

Title 6

ANIMALS

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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;

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)

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)

Chapter 6.08

DOGS

Sections:

- 6.08.010 Licenses--Applications--Tags.
- 6.08.020 Licenses--Fees--Delinquencies--Penalties.
- 6.08.030 Licenses--Terms.
- 6.08.040 Licenses--Tags--Use.
- 6.08.050 Licenses--Tags--Duplications--Fees.
- 6.08.060 Vaccinations.
- 6.08.070 Impounding.
- 6.08.080 Impounded--Redemption--Fees.
- 6.08.090 Rabies symptoms.

6.08.010 Licenses--Applications--Tags.

A. The dog license collector is authorized and directed to have prepared suitable application blanks and license tags to be issued to the owners of dogs.

B. Such license tags shall be metallic and shall have a stamp thereon bearing the name of the city or the name of the county when the contract referred to in Section 6.04.010 of this title is in effect and the year of their issuance. The tags shall be numbered serially and each tag shall have its number stamped thereon. Each owner of a dog shall pay to the dog license collector the fees required by the provisions of this chapter within the time provided and shall procure the license and tag and attach the tag to a collar to be permanently worn by the dog for which such license was issued.

C. The application forms shall bear the name, address and telephone number, if any, of the owner of the dog, the name of the dog, if any and the age, sex, color and breed of the dog for which such license is applied. The application shall be signed by the owner or his or her duly authorized agent. Upon the issuance of the license, the dog license collector shall endorse upon the application the number of the license tag issued in pursuance thereof and all such applications so endorsed shall be filed in the office of the dog license collector.

D. It is made the duty of the dog license collector to collect in advance of the issuance of such license the fees required by Section 6.08.020 of this chapter. (Prior code β 6-1.04)

6.08.020 Licenses--Fees--Delinquencies--Penalties.

A. Fees. The owner of any dog over the age of four months shall procure annually a license for such dog between January 1st and April 30th of each year and shall pay two dollars (\$2.00) as a license fee.

B. Delinquencies--Penalty Fees. Any person failing to procure and pay for such license before April 30th of any year shall pay an additional sum of two dollars (\$2.00) as a penalty for such failure.

C. Delinquencies--Penalty Fees--Exceptions. The additional penalty fee provided for in subsection B of this section shall not apply to the owner of any such dog who brings such dog into the city after April 30th; nor shall such penalty apply in any case where such dog has not arrived at the age of four months on or prior to April 30th if such owner shall procure such license within ten (10) days after such dog shall have attained the age of four months. (Prior code B 6-1.05)

6.08.030 Licenses--Terms.

The license required by the provisions of this chapter shall be issued upon the payment of the fees required for the period commencing January 1st or on the date of such issuance, of each year and no license shall be issued for any other period. Such licenses shall be valid for the calendar year in which issued and thereafter shall be void. (Prior code B 6-1.06)

6.08.040 Licenses--Tags--Use.

The license tag required by the provisions of this chapter shall at all times be attached to the collar of the dog for which it was issued. Any owner who shall wilfully fail, neglect or refuse to attach such tag to such dog after having procured the tag and to keep the tag attached to such dog at all times while such license is in force, shall be in violation of the provisions of this chapter and shall be punishable as set forth in Chapter 1.24 of this code. (Prior code B 6-1.07)

6.08.050 Licenses--Tags--Duplications--Fees.

In the event a license tag shall be lost from any dog for which the tag was issued, the owner, within ten (10) days thereafter, shall procure a new license for such dog for a fee of twenty-five cents (\$0.25). License tags shall be so replaced as often as they are lost. Any owner who shall fail to apply for a new license tag within ten (10) days after the date of the loss of the license tag shall be in violation of the provisions of this chapter and shall be punishable as set forth in Chapter 1.24 of this code. (Prior code B 6-1.08)

6.08.060 Vaccinations.

When rabies have been declared endemic in the city by proper authorities, it is unlawful for any person owning or having an interest in a dog to cause, permit or allow such dog to be in or upon any public street, alley or other public grounds or place, whether or not restrained by a leash, unless such dog has been vaccinated with a canine rabies vaccine approved by the health officer. The vaccination tag shall at all times be attached to the collar of the dog for which it is issued. (Prior code B 6-1.09)

6.08.070 Impounding.

A. Any dog having no license tag attached to its collar, whether a license shall have been issued for it or not, shall be captured and impounded by the poundmaster. The poundmaster is also authorized and empowered to capture and impound any dog not vaccinated and licensed as provided for by this chapter or

not wearing the official vaccination tag as required by this chapter and which is found going free or running at large in or upon any place within the city.

B. An impounded unlicensed dog shall be kept and maintained by the poundmaster for a period of seventy-two (72) hours, after which, if the dog is not redeemed or otherwise disposed of, it shall be humanely destroyed by the poundmaster. If the dog carries a license, the poundmaster shall keep and maintain the dog for a period of seven days and shall notify the owner thereof of the impounding, either personally or by registered mail, after which, if the dog is not redeemed or otherwise disposed of, it shall be humanely destroyed by the poundmaster. (Prior code B 6-1.10)

6.08.080 Impounded--Redemption--Fees.

A. Any 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 Section 6.08.070 of this chapter upon the payment by such owner of all license fees due, plus the sum of fifteen cents (\$0.15) per day for keeping and feeding the dog, the additional sum of ten cents (\$0.10) for each mile necessarily and actually traveled by the poundmaster in pursuing, capturing and impounding the dog and a redemption fee of one dollar (\$1.00) for the redemption of the dog.

B. When rabies have been declared endemic in the city, any dog so impounded which does not show evidence satisfactory to the health officer of rabies immunization shall not be returned to the owner or legal custodian thereof without first having been immunized for rabies to the satisfaction of the health officer. Such immunization shall be at the sole cost and expense of the owner or person claiming the redemption of the dog. (Prior code B 6-1.11)

6.08.090 Rabies symptoms.

It shall be the duty of any owner of a dog to immediately notify the health officer and the poundmaster of any symptoms or acts of such dog which would lead a reasonable person to suspect that the dog has rabies. It shall thereupon be the duty of the health officer to quarantine the dog. The owner shall thereafter abide by all proper orders for the protection of the public and other dogs from infection by confining the dog and tying it for a period of three weeks, during which time the owner shall allow the health officer to make an inspection or examination. If it shall appear to the health officer upon examination that the dog has rabies, the poundmaster is authorized to kill the dog forthwith. (Prior code B 6-1.14)

Chapter 6.12

KENNELS

Sections:

6.12.010 Licenses--Fees.

6.12.020 Construction.

6.12.010 Licenses--Fees.

A. Every person owning or controlling a kennel or place where more than five dogs are kept for breeding, training, treating, sale or other commercial purposes shall pay an annual license fee of five dollars (\$5.00) for such kennel, which shall include the license fee for all dogs regularly kept in such kennel. Such license fee shall be paid between December 15th and February 1st of the year next ensuing and shall be the license fee for such kennel for a period of one year commencing January 1st. If such license fee is paid after February 1st, the annual license fee shall be ten dollars (\$10.00) for such delinquency. License fees for the operation of new kennels shall be paid within thirty (30) days after the new operation is commenced and shall be five dollars (\$5.00).

B. Any person who shall refuse to apply for and pay for such license as required by the provisions of this section shall be in violation of the provisions of this chapter and shall be punishable as set forth in Chapter 1.24 of this code.

C. No kennel license shall be issued until the poundmaster shall have first issued a certificate that the kennel is being operated or is to be operated pursuant to the provisions of this chapter and such certificate shall be presented to the dog license collector with an application for such kennel license.

D. Whenever a dog not theretofore licensed is removed from any such kennel, the owner thereof shall forthwith apply for and obtain an annual license as required by the provisions of this chapter. (Prior code β 6-1.15)

6.12.020 Construction.

All kennels or other places where dogs are kept for breeding, training, treatment, sale or other commercial purposes shall be so constructed as to prevent the dogs confined therein from running at large off the premises where the kennel is maintained and shall be constructed, operated and maintained in a sanitary and proper manner so that the kennel will not become a nuisance to the neighborhood. No dog shall at any time be taken from the premises where such kennel is operated, except dogs permanently removed and licensed as provided in this chapter and licensed dogs removed by their owners. Any owner of a kennel or his or her agents or employees, who shall otherwise run or take dogs off the premises of the kennel or permit them to be run or be taken therefrom, shall be in violation of the provisions of this chapter and shall be punishable as set forth in Chapter 1.24 of this code. (Prior code β 6-1.16)

Chapter 6.16

BIRD SANCTUARY

Sections:

6.16.010 Designated--Posting of signs.

6.16.020 Molesting wild birds.

6.16.030 Control of birds declared nuisances.

6.16.010 Designated--Posting of signs.

The city is designated a bird sanctuary and signs bearing the legend "Colfax Is a Bird Sanctuary" shall be placed at appropriate locations at or near the city limits at principal entrances to the city. (Prior code B 5-1.01)

6.16.020 Molesting wild birds.

No person shall shoot or trap any species of wild birds within the city and no person shall molest or damage the nest or the eggs of any wild bird within the city. (Prior code B 5-1.02)

6.16.030 Control of birds declared nuisances.

If the council, the chief of police or the animal control officer shall determine that birds which are unprotected by federal or state statutes have become so numerous in any particular location or area as to become a public nuisance or, for any other reason, have become a public nuisance or a menace to health or property, such fact may be declared and such birds may be destroyed or otherwise controlled by such method as shall be determined by the council, the chief of police or the animal control officer. (Prior code B 5-1.03)