

ARTICLE I. IN GENERAL

Sec. 4-1. Definition.

The word "animal" as used in this chapter means dogs, cats and other nonhuman living creatures.

(Code 1975, § 4-1)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 4-2. Animals running at large; impoundment.

(a) No animal shall be allowed upon the public street of the city or in any public place or upon property other than that of its owner unless such animal is securely under control or fastened to a suitable leash of dependable strength not to exceed eight (8) feet in length.

(b) Proof of ownership of any such animal found in any public place or upon property other than that of its owner shall be prima facie evidence of a violation of this chapter.

(c) In the event of a violation of this chapter, the animal involved may be picked up by a police officer of the city, public health officer of the county, the humane society of the county, or any other appropriate and authorized official, and shall be placed with the humane society of the county or any other similar agency and retained by such agency for at least five (5) days. As a condition of repossession of such animal, the owner shall pay to the humane society or other agency all costs.

(d) The term "owner" as used in this section shall be defined as any person owning, harboring or maintaining custody of an animal.

(Code 1975, § 4-2)

Cross references—Buildings and building regulations, Ch. 5; health, sanitation and nuisances, Ch. 9; parks and recreation, Ch. 15; streets and sidewalks, Ch. 20; zoning, Ch. 24.

Sec. 4-3. Animal bites; reporting; quarantine of animal.

(a) If any person is bitten by an animal within the corporate limits of the city, it shall become the duty of such person or the owner of the animal with knowledge thereof to report such incident to

the police department of the city, or to the appropriate county department, within twenty-four (24) hours thereafter.

(b) Any animal reported to have bitten a person shall be kept in quarantine for such period of time as may be designated by the appropriate county department for laboratory analysis by a licensed veterinarian. No liability for compensation to the owner of such animal shall attach to the city by virtue of any such procedure by such county department.

(Code 1975, § 4-3)

Sec. 4-4. Duty to remove excrement; exception.

It shall be unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person to fail to scoop and remove excrement left by such animal to a proper receptacle located on property owned or possessed by such person. In accordance with state statute, this provision is waived for blind persons assisted by Seeing-Eye dogs and non-human primates of the genus Cebus, used by a person with paraplegia or quadriplegia, specially trained and providing personal care services to a paraplegic or quadriplegic person.

(Code 1975, § 4-4; Ord. No. 2001-17, § 2, 10-10-01)

Sec. 4-5. Feeding animals.

It shall be unlawful for any person to feed or cause to be fed or leave foodstuffs for the consumption by any duck, wildlife, non-domesticated animals or animals not owned by the person within the city limits.

(Code 1975, § 4-7; Ord. No. 2001-19, § 2, 10-10-01)

Secs. 4-6—4-25. Reserved.

ARTICLE II. PIT BULL DOGS

Sec. 4-26. Definition and description.

(a) The term "pit bull" as used in this article shall refer to any dog which exhibits those distinguishing characteristics which:

- (1) Substantially conform to the standards established by the American Kennel Club for American Staffordshire Terriers or Staffordshire Bull Terriers; or

- (2) Substantially conform to the standards established by the United Kennel Club for American Pit Bull Terriers.

Such standards of the American Kennel Club and the United Kennel Club referred to above are set out in subsection (b) below.

(b) The following are the American Kennel Club standards for the breeds listed:

(1) *American Staffordshire Terrier:*

- a. *Head*—Medium length, deep through, board skull, very pronounced cheek muscles, distinct stop, and ears are set high.

Ears—Cropped or uncropped, the latter preferred. Uncropped ears should be short and held half rose or prick. Full drop to be penalized.

Eyes—Dark, and round, low down in skull and set far apart. No pink eyelids.

Muzzle—Medium length, rounded on upper side to fall away abruptly below eyes. Jaws well defined. Underjaw to be strong and have biting power. Lips close and even, no looseness. Upper teeth to meet tightly outside lower teeth in front. Nose definitely black.

- b. *Neck*—Heavy, slightly arched, tapering from shoulders to back of skull. No looseness of skin. Medium length.
- c. *Shoulders*—Strong and muscular with blades wide and sloping.
- d. *Back*—Fairly short. Slight sloping from withers to rump with gentle short slope at rump to base of tail. Loins slightly tucked.
- e. *Body*—Well-sprung ribs, deep in rear. All ribs close together. Forelegs set rather wide apart to permit chest development. Chest deep and broad.
- f. *Tail*—Short in comparison to size, low set, tapering to a fine point; not curled or held over back. Not docked.

- g. *Legs*—The front legs should be straight, large or round bones, pastern upright. No resemblance of bend in front. Hindquarters well-muscled, let down at hocks, turning neither in nor out. Feet of moderate size, well arched and compact. Gait must be springy but without roll or pace.

- h. *Coat*—Short, close, stiff to the touch, and glossy.

- i. *Color*—Any color, solid, parti, or patched is permissible; but all white, more than eighty (80) percent white, black and tan, and liver not to be encouraged.

- j. *Size*—Height and weight should be in proportion. A height of about eighteen (18) to nineteen (19) inches at shoulders for the male and seventeen (17) to eighteen (18) inches for the female is to be considered preferable.

(2) *Staffordshire Bull Terrier:*

- a. *Head and Skull*—Short, deep through, broad skull, very pronounced cheek muscles, distinct stop, short foreface, black nose. Pink (Dudley) nose to be considered a serious fault.

- b. *Eyes*—Dark preferable, but may bear some relation to coat color. Round, of medium size, and set to look straight ahead. Light eyes or pink eye rims to be considered a fault, except that where the coat surrounding the eye is white the rim may be pink.

- c. *Ears*—Rose or half-pricked and not large. Full drop or full prick to be considered a serious fault.

- d. *Mouth*—A bite in which the outer side of the lower incisors touches the inner side of the upper incisors. The lips should be tight and clean. The badly undershot or overshot bite is a serious fault.

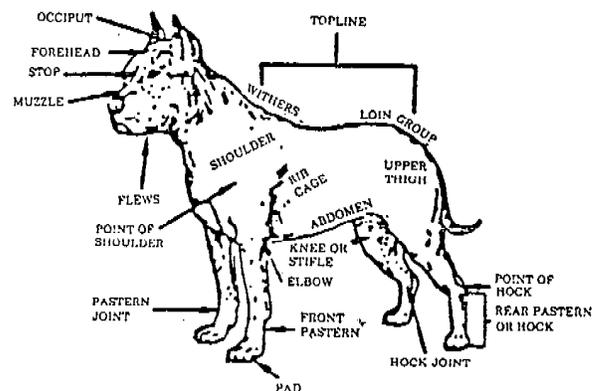
- e. *Neck*—Muscular, rather short, clean in outline and gradually widening toward the shoulders.

- f. *Forequarters*—Legs straight and well-boned, set rather far apart, without looseness at the shoulders and showing no weakness at the pasterns, from which point the feet turn out a little.

- g. *Body*—The body is close coupled, with a level topline, wide front, deep brisket and well-sprung ribs being rather light in the loins.
- h. *Hindquarters*—The hindquarters should be well-muscled, hocks let down with stifles well-bent. Legs should be parallel when viewed from behind.
- i. *Feet*—The feet should be well-padded, strong and medium size. Dewclaws, if any, on the hind legs are generally removed. Dewclaws on forelegs may be removed.
- j. *Tail*—The tail is undocked, of medium length, low set, tapering to a point and carried rather low. It should not curl much and may be likened to an old-fashioned pump handle. A tail that is too long or too badly curled is a fault.
- k. *Coat*—Smooth, short and close to the skin, not to be trimmed or dewhiskered.
- l. *Color*—Red, fawn, white, black or blue, or any of these colors with white. Any shade of brindle or any shade of brindle with white. Black-and-tan or liver color to be disqualified.
- m. *Size*—Weight: Dogs, twenty-eight (28) to thirty-eight (38) pounds; bitches, twenty-four (24) to thirty-four (34) pounds. Height at shoulder: fourteen (14) to sixteen (16) inches, these heights being related to weights. Nonconformity with these limits is a fault.
- e. *Nose*—Wide open nostrils. Any color acceptable.
- f. *Neck*—Muscular. Slightly arched. Tapering from shoulder to head. Free from looseness of skin.
- g. *Shoulders*—Strong and muscular, with wide sloping shoulder blades.
- h. *Back*—Short and strong. Slightly sloping from withers to rump. Slightly arched at loins, which should be slightly tucked.
- i. *Chest*—Deep, but not too broad, with wide-sprung ribs.
- j. *Ribs*—Close. Well-sprung, with deep back ribs.
- k. *Tail*—Short in comparison to size. Set low and tapering to a fine point. Not carried over back. Bobbed tail not acceptable.
- l. *Legs*—Large, round-boned, with straight, upright pasterns, reasonably strong. Feet to be of medium size. Gait should be light and springy. No rolling or pacing.
- m. *Thigh*—Long with muscles developed. Hocks down and straight.
- n. *Coat*—Glossy. Short and stiff to the touch.
- o. *Color*—Any color or marking permissible.
- p. *Weight*—Not important. Females preferred from thirty (30) to fifty (50) pounds. Males from thirty-five (35) to sixty (60) pounds.

(3) *American Pit Bull Terrier:*

- a. *Head*—Medium length. Brick-like in shape. Skull flat and widest at the ears, with prominent cheeks free from wrinkles.
- b. *Muzzle*—Square, wide and deep. Well-pronounced jaws, displaying strength. Upper teeth should meet tightly over lower teeth, outside in front.
- c. *Ears*—Cropped or uncropped (not important). Should set high on head, and be free from wrinkles.
- d. *Eyes*—Round. Should be set far apart, low down on skull. Any color acceptable.



(Code 1975, § 4-10)

Sec. 4-27. Keeping generally.

It shall be unlawful for any person to house, maintain or harbor within the city any dog which substantially conforms to the standards enumerated in this article, except in accordance with the regulations contained in this article.
(Code 1975, § 4-11)

Sec. 4-28. Confinement; muzzling.

Every person having the custody, ownership or control of any pit bull dog within the city shall keep the same secure as follows:

- (1) Within a residence or other nonpublic locked premises;
- (2) Within a totally enclosed and lockable pen, with a top, constructed of six-foot-high chain link fence, or an equally secure material; or
- (3) Muzzled and on a leash of a length no greater than eight (8) feet held securely by a person.

(Code 1975, § 4-12)

Sec. 4-29. Registration.

Every person having the custody, ownership or control of any pit bull dog shall register such dog with the city clerk on forms provided for such purpose. The clerk shall provide a copy of this article to each person registering a pit bull dog. The registration form shall include or provide for, but not be limited to, the following information:

- (1) Name, address and telephone number of the owner or lessee of the location where the dog is kept. If the dog is kept at more than one (1) location, information on all such locations must be supplied;
- (2) The dog's breed, age, sex, color and distinguished physical characteristics;
- (3) A color photograph of the dog of at least three-inch by five-inch dimensions and of sufficient clarity to be used for identification of the dog;

- (4) A copy of the records indicating that the dog has the required preventive inoculations and medications required under local, county and state law;
- (5) Evidence of the liability insurance policy required pursuant to this article;
- (6) A duly executed affidavit indicating that the owner has received a copy of and knows the requirements of this article and agrees to abide by the requirements.

(Code 1975, § 4-13)

Sec. 4-30. Registration fee.

At the time of registration of a pit bull dog, the person registering such pit bull dog shall pay a registration fee of fifty dollars (\$50.00) in order to defray the costs of registration and regulations hereunder.

(Code 1975, § 4-14)

Sec. 4-31. Insurance requirements.

Every owner of any pit bull dog which is brought or kept within the city shall, at all times that he owns such dog, maintain a liability policy in full force and effect in a face amount of one million dollars (\$1,000,000.00) to protect the general public from any injury or harm that the pit bull dog may cause.

(Code 1975, § 4-15)

Sec. 4-32. Violation.

It is unlawful for any person to be in possession of an unregistered pit bull dog or in possession of a pit bull dog contrary to the conditions of this article.

(Code 1975, § 4-16)

Sec. 4-33. Judicial enforcement.

In addition to the other remedies provided herein and by general law, the city shall, at its discretion, have the right to seek the aid of the courts of the state with respect to the enforcement of the provisions of this article, which rights shall include the right to seek injunctive relief against such persons as may be determined by the city to be in violation of the terms and provisions of this article. If the city thus exercises such discretion and if the city prevails in such judicial efforts, the

city shall have the right to demand and the right to receive, as damages against such persons, all costs of court and expenses, including reasonable attorney's fees, which the city may have suffered as a result of the enforcement of the terms, conditions and provisions of this article against such person from whom such relief is sought.
(Code 1975, § 4-17)