

Title 6 - ANIMALS

Chapter 6.04 - GENERAL PROVISIONS

6.04.010 - Title.

This chapter shall be known as and may be cited and referred to as the animal control ordinance.

6.04.020 - Definitions.

For the purpose of this chapter, certain words and phrases are defined, and certain provisions shall be construed as set out in this section, unless it is apparent from the context that a different meaning is intended.

- A. "Animal" means any wild or domesticated animal, poultry, bird, reptile, fowl or fish, or any other creature.
- B. "At large" means any animal off the premises of its owner and not under the direct control of the owner or some responsible person authorized by such owner.
- C. "Cat" means any cat of either sex or any age.
- D. "Dog" means any member of the canine family, and also includes both male and female gender, whether neutered or spayed.
- E. "Dog Breeding" means the parturition or rearing of more than two (2) litters from all dogs on the premises in any twelve (12) consecutive months, either in a private or commercial setting, where the offspring is sold for profit.
- E. "Dog license" refers to the license required by this chapter, to be issued annually for each individual dog.
- F. "Guard dog" means any dog used for the purpose of guard duty.
- G. "Livestock" includes cattle, horses, sheep, goats, swine, and all other domestic or domesticated animals other than household pets.
- H. "Owner" means any person, firm or corporation owning, having an interest in or having control or custody or possession of any animal.
- I. "Quarantine" means the taking up and impounding of an animal in the designated animal shelter by the animal control officer for a period of fourteen days or, in the discretion of the animal control officer, or the director of field services, the confinement of an animal by the keeping of it in a substantial pen, or by tying it with a stout chain on the property of the owner of the animal, so that the animal does not come into contact with any other animal or human being for a period of fourteen days.
- J. "Shelter" means a facility designated by the director for impoundment of animals and authorized by the city manager.
- K. "Stray animal" means any animal off the premises of its owner, not under restraint, and not in the immediate presence of its owner or person(s) of reasonable responsibility.
- L. "Unlicensed dog" means any dog for which the license fee for the current year has not been paid and to which the dog license tag provided for in this chapter is not properly attached.
- M. "Wild animal" means any wild, exotic, dangerous or venomous animal, including, but not limited to, mammals, fowl, fish or reptiles.

Chapter 6.08 - ADMINISTRATION

6.08.010 - Chief animal control officer.

The position of chief animal control officer is established. The chief of police is designated ex officio chief animal control officer. The chief animal control officer and persons performing their duties under his supervision and control (including persons designated as humane officers under Section 607f of the Civil Code by a humane society which has contracted with the city to provide animal care or protection services within the city limits), as well as any peace officer, have the duty to enforce the provisions of this title and shall have the power to arrest persons violating any of the provisions of this title as provided in Section 836. 5 of the Penal Code.

6.08.020 - Interference with duty.

No person shall rescue or attempt to rescue any animal mentioned in this title from the possession of the chief animal control officer nor interfere with the chief animal control officer or his deputies in the performance of their official duties.

6.08.030 - Entering upon premises.

- A. The chief animal control officer, any officer or employee thereof or other duly designated representative of the city or peace officer has the right to make an inspection to enforce the provisions of this title or other applicable law by entering into any building or upon any property within the city when the person has reasonable cause to believe that there exists in any building and/or upon any property any violation of the provisions of this title or other applicable law; provided, that:
1. If the building and/or property is occupied, he shall first present proper credentials to the occupant and request entry, explaining his reasons therefor; and if the building and/or property is unoccupied, he shall first make a reasonable effort to locate the owner thereof or other persons having authority over the building and/or property and request entry, explaining his reasons therefor;
 2. If entry into the building or upon the property is refused, the chief animal control officer, any officer or employee or other duly designated representative of the city or any peace officer shall obtain an inspection warrant pursuant to Sections 1822.50 through 1822.57 of the Code of Civil Procedure, for the entry and inspection of the building and/or the property;
 3. Notwithstanding the foregoing, if the chief animal control officer, any officer or employee thereof, or other duly designated representative of the city or any peace officer has reasonable cause to believe that the keeping or the maintaining of any animal is hazardous, unsafe or dangerous, so as to require immediate inspection to safeguard the animal or the public health or safety, he has the right to immediately enter and inspect the building and/or property, and may use any reasonable means required to effect the entry and make the inspection, whether the building and/or property is occupied or unoccupied and whether or not permission to inspect has been obtained. If the building and/or property is occupied, he shall first present proper credentials to the occupant and request entry, explaining his reasons therefor.
- B. This section shall not prohibit the chief animal control officer, any officer or employee thereof or any peace officer from entering upon any public or private property in the city for the purpose of capturing an animal running at large in violation of this title or other applicable law. Any person who denies, prevents or obstructs, or attempts to deny, prevent or obstruct, such capture is guilty of a misdemeanor.

6.08.040 - Zoning.

The requirements of this title are in addition to, and not in limitation of, the requirements of the city zoning ordinance. Any license or permit issued pursuant to this title ceases to be valid if the use for which the license or permit was granted becomes a prohibited use for the zone in which it is then located. If the use for which a license or permit was granted becomes one requiring the issuance of a use permit, the use is not valid unless a use permit is obtained.

Chapter 6.12 - DOGS

6.12.010 - Dog licenses.

- A. License and Tag Required. Every person owning or having charge, care or control over any dog shall, after his dog attains the age of four months, annually secure from the city clerk a license and tag for the dog. The tag shall be attached to a collar or harness upon the dog and during the term of the license shall remain so attached.
- B. Vaccination. Every person owning or having charge, care or control over any dog shall, immediately after his dog attains the age of four months and at intervals of not more than twenty-four months thereafter, secure the vaccination of the dog by a licensed veterinarian with a canine antirabies vaccine of a type approved by the State Department of Public Health.
- C. Confinement of Dogs Under Four Months. All dogs under four months of age shall be confined to the premises of, or kept under physical restraint by, the person owning or having charge, care or control of the dog; provided, however, that this subsection does not prevent the sale or transportation of a puppy four months old or younger.
- D. Vaccination Prerequisite to Issuance of License. The city clerk shall not issue a license to any person for any dog until the person has submitted a certificate of vaccination approved by the chief animal control officer showing that the dog has been vaccinated in accordance with the provisions of this section.

6.12.020 - When dog licenses due and payable—Application.

All licenses shall be due on May 1st of each year and delinquent on June 1st of each year, except as otherwise provided by this chapter. Each application for a license shall state the age, sex, color and breed of the dog for which the license is desired and the name and address of the owner.

6.12.030 - Dog license fee.

- A. Every person owning or having charge, care or control over a spayed female or neutered male dog of the age of four months or over shall pay an annual license fee in an amount to be determined from time to time by resolution of the city council, to be paid between May 1st and May 31st, inclusive, of each year, or within thirty days after the owner of the dog establishes residence in the city, or within thirty days after the dog reaches the age of four months.
- B. Every person owning or having charge, care or control over an unspayed female or unneutered male dog of the age of four months or over shall pay an annual license fee in an amount to be determined from time to time by resolution of the city council, to be paid between May 1st and May 31st, inclusive, of each year, or within thirty days after the owner of the dog establishes residence in the city, or within thirty days after the dog reaches the age of four months.
- C. If the license fees set forth in subsection A or B of this section are not paid between May 1st and May 31st, inclusive, or within thirty days after the owner establishes residence within the city, or within thirty days after the dog reaches the age of four months, a penalty equal to the amount of the applicable fee shall be imposed, which is in addition to the license fee for the dog.

6.12.040 - Lost or destroyed tags.

In the event any tag issued under this chapter is lost, destroyed or mutilated, the owner of the dog for whom it was issued may obtain a duplicate thereof, upon the payment of one dollar.

6.12.050 - Register of tags.

The city clerk shall keep a register wherein shall be kept the name with the address of the owner to whom the tag is issued, a description of the dog, the number of the tag given and the date of its issuance.

6.12.060 - Kennel licenses and fees.

- A.. Commercial Kennel or Dog Hospital Licenses. Each commercial kennel or dog hospital shall pay an annual license fee, which license fee shall be in lieu of licenses for all dogs temporarily in such kennel and not owned by the person or persons operating the kennel or hospital. The amount of the license fee shall be established from time to time by resolution of the city council.
- B. Duration. Kennel licenses shall be so issued for an annual period commencing on May 1st of each year and ending on April 30th of the following year.
- C. Running at Large. No dog licensed under a kennel license shall be permitted to run at large except:
 - 1. While participating in hunting, dog shows, exhibitions or field trials, while under the control of the owner, or handler; or
 - 2. While on agricultural lands owned or operated by the person obtaining the kennel license.

6.12.065 - Breeding licenses and fees.

- A. Dog Breeding License. Any person who wishes engage in dog breeding, as defined in Section 6.04.020 E, within the City with the intent to sell the offspring must obtain a dog breeding license. It shall be unlawful for any person to engage in dog breeding without first obtaining a license from the City. The annual license fee for dog breeding shall be one hundred dollars (\$100) per dog. This shall not be in lieu of the dog license that must be obtained for each dog pursuant to section 6.12.030.
- B. Application. An application for a license to breed dogs must be made in writing to the chief animal control officer and accompanied by the applicable licensing fee. This fee shall be nonrefundable. An application for renewal of a license shall be made at least forty-five (45) days prior to the expiration thereof and shall be accompanied by the same fee required at the time for an original application. Complete applications shall be reviewed and approved or denied within thirty (30) days of the date of submittal.

The application form shall include the following information:

- 1. The name and address of the applicant, the property owner or leaseholder;
 - 2. The address, legal description or other sufficient identifying description of the property;
 - 3. The number of dogs kept or expected to be kept on the property, in a number not to exceed four (4) dogs over the age of four (4) months;
 - 4. The current license numbers of all dogs over four (4) months of age located on the premises; and
 - 5. Such additional information as may be required by the chief animal control officer to facilitate any required investigation.
- C. Conditions for Issuance and Continued Validity of License.
 - 1. Location. No dog breeding license shall be issued or renewed to any applicant where the housing structure for the dog(s) is located within fifty (50) feet of any private residence, dwelling unit, apartment, motel, hotel, or other building used for human habitation.
 - 2. Vaccination Prerequisite to Issuance of License. No dog breeding license shall be issued or renewed to any applicant until they have submitted certificates of vaccination approved by the chief animal control officer showing that each dog on the premises over four (4) months of age has been vaccinated in accordance with the provisions of section 6.12.010(B).
 - 3. Compliance with Animal Control Regulations Generally. No dog breeding license may be issued or renewed to any applicant that does not comply with all general regulations relating to animals, set forth in Chapter 6.20 of this title. Compliance with such rules and regulations is a prerequisite to the issuance and continued validity of any license provided pursuant to this section.

4. Compliance with Other Regulations. The department may establish regulations and standards relating to: the maximum number of dogs to be kept or maintained on the premises; the construction, sanitation, and maintenance of facilities; and any other regulations and standards in conformity with and for the purpose of carrying out the intent of this title. Compliance with such rules and regulations is a prerequisite to the issuance and continued validity of any license provided pursuant to this section.
 5. Inspection. As a condition to the issuance, renewal, or continued validity of a dog breeding license under this section, the chief animal control officer has the authority to inspect the premises at any reasonable time in accordance with section 6.08.030.
- D. Denial or revocation of license. The chief animal control officer may deny or revoke any license issued pursuant to this section in any of the following situations:
1. The chief animal control officer has determined that the applicant or license holder has committed a violation of this title or applicable state laws, fails to meet any of the conditions of the license, or has been convicted of cruelty to animals in this or any other state within the previous five (5) years.
 2. The chief animal control officer has reason to believe that the applicant or license holder has willfully withheld or falsified any information required for a license.
- E. Duration. Dog breeding licenses shall be so issued for an annual period commencing on May 1st of each year and ending on April 30th of the following year.
- F. Violations. Dogs kept in violation of this section are subject to impoundment in accordance with Chapter 6.24 of this title. Any person found to be engaged in breeding dogs for profit without a license or who otherwise violates the provisions of this section shall be guilty of an infraction, punishable by a fine of two hundred dollars (\$200). A person is guilty of a separate offense for each dog being bred without a license and for every day during which a violation of any of the provisions of section is committed, continued, or permitted by such person. These fines shall be in addition to any cost or fee provided for in Chapter 6.24 for the redemption or disposition of impounded animals.

6.12.070 - Exemptions from dog license requirements.

The provisions of this chapter requiring dog licenses shall not apply to:

- A. Any dog owned by or in the charge or care of a nonresident of the city traveling through the city or temporarily sojourning therein for a period not exceeding thirty days, nor to any dog brought to the city exclusively for the purpose of entering the same in a dog show or dog exhibition, and entered for, and kept at any dog show or dog exhibition provided such dogs are not permitted to run at large;
- B. Any dog owned by a person moving into the city which dog has been currently licensed by the county or by any of the cities of the county, during such time the person was a resident of the city or the county and having attached to its collar or harness a tag evidencing the existing unexpired license for such dog issued by the city or by the county, provided such dog has been vaccinated with a canine antirabies vaccine of a type approved by the State Department of Public Health within the previous twenty-four months.

6.12.080 - Exhibition of license.

No person shall fail or refuse to exhibit the registration of any dog required to be licensed by this chapter when required to do so by the animal control officer or any peace officer. A violation of this section is an infraction.

6.12.090 - Dogs running at large.

It is unlawful for any person owning or having charge, care or control of any dog, whether licensed and vaccinated or not, to suffer or permit any such dog to run at large within the city. A dog is running at large unless it is (A) restrained by a leash held by some person or made fast to some stationary object, or (B) confined within a cage or other dog-tight enclosure, or (C) accompanied by a person and is sufficiently trained to be reliably responsive to the recall company and control of the person, or (d) on the property of its owner other than roads, streets, alleys or ways over which other persons have a right to pass. A violation of this section is an infraction.

6.12.100 - Dog feces.

No owner or person having charge, custody or control of any dog shall permit, either wilfully or through failure to exercise due care to control, any such dog to defecate and to allow the feces thereafter to remain on any public sidewalk or park or any other public property, or any improved private property other than that of the owner or person who has custody or control of the dog; provided, however, that the foregoing does not apply to public or private street gutters. A violation of this section is an infraction.

Chapter 6.16 - RABIES PROTECTION

6.16.010 - Animals suspected of having rabies.

Whenever the owner or person having the custody or possession of a dog or other animal shall observe or learn that the dog or other animal shows symptoms of rabies, or acts in a manner which would lead to a reasonable suspicion that it may have rabies, or if the dog or other animal bites any person, the owner or person having custody or possession of the dog or other animal shall immediately notify the county director of health services, or his representative, to make an inspection or examination of such dog or other animal, until it is established to the satisfaction of the official that it has or has not rabies.

6.16.020 - Confinement of animals suspected of having rabies.

Whenever it is shown that any dog or other animal has bitten any person, or whenever any dog or other animal has shown symptoms of rabies, or acts in such a manner as to lead the county director of health services to believe that it might have rabies, the owner or person having possession of the dog or other animal shall, upon order of the county director of health services, quarantine it and keep it tied up or confined for a period of ten days, and shall allow the county director of health services, or his representative, to make an inspection or examination thereof at any time during that period. In lieu of such confinement the owner or person having possession of the dog or other animal may have the dog confined in an establishment controlled and supervised by a licensed veterinarian for a period of not less than five days, after which the dog or other animal may be released from the veterinary establishment upon the certification of the veterinary controlling or supervising the establishment that the dog or other animal displays no symptoms whatsoever of rabies, and upon vaccination and licensing under the provisions of this chapter.

6.16.030 - Destruction of rabid animals.

If it appears to the county director of health services, or his representative, upon the examination provided by Section 6.16.020, that a dog or other animal has rabies, he may kill and destroy the animal forthwith.

6.16.040 - Quarantine of bitten animals.

Whenever any animal is bitten by another animal having rabies, the owner or person having the custody or possession of the animal so bitten shall, upon being informed thereof, either kill the animal or quarantine it, and keep it confined or tied up for a period of six months. The county director of health services or his representative has the power, in his discretion, to kill or quarantine the animal so bitten, in case the owner or person having custody or possession thereof fails to do so immediately, or in case the owner or person having the custody or possession thereof is not readily accessible.

6.16.050 - Quarantine because of rabies.

Whenever the disease known as rabies is developed in any dog or other animal in the city, the county director of health services is authorized to declare a quarantine in a specified area in the city which shall include the location where the animal so affected with rabies is found and a sufficient area contiguous thereto to safeguard against the spread of the disease in such areas. "Quarantine," for the purpose of this chapter, means the strict confinement, upon the private premises of the owners or an establishment controlled and supervised by a licensed veterinary, under restraint by a chain leash and chain collar or closed cage or paddock, of all animals specified by the quarantine order. Forthwith upon the declaration of any such quarantine by the county director of health services, he shall give notice in writing to the chief animal control officer of the city, who shall cause to be gathered in and promptly destroyed all dogs which they or any of them may find other than those securely confined in such quarantined area as described in this section.

Chapter 6.20 - ANIMAL CONTROL REGULATIONS GENERALLY

6.20.010 - Keeping of certain animals as public nuisance.

It is unlawful and a public nuisance for any person to keep within the limits of the city any animal, fowl or livestock which (A) unreasonably disturbs the peace and comfort of the inhabitants of the neighborhood in which the same is kept by reason of noise, odor or other offensive conditions created by, or resulting from the keeping of such animal, fowl or livestock, or (B) interferes with any person in the reasonable and comfortable enjoyment of life or property, or (C) creates a significant risk of injury to life or property.

6.20.020 - Vicious or unsafe animals.

- A. For purposes of this section, a vicious or unsafe animal is one having vicious propensities and which is likely to attack, bite and injure persons or other animals without provocation. Where records of the animal control officer indicate that an animal has, on more than one occasion, bitten a person other than its owner, or attacked another animal without provocation, it is prima facie evidence that the animal is a vicious and unsafe animal. Except when confined as provided in Section 6.20.110, the keeping of a vicious or unsafe animal is a public nuisance.
- B. Whenever the animal control officer has reason to believe that any animal is vicious or unsafe, he may issue an order directing the owner of the animal to abate the nuisance by disposing of the animal or by adequately confining the animal as provided in Section 6.20.110. If the owner of the animal, for any reason whatsoever, fails to comply with the order of the animal control officer, the animal control officer may issue an order directing the owner to appear at a designated hearing to show cause why he or she should not be required to surrender the animal to the animal control officer or take such other steps as may be designated to abate the nuisance. Notice of the time and place of the hearing, and of the designated action, shall be served upon the owner of the animal, either personally or by registered or certified mail addressed to the owner at his last known address, at least ten days prior to the date of the hearing. The city manager, or his designated representative, shall act as hearing officer at the hearing. Upon conclusion of the hearing the hearing officer may order the animal to be surrendered and destroyed, or may order such other measures as in his judgment are necessary to abate the nuisance.
- C. Whenever the animal control officer has reasonable cause to believe that an animal is vicious or unsafe and that it constitutes an immediate hazard to persons, the animal control officer may immediately seize the animal. If the animal control officer is unable to locate the owner, or if the owner is unable or unwilling to take the necessary steps to confine the animal in the manner prescribed in Section 6.20.110, the animal control officer may immediately impound the animal. The animal shall be returned to its owner only if the animal control officer is satisfied that the owner will confine the animal as provided in Section 6.20.110. If the owner fails or refuses to make such arrangements for the confinement of the animal, or if the owner cannot be located after reasonable effort to do so has been made, the animal control officer may order the animal to be destroyed, or he

may take such lesser measures as, under the circumstances, he deems necessary in order to protect persons from injury. In the event a vicious or unsafe animal cannot be safely impounded under the foregoing provisions of this subsection, the animal control officer or a police officer may enter upon any premises where the animal is kept and slay the animal.

- D. It is unlawful for the owner of any animal to fail or refuse to comply with any order issued under this section by the animal control officer. Each additional day that the owner continues to disobey the order constitutes a separate and distinct violation of this section.
- E. A keeping charge as provided in Section 6.24.030 shall be assessed against the owner of any animal for each day during which the animal is impounded under this section, and the animal shall not be released until the owner pays all such charges.

6.20.030 - Keeping livestock and domestic fowl prohibited generally.

It is unlawful for any person to keep or maintain within the city, or permit to be kept or maintained upon land within the city owned by or under the control of the person, any cattle, horses, mules, donkeys, burros, swine, sheep, goats, rabbits, chickens, ducks, geese, turkeys, pigeons, game birds or other domesticated animals or fowl, except as specifically permitted under provisions of this title. A violation of this section is an infraction.

6.20.040 - Keeping wild animals prohibited generally.

It is unlawful for any person to keep or maintain within the city, or permit to be kept or maintained upon land within the city owned by or under the control of the person, any animal commonly designated as a "wild species," including but not limited to lion, tiger, leopard, bobcat, cheetah, puma, bear, monkey or other member of the ape family, rodent, serpent or reptile, except as specifically permitted under provisions of this title. A violation of this section is an infraction.

6.20.050 - Keeping of bees.

It is unlawful for any person to keep or maintain within the city, or permit to be kept or maintained upon land within the city owned by or under the control of the person, a hive of bees, except as specifically permitted under provisions of this title. A violation of this section is an infraction.

6.20.060 - Permit to keep livestock, domestic fowl, wild animals, or bees.

- A. Notwithstanding the provisions of Sections 6.20.030, 6.20.040 and 6.20.050, a person may keep within the city species of livestock, domestic fowl, wild animals, or bees described in those sections upon obtaining from the chief animal control officer a permit to do so. In order to issue such a permit the chief animal control officer must find, after investigation, that the keeping would not endanger persons or property, would not create a public nuisance under the provisions of Section 6.20.010, and would not be contrary to state law or any other city ordinance, specifically including the city zoning ordinance; he also must determine that the place of keeping is not within fifty feet of any family residence or building designated for human occupation, other than a building or residence occupied by the keeper.
- B. Before acting upon an application for the permit the chief animal control officer shall submit to the planning commission a copy of the application, together with a copy of his investigation report and a statement of his decision; a copy of the investigation report and of the statement of decision shall at the same time be mailed to the applicant. Within thirty days after the date of the submission the decision of the animal control officer may be appealed to the city council by the planning commission or by the applicant by filing a written notice of appeal with the city clerk. If no such appeal is filed within the thirty days' period, the chief animal control officer may take action to approve the permit, approve the permit subject to conditions, or deny the permit, in accordance with the statement of decision submitted to the planning commission.
- C. If an appeal of the chief animal control officer's decision is taken pursuant to the provisions of subsection B of this section, the city council shall, upon not less than ten days' prior written notice to

the planning commission and to the applicant, hold a public hearing upon the application. Upon the conclusion of such hearing it shall render its decision, which is final.

- D. Upon the filing of an application for permit under this section, the chief animal control officer may, in his discretion, issue a temporary permit to the applicant if he finds, from all of the circumstances of the particular case, that it would be reasonable to do so and that doing so would not create a danger to persons or property or create a public nuisance under the provisions of Section 6.20.010. The temporary permit shall expire on the date that final action is taken upon the application.
- E. Fees and charges for filing and processing a permit application under this section shall be established, and from time to time may be amended, by resolution of the city council.
- F. Notwithstanding the provisions of this section and of Sections 6.20.030 and 6.20.040, no permit shall be required for the keeping of mice, guinea pigs, hamsters or small birds (other than birds of prey), which are confined in cages, or tropical or gold fish in aquariums.

6.20.070 - Application for permit.

An application for any permit required pursuant to Section 6.20.060 shall be made to the chief animal control officer in writing upon a form furnished by that officer, containing such information as the chief animal control officer requires in order to make a determination. The fee for a permit shall be as established from time to time by resolution of the city council and shall not be refundable. Permits granted shall be for the period of one year. An application for renewal of a permit shall be made at least forty-five days prior to the expiration thereof and shall be accompanied by the same fee required at the time for an original application.

6.20.080 - Revocation of permit.

The chief animal control officer may, for good cause, revoke any permit or modify the terms and conditions of any permit after informal public hearing, written notice of which shall be served upon the holder of the permit at least ten days prior to the date of the hearing; provided, that in the event it is reasonably necessary to protect against an immediate threat or danger to the public health or safety, the chief animal control officer may suspend or modify any permit without hearing for a period of not to exceed thirty days.

6.20.090 - Appeal of revocation of permit.

Any person aggrieved by any action of the chief animal control officer taken pursuant to the provisions of Section 6.20.080 may, upon the payment of an appeal fee fixed by resolution of the city council, have the action reviewed by the city council, but the filing of an appeal shall not stay any order of revocation or modification of the permit.

6.20.100 - General regulations for the keeping of animals.

The following regulations apply to the keeping of animals of all kinds within the city:

- A. All animals shall be kept in a clean and sanitary fashion. If the number of animals kept, or the level of care exercised in the keeping of animals is such that the refuse of the animals, or the condition of the animals themselves, is evidence of neglect, the chief animal control officer may take remedial action. Upon notice, any person who does not clean up the area where animals are kept, or who fails to provide such care of the animals as the officer requests, is in violation of this section.
- B. Animals confined in an enclosed area shall be provided with an adequate exercise area. If the animal is restricted by a leash, rope, or chain, the leash, rope, or chain shall be affixed in such a manner that it will prevent the animal from becoming entangled or injured and permit the animal's access to adequate shelter, food and water. The provision of this subsection does not apply to an animal which is in transit, in a vehicle, or in the immediate control of a person.

- C. It is the duty of the owner to care for his animals. It is a violation of this section for a person to fail to provide the necessary food, drink and shelter for his animals.
- D. Notwithstanding any other provision of this title, the maximum number of dogs which shall be kept within one household is four. Likewise, the maximum number of cats which may be kept within one household is four. A household may possess both dogs and cats, but no more than four of each. For purposes of this section, animals under the age of four months shall not be counted. A violation of this subsection is an infraction.

6.20.110 - Confinement or destruction of vicious dogs and animals.

Any dog or other animal having a disposition or propensity to attack or bite any person or animal without provocation is defined as a wild or vicious animal. Every wild or vicious animal must at all times be confined in a substantial pen. If any such wild or vicious animal is found running at large in violation of this section, it shall be taken up and impounded and shall not be released except upon the approval of the chief animal control officer after the payment of the fees provided in Section 6.24.030; provided, that if any such wild or vicious animal so found at large cannot be safely taken up and impounded, the animal may be subject to summary destruction.

6.20.120 - Stray animals.

It is unlawful for any person owning or having charge, care or control of any animal described in Sections 6.20.030 or 6.20.040 to run at large within the city. A violation of this section is an infraction.

Chapter 6.24 - IMPOUNDMENT

6.24.010 - Impounding of dogs and other animals.

It is the duty of the chief animal control officer to seize and impound any dog or other animal found running at large in violation of the provisions of Section 6.12.080 or 6.20.120.

6.24.020 - Destruction of unredeemed animals.

All dogs or other animals impounded and not reclaimed or redeemed within seventy-two hours may be destroyed in some humane manner by the chief animal control officer, or he may, after the dog or other animal is impounded for seventy-two hours, place it with some responsible person and convey a valid title thereto. The seventy-two-hour period shall start to run on a currently licensed dog having thereon a license tag only after notice by first-class mail, with postage prepaid, has been mailed by the chief animal control officer to the owner at the address given on his application for the license; provided, however, that if the dog or other animal is seriously injured or ill, the chief animal control officer may, with the consent of the public health veterinarian and to prevent further suffering, destroy the dog or other animal prior to the expiration of the seventy-two-hour period.

6.24.030 - Impounding, redemption, vaccination and other fees and charges.

Fees and charges are imposed by this section for the impoundment, vaccination, care and feeding of animals at the animal control shelter, and for the redemption of animals impounded or otherwise taken into the custody or control of the animal control officer. The city council shall by resolution establish, and may from time to time amend, a schedule of such fees and charges, which in each case constitute a debt from the owner of the animal to the city and which must be paid at the time the animal is redeemed by the owner. In addition, owners of animals are obligated to and shall reimburse the city for all costs reasonably incurred by the animal control officer in connection with the transportation, care and feeding of animals while in his custody or control to the extent that those costs are not provided for in the schedule.

Chapter 6.28 - VIOLATIONS AND ENFORCEMENT

6.28.010 - Violations and enforcement.

Any person who violates any provision of this title or who in any manner interferes or attempts to interfere with any duly authorized enforcement officer in the performance of any duty imposed by this title, and every person who unlawfully takes or attempts to take any dog or other animal seized pursuant to this title from the custody of the duly authorized enforcement officer, and any person who removes or attempts to remove from the public pound any dog or other animal impounded therein without having first redeemed the animal as provided by this title or obtained the permission of an authorized enforcement officer to do so, is guilty of a misdemeanor, unless the violation is declared to be an infraction.