public emergency” means any situation resulting from conditions of war, insurrection, contagious diseases or other circumstances which, in the opinion of the director of public safety, warrants the restraint and confinement of animals within the premises of the owner or keeper.

21. Restraint. An animal is considered to be under “restraint” if it is confined within the property limits of its owner by a suitable fence or securely fixed object.

22. “Shelter” means a facility which is used to house or contain stray, homeless, abandoned or unwanted animals and which is owned, operated or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals or other nonprofit organization devoted to the welfare, protection and humane treatment of animals.

23. “Spayed female” means a female dog which has been altered by a licensed veterinarian to avoid or prevent conception. Proof of such alteration must be evidenced by the certificate of a licensed veterinarian.

24. “Under control” means the animal is under voice and/or signal control so as to be thereby restrained from approaching any bystander or other animal or from causing or being the cause of physical or property damage when off a leash or off the premises of the owner.

25. “Veterinary hospital” includes any establishment maintained and operated by a licensed veterinarian for the diagnosis, treatment and care of diseased or injured animals and for their care and training.

26. “Vicious animal” means any animal which demonstrates the propensity to do any act that might endanger the safety of any person, animal or property of another, including, but not limited to a disposition to mischief or fierceness as might occasionally lead to attack on human beings without provocation, whether in play or outbreak of untrained nature.

27. “Potentially dangerous dog” means any dog that when unprovoked, (a) bites a human or a domestic animal either on public property, or private property, or (b) chases or approaches a person(s) on the streets, sidewalks or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency, or disposition to attack, unprovoked, to cause injury or to otherwise threaten the safety of humans or domestic animals.

28. “Dangerous dog” means any dog that according to the records of the city animal control authority, animal control officer, and municipal officers or officials, as defined: (a) has inflicted severe injury on a human being without provocation on public or private property, or (b) has killed a domestic animal without provocation while off the owner’s property, or (c) has been previously found to be potentially dangerous the owner having received notice of such, and the dog
again aggressively bites, attacks, or endangers the safety of humans or domestic animals.

29. “Vicious dog” means any dog that is bred as a fighting dog, or has particularly vicious characteristics and has the propensity to attack human beings or which has the propensity to do any act which might endanger the safety of any human being, domestic animal or property of another, including, but not limited to, disposition to fierceness as might occasionally lead to attack on human beings without provocation, whether in play or outbreak of untrained nature, or a dog which has been declared a dangerous dog and the dog thereafter inflicts severe injury to a human being.

30. “Severe injury” means any injury which breaks the skin, breaks a bone, or causes lacerations requiring multiple sutures or cosmetic surgery.

31. “Proper enclosure” means, while on the owner’s property, a dangerous dog, potentially dangerous dog, or vicious dog, shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall have secure sides, bottom, and a secure top, and shall also provide protection from the elements for the dog. (Ord. A-69 § 1, 1988).

7.04.030 Annual license required – Tag.

Except as provided in MICC 7.04.070, it is unlawful to keep or harbor a dog over four months of age within the city unless an animal license is procured for the animal annually from the city or the city’s authorized agent. The provisions of this section shall not apply to dogs whose owners are nonresidents, temporarily within the city for a period not exceeding 30 days, nor to dogs kept in duly licensed kennels during the period they are kept at such kennel, nor to dogs in the custody of a veterinarian. (Ord. A-69 § 1, 1988).

7.04.040 Application for license – Fees.

Dog licenses shall be issued by the animal control authority upon application and payment of an annual license fee in the sum stipulated by the county ordinance currently in effect during the applicable contract year. Applications for a dog license shall be on forms provided by the animal control authority. The application shall list the name, address and phone number of the owner of the animal and such information shall be kept by the licensing official together with the number of the license issued. (Ord. A-69 § 1, 1988).
7.04.050 Special permanent license – Purchase by residents 65 years of age or older.

City residents 65 years of age or older shall be entitled to purchase a special permanent license for the lifetime of the dogs for which they are the registered owner when the animals are maintained at the owners’ residence. Eligible residents may purchase the special permanent animal licenses at the price stipulated by the county ordinance currently in effect during the applicable contract year for each licensed dog, and they shall not be required to annually purchase a new license for the lifetime of such licensed animals; provided, that no person shall be granted more than three permanent animal licenses for any combination of three dogs for which they are the registered owner; provided further, that any permanent license issued under this section shall terminate at any time the person issued such license ceases to be the owner of the licensed dog; and provided further, that the animal control authority is authorized to enact the necessary rules and procedures to efficiently implement the program. (Ord. A-69 § 1, 1988).

7.04.060 Late penalty.

In addition to the appropriate license fee, a late penalty shall be charged to each owner who does not obtain a required license in the sum stipulated by the county ordinance currently in effect during the applicable contract year; however, no late penalty shall be charged if:

A. The owner submits proof of purchase of the animal within the preceding 30 days; or

B. The owner has moved into the city within the preceding 30 days; or

C. The animal had been under the age which requires a license (four months); or

D. The owner purchases the license(s) voluntarily, prior to in-person or field contact by animal control personnel; or

E. The owner submits other proof deemed acceptable in the rules and regulations of the animal control division. (Ord. A-69 § 1, 1988).

7.04.070 Dog collar – Shape and size of license tag – Removal of tag.

Upon payment of the license fee, the animal control authority shall issue to the owner a tag for each dog so licensed. Each licensed dog shall be provided by the owner with a suitable collar or harness which shall be worn by the animal at all times when it is off the owner’s premises. To such collar or harness shall be affixed a license tag provided by the animal control authority for the current year
for which a license has been procured; provided, that a collar and license tag need not be worn by a show dog when under the control of its handler at an authorized show. Such license tag shall be so affixed as to hang and be discernible to a person of normal vision at not less than 10 feet. The license tag shall be stamped with the number and year for which it is issued. As an alternative to a license tag, at the option of the owner, a dog may be identified as licensed by being tattooed on its right ear or on its inside right thigh or groin with a license number approved or issued by the city animal control authority. (Ord. A-69 § 1, 1988).

7.04.080 Lost tag – Replacement fee.

Any owner of a licensed dog whose current license tag has been lost or destroyed may obtain a replacement tag, prior to impounding of such dog, by payment of a fee established by the animal control authority. (Ord. A-69 § 1, 1988).

7.04.090 Change in ownership – Fee.

Whenever the ownership of a dog changes, the new owner shall notify the licensing official and pay to the official a sum equal to 50 percent of the annual fee, whereupon the licensing official shall change the record accordingly for such dog and the previously issued license for such dog shall remain valid for the remainder of the year; provided, that license tags may be transferred by the owner from one dog to another owned by him if the dog for which the license was originally issued is dead, has been sold or otherwise disposed of. (Ord. A-69 § 1, 1988).

7.04.100 License refund.

No refund shall be made on any dog license fee because of the death of the animal or the owner’s departure from the city prior to the expiration of the license period. (Ord. A-69 § 1, 1988).

7.04.110 Unlawful conduct – Owner responsible for violations.

The owner or keeper of an animal is responsible for, and may be charged with and held liable for, violations committed by his or her animal. It is unlawful as follows:

A. For a domestic animal, with the exception of cats, to enter or remain upon:
   1. Any public school ground, playground or other similar public ground,
   2. Any public park property which includes a public swimming area during the period of May 1 through September 30, and at all other times except when on a leash or other similar physical restraint,
   3. Any public park property which includes an active play and/or picnic area unless such animal is restrained by a leash or other similar physical restraint, or
4. Any passive, natural and/or undeveloped public park property unless such animal is then under control or restrained by a leash or other similar physical restraint.

Any animal which enters or remains upon any such public property contrary to these provisions is declared to be a public nuisance and may be impounded as such; provided, that the provisions of this section shall not apply to any controlled dog show, trial or class held on any public park property pursuant to authority granted by the city parks and recreation director, any trained Seeing Eye dog, any dog which is trained to aid the handicapped, animal shows, exhibitions or dog training classes;

B. For any animal to enter any place where food is stored, prepared, served or sold to the public, or any other public building or hall. This section shall not apply to a trained Seeing Eye dog, any dog which is trained to aid the handicapped, to veterinary offices or hospitals, to animal shows, exhibitions or organized dog training classes where at least 24 hours’ advance notice has been given to the animal control authority by such persons requesting to hold such animal shows, exhibitions or dog training classes;

C. For a female dog to run at large while in heat (estrus);

D. For a domestic animal, with the exception of cats, to roam, run, stray or to be away from the premises of the owner and to be on any public place or on any public property or the private property of another in the city, unless such animal while away from such premises is under control or restrained by leash or chain not more than eight feet in length, such control to be exercised by the owner or other competent and authorized person; and any such animal found roaming, running, straying or being away from the premises of the owner and not under control as herein provided may be impounded subject to redemption in the manner provided by this chapter. The owner of any licensed dog found roaming, running, straying, or being away from such premises contrary to the provisions of this subsection shall, in lieu of the dog being impounded, be issued a citation for a violation of this chapter;

E. For any domestic animal to chase, run after or jump at vehicles using the public streets and alleys;

F. To harbor or permit on one’s own property, property of another or a public place a barking dog as defined in this chapter after having received notice, written or oral, by the animal control officer or the city that a complaint, written or oral, has been made against such barking dog;

G. To keep, harbor or maintain animals known to have a contagious disease unless under the treatment of a licensed veterinarian;
H. For cattle, horses, goats, swine or sheep to escape from the premises owned, leased or occupied by the owner or custodian of such animals, or for such animals to run at large onto the streets, sidewalks or ways of the city or upon any property not owned, leased or occupied by such person;

I. To stake out or tether cattle, horses, or goats upon public property of the city or upon the property of any person other than the owner of such animals without the prior consent of the owner, lessee or occupant of the land upon which such animals are staked or tethered;

J. For a domestic animal to defecate on any public property or private property not owned by the owner unless the owner or person in control of said domestic animal immediately removes the deposited fecal matter from said property;

K. For a vicious animal, other than a dog to run at large after the owner has been notified by an official that such animal(s) has been so classified by the animal control authority, or complaints have been filed or registered with the city or animal control authority which would put the owner on notice of a disposition of such animal(s) to create a threat of injury to any person or property. (Ord. A-69 § 1, 1988).

7.04.111 Potentially dangerous dog, dangerous dog, vicious dog – Registration – Unlawful conduct – Owner responsibility – Penalty.

A. Registration.
1. It is unlawful for an owner to have a potentially dangerous dog, dangerous dog, or vicious dog in the city without first having obtained a certificate of registration therefor.

2. A certificate of registration shall be issued by the city upon a showing of compliance with the following:
   a. Located on the property a proper enclosure to confine the dog and the posting on the premises where the dog is harbored of a clearly visible warning sign that there is a potentially dangerous dog, dangerous dog or vicious dog on the property; and
   b. A conspicuously displayed sign on the premises where the dog is harbored with a warning symbol that informs children or adults who cannot read of the presence of a potentially dangerous dog, dangerous dog, or vicious dog; and
   c. A surety bond issued by a surety insurer qualified under Chapter 48.28 RCW in a sum of not less than $50,000 payable to a person injured by the dog(s); or a policy of liability insurance issued by an insurer qualified under RCW Title 48 in an amount not less than $50,000, insuring the owner for any personal injuries inflicted by the dog(s); and
   d. Payment of a registration fee in effect at the time of registration.

B. Unlawful Conduct – Penalty.
1. The failure of an owner or person in control of a potentially dangerous dog, dangerous dog, or vicious dog to comply with the requirements of subsection A of this section shall be guilty of a gross misdemeanor.

2. It is unlawful for an owner or person in control of a potentially dangerous dog, dangerous dog or vicious dog to permit the dog to be outside the proper enclosure, unless the dog is muzzled and restrained by a chain or leash and under physical control of a person 18 years of age or older. The muzzle shall be made of the type that will not cause injury to the dog or interfere with its vision or respiration, but shall be of a type that will prevent the dog from biting any person or animal. The failure to comply with this section shall be a gross misdemeanor.

3. If a potentially dangerous dog, dangerous dog or vicious dog of an owner with a prior conviction under this chapter attacks or bites a person or another domestic animal, the dog’s owner is guilty of a Class C felony. In addition the potentially dangerous dog, dangerous dog, or vicious dog shall be immediately confiscated by the animal control authority, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner.

4. The owner of any dog that aggressively attacks and causes severe injury or death of any human, whether the dog has previously been declared potentially dangerous, dangerous, or vicious, shall be guilty of a Class C felony. In addition, the dog shall be immediately confiscated by the animal control authority, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner.

5. Any person entering a dog in a dog fight is guilty of a Class C felony.

C. Impound.

1. Any potentially dangerous dog, dangerous dog or vicious dog shall be immediately impounded by the animal control authority, or official of the city if (a) the dog is not validly registered under subsection A of this section; (b) the dog is not under the control of the owner or person as required under subsection B.2 of this section.

2. Dogs impounded under this subsection shall be released to the owner upon satisfaction of impound release procedures of the animal control authority and upon compliance with the registration requirements of this chapter; provided, however, any dog impounded pursuant to subsection B.3 or B.4 of this section shall be handled in accordance with said sections. (Ord. A-69 § 1, 1988).

7.04.120 Complaints – Adjudication of classification of animal.

A. Any person who has reasonable cause to be apprehensive over the safety of his/her person, family or property because of a potentially dangerous dog, dangerous dog, vicious dog, or vicious animal may file a written complaint with the city or animal control authority setting forth such information as may be required by the animal control authority or city to show by clear and convincing evidence that the dog or animal complained of is a potentially dangerous dog, dangerous dog, vicious dog, or vicious animal.
B. When a written complaint is received by the city or animal control authority a hearing shall be held within 30 days before the judge or judge pro tem in the district court to adjudicate the complaint of the potentially dangerous dog, dangerous dog, vicious dog, or vicious animal. In the event, the court finds by clear and convincing evidence that the complaint is valid the dog or animal complained of shall be, by order of the court, classified as a potentially dangerous dog, dangerous dog, vicious dog, or vicious animal and the court shall order the owner of the dog or animal to comply with MICC 7.04.111.

C. Dogs or other animals shall not be declared potentially dangerous, dangerous, or vicious if the threat, injury or damage was sustained by a person who at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog or other animal or was tormenting, abusing, or assaulting the dog or other animal or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or other animal or was committing or attempting to commit a crime. Nor shall a dog or other animal be declared potentially dangerous, dangerous, or vicious if said dog or animal injures and/or kills another animal while it is on the property of its owner; provided, however, a dog may be declared a vicious dog by clear and convincing evidence that the dog is a vicious dog under the provision of MICC 7.04.020 (29). (Ord. A-69 § 1, 1988).

7.04.130 Cruelty to animals.

A. Injuring Animal with Vehicle. No person shall willfully injure, beat, abuse or run down any animal with a vehicle. Any person who kills or injures an animal while driving a vehicle shall stop at the scene of the accident and render such assistance as practicable, shall make reasonable efforts to locate and identify himself to the owner or to any person having custody of the animal and shall report the accident immediately to the department of public safety or animal control officer.

B. Feeding and Care of Animals. It is unlawful for any person to keep or harbor an animal within the city without providing a suitable amount of wholesome food and clean water for the nutrition and comfort thereof, and without providing a clean sleeping area, or to leave the premises upon which such animal is confined or to which it customarily returns for more than 24 hours without providing for the feeding and care of such animal in the absence of such person.

C. Poisoning of Animals. It is unlawful for any person to willfully or maliciously poison any domestic animal or bird or to lay out or expose any kind of poison or to leave exposed any poisoned food or drink for man, animal or fowl on any premises or in any unenclosed place, or to aid or abet any person in doing so; except, that the provisions of this subsection shall not apply to the killing by poison of any animal or bird in a lawful and humane manner by the owner thereof or by a duly authorized servant or agent of such owner, or by a person acting
pursuant to instructions from a duly constituted public authority, in accordance with the exceptions provided in RCW 16.52.190.

D. Injury to Animal – Neglect of Injured Animal. It is unlawful for any person to:
   1. Willfully and cruelly injure or kill any animal by any means causing it fright or pain;
   2. By reason of neglect or intent, to cause or allow any animal to endure pain, suffering or injury or to fail or neglect to aid or attempt alleviation of pain, suffering or injury such person has caused to any animal;
   3. Maintain any place where fowl or other animals are permitted to fight in exhibition or for sport upon any wager or for any other reason. (Ord. A-69 § 1, 1988).

7.04.140 Abandonment of animal – Penalty – Costs.

It is unlawful for any person to abandon, within the city, any domestic animal by dropping off or leaving such animal on the street, road or highway or any other public place, or upon private property without the consent of such property owner. An animal is “abandoned” when left in any such place without any provision made for the care and feeding of such animal by its owner. Any person violating this section shall, upon conviction, be punished as provided for in MICC 7.04.230, and shall be required to reimburse the city for any reasonable and necessary costs incurred by the city for the care or disposition of the abandoned animal. (Ord. A-69 § 1, 1988).

7.04.150 Disposition of abandoned animal.

Any animal found to be abandoned, and whose owner is unknown or cannot be located, may be disposed of by the city as provided by MICC 7.04.160. (Ord. A-69 § 1, 1988).

7.04.160 Impounding procedures.

A. Except as provided in MICC 7.04.110D and 7.04.111B.3, B.4, C.1 and C.2, a police officer or animal control may apprehend and impound any animal found doing any of the acts prohibited by this chapter and/or being subject to cruel treatment as defined by law. After such animals are apprehended they shall be delivered to a designated pound or animal receiving facility. The poundmaster, or some other designated official, upon receiving any dog shall make a complete registry, entering the time of impounding, the breed, color, and sex of such dog, and whether it is licensed. If licensed, he shall also enter the name and address of the owner as shown on the license application and the number of the license tag and such owner shall be notified of the impounding in person or by telephone or by written notice addressed to such owner at the address shown on the license application and sent by registered or certified mail, return receipt requested.
B. Animals impounded under this section may be redeemed within 120 hours from the time they are logged in at the animal receiving facility upon payment to the impounding authority of reasonable maintenance fees and, where applicable, license and late penalty fees. In computing such hours, Sundays shall be included and legal holidays shall be excluded. Animals not redeemed within the applicable time period or suffering from serious injury or disease may be humanely destroyed or, at the discretion of the impounding authority, may be held for a longer period for redemption by any person upon payment of charges not exceeding those prescribed herein or made available for adoption. Any animal suffering from serious injury or disease may be humanely destroyed at any time. (Ord. A-69 § 1, 1988).

7.04.170 Impounding fees.

For every animal taken up and impounded as provided in this chapter there shall be paid to the designated official for the use of the city, by any person desiring to redeem such animal, the total of the following fees:

A. An impounding fee stipulated by the county ordinance currently in effect during the applicable contract year;

B. If no license has been issued for the current year, the annual license fee required by this chapter, plus a penalty fee as provided by MICC 7.04.060 if applicable, or if tag is lost, the replacement fee as provided by this chapter; or if redeemed by any other than prior owner, the cost of transferring registration as provided by this chapter;

C. The cost of feeding and care of such animal in accordance with the rate established by contract between the city and the shelter; provided, however, that the shelter manager, in his discretion, may waive collection of the fees provided in subsections A and B of this section, in event of sale of the animal to some person other than prior owner. (Ord. A-69 § 1, 1988).


The proceeds of the auction or other sale of any impounded animal after the expiration of the period of redemption above provided shall be applied first to the cost of apprehension, license and the care of the animal, and the balance of such proceeds shall be deposited with the general funds of the city. (Ord. A-69 § 1, 1988).

7.04.190 Holding and care of impounded animals.

All animals arrested and impounded shall be given humane care and properly fed during such detention and reasonable effort shall be exerted to segregate such animals as to size, condition and temperament so that the timid, sick, weak or injured animals will not suffer from the actions of others. (Ord. A-69 § 1, 1988).
7.04.200 Killing dangerous animals.

If any fierce, dangerous, vicious or depredatory animal cannot be safely taken up and impounded, such animal may be slain by any police officer or authorized animal control officer. (Ord. A-69 § 1, 1988).

7.04.210 Confinement of biting animal.

It is unlawful for the owner of any animal, when notified that such animal has bitten any person or has so injured any person as to cause an abrasion of the skin, to sell or give away such animal or permit to allow such animal to be taken beyond the limits of the city except to a veterinary hospital, and it shall be the duty of such owner upon receiving notice of the character aforesaid to immediately place such animal in a duly licensed veterinary hospital where such animal shall be confined for a period of at least 10 days or to deliver such animal to any officer for such placement; provided, upon authorization of a licensed veterinarian with the consent of the city authorized health officer, such animal may be released to the custody of its owner upon the owner's undertaking to keep the same securely chained and confined to the premises of the owner and segregated from any other animals during such observation period. (Ord. A-69 § 1, 1988).

7.04.220 Enforcement power.

A. The county animal control authority, as agent of the city, or any other duly authorized agent of the city acting alone or in concert with other municipalities, is authorized to take such lawful action as may be required to enforce the provisions of this chapter and the laws of the state as they pertain to animal cruelty, shelter, welfare and enforcement of control.

B. The officer or official shall not enter a building designated for use for private purposes unless a proper warrant has first been issued upon a showing that the officer or official has reasonable cause to believe an animal is being maintained in the building in violation of this chapter.

C. The officer or official, while pursuing or observing any animal in violation of this title, may enter upon any public or private property, except any building designated for and used for private purposes, for the purpose of abating the animal violation being pursued or observed.

D. No person shall deny, prevent, obstruct, or attempt to deny or prevent or obstruct an officer from pursuing any animal observed to be in violation of this title. Further, no person shall fail or neglect, after a proper warrant has been presented, to promptly permit the officer or official to enter private property to perform any duty imposed by this chapter. (Ord. A-69 § 1, 1988).
7.04.230 Violation – Penalty.

Any person who violates, or whose animal violates, any provision of this chapter is guilty of a misdemeanor unless otherwise classified as a gross misdemeanor or felony herein. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as provided in this section. (Ord. A-69 § 1, 1988).