

## ANIMAL CONTROL

### 1. Definitions

For use in this chapter the following terms are defined as follows:

1. The term “dogs” shall mean animals of the canine species whether altered or not.
2. The term “at large” shall mean any animal found off the premises of the owner and not under the control of a competent person, restrained within a motor vehicle, housed in a veterinary hospital or kennel, on a leash or “at Heel” beside a competent person and obedient to that person’s command.
3. The term “owner” shall mean any person owning, keeping, sheltering or harboring an animal.

### 2. At Large Prohibited

No owner or person having custody of an animal shall permit such animal to run at large.

### 3. Animal Nuisances

It shall be unlawful for any person to permit an animal under such person’s control or within such person’s custody to commit a nuisance. An animal shall be considered a nuisance if it;

1. Damages, soils, defiles or defecates on private property other than the owner’s or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner.
2. Causes unsanitary, dangerous or offensive conditions.
3. Causes a disturbance or other noisemaking or chases vehicles, or molests, attacks or interferes with persons or other domestic animals or public property.

### 4. Impounding

1. Any dog found at large in violation of sections 1.3 and 1.4 of this chapter shall be seized and impounded, or, at the discretion of the Mayor.
2. Any dog found at large shall be turned over to law enforcement or taken to the Dubuque Humane Society. All costs will be the responsibility of the owner.
3. Any animal found to have bitten a person or other animal shall be confined, turned over to law enforcement or taken to the Dubuque Humane Society.
4. This section shall not apply to a law enforcement dog or horse used by the law enforcement agency, that is acting in the performance of its duties, which has bitten a person.

### 5. Dangerous Animals

1. Dangerous Animals Prohibited. No person shall keep, shelter, or harbor for any purpose within the City limits, a dangerous animal.
2. Definitions. A dangerous animal is:
  - a. Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among human beings or domestic animals, and having known tendencies as a species to do so.
  - b. The following are animals which shall be deemed to be dangerous animals per se:
    - (1) Lions, tigers, jaguars, leopards, cougars, lynx, and bobcats;
    - (2) Wolves, coyotes, and foxes;
    - (3) Badgers, wolverines, weasels, skunks and mink;
    - (4) Raccoons;
    - (5) Bears;
    - (6) Monkeys, chimpanzees, and apes;
    - (7) Alligators and crocodiles;
    - (8) Scorpions, Gila monsters;
    - (9) Snakes that are venomous or constrictors;
    - (10) Any crossbreed of such animals, which have similar characteristics of the animals, specified above.
  - c. Any animals declared to be dangerous by the City Council.
3. Dangerous Animal exceptions. The keeping of dangerous animals shall not be Prohibited in the following circumstances:
  - a. The keeping of dangerous animals in a public zoo, bona fide educational or Medical institution, Humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study, and has obtained the written approval of the City Council.

#### 6. Keeping Vicious Animal.

It shall be unlawful for any person or persons to harbor or keep a vicious animal within the City. A vicious animal is deemed so when it shall have attacked or bitten any person without provocations, or when the propensity to attack or bite persons or other animals shall exist and such propensity is known or ought to reasonably be known to the owner thereof.