

# **Chapter 5 ANIMALS AND FOWL**

*Last updated October 2007*

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## **Article 5.ED Editor's note to Chapter 5**

### **Sections:**

**5.ED.010** Editor's note to Chapter 5

## **Section 5.ED.010 Editor's note to Chapter 5**

As to driving animals across sidewalks and curbs, see § 33.04.380. As to fastening animals to trees, see § 33.04.450.

## **Article 5.02 Definitions**

### **Sections:**

#### **5.02.010 Definitions**

### **Section 5.02.010 Definitions**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them:

**Animal.** Every living animal except humans.

**At Large.** An animal off the premises of the owner, and not under the control of the owner or a member of his immediate family by a reasonable length leash, cord or chain.

**Dangerous animal.** An animal which because of its poisonous bite or sting, size, or propensity to viciousness or aggressiveness would constitute a hazard or threat to the safety of other animals or humans.

**Dangerous or Vicious Dog or Cat.** Any dog or cat that (a) inflicts severe injury on a human being without provocation on public or private property, (b) kills or severely injures a dog or cat without provocation while the dog is off the owner's property, or (c) has been previously found to be potentially dangerous because of injury inflicted on a human, the owner having received notice of such and the dog or cat aggressively bites, attacks, or endangers the safety of dogs, cats, or humans.

**Dog.** An animal which is a domesticated canid, *Canis familiaris*, bred in many varieties. Does not include hybrids which include *Canis lupus* (wolf) and other wild canids.

**Domestic Fowl.** Means poultry which are valued for their meats and eggs including chickens, turkeys, ducks, geese, and guinea fowl. Also includes pigeons.

**Cat.** An animal which is a small domesticated carnivore, *Felis catus*, bred in a number of varieties.

**Exotic Pet.** An animal that is not a dog, cat, or fish and is non-indigenous to North Dakota.

**Farm Animals/Livestock.** Animals generally bred, raised, and housed on farms and in rural places for production of food, or for work purposes, such as horses.

**Fish.** Animals of various cold-blooded, aquatic vertebrates, having gills, commonly fins, and typically an elongated body covered with scales.

**Kennel.** A facility permitted through either zoning or a special use permit as defined in Chapter 39 to breed, raise, and house dogs and/or cats.

**Owner.** Any person owning, keeping or harboring an animal.

**Severe Injury.** Means any physical injury to a human being or animal that results in muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.

**Wild Animal.** An animal that may be native to North Dakota, but is not considered domestic and may be listed as a huntable animal or protected by the state or federal government. (Ord. No. 1332 § 1.)

## **Article 5.04 Animals In General**

### **Sections:**

- 5.04.010 Designation of pound**
- 5.04.020 Poundmaster--Appointment - REPEALED**
- 5.04.030 Same--Duties generally - REPEALED**
- 5.04.040 Disposition of dead animals**
- 5.04.050 Cruelty to animals**
- 5.04.055 Rabid animals**
- 5.04.058 Right of city animal control officer to enter property to confiscate an animal.**
- 5.04.060 Penalties**

### **Section 5.04.010 Designation of pound**

The City shall maintain or designate an animal shelter, with buildings, for housing animals as provided by this chapter. (Ord. No. 857, § 1; Ord. No. 1272, § 3; Ord. No. 1332 § 2.)

### **Section 5.04.020 Poundmaster--Appointment - REPEALED**

This section was repealed September 3, 2003. (Ord. No. 857, § 1, Ord. No. 1272, § 4.)

### **Section 5.04.030 Same--Duties generally - REPEALED**

This section was repealed September 2, 2003. (Ord No. 857, § 1, Ord. No. 1272, § 5.)

### **Section 5.04.040 Disposition of dead animals**

No owner or person having custody or responsibility for the care of any animal which shall have died shall abandon or allow the same to lie on any public ground, right of way or any private lot or place within the city limits, nor shall any person throw or discard any dead animal or decayed animal matter into any pool of water in the city, nor shall any person bury the remains of any animal on any public ground, right of way, or any private property not owned by that person. The expense of burying or removing any dead animal shall be a charge against the owner or person having custody or responsibility for the care of the same, the fee for which shall be established in the City Fee Schedule. (Ord. No. 857, § 1; Ord. No. 1272 § 6; Ord. No. 1332 § 3.)

### **Section 5.04.050 Cruelty to animals**

Every person who shall willfully (a) torture, torment, deprive of necessary food or water or cruelly beat any animal, or (b) harmfully and knowingly expose any animal to heat or cold, shall be guilty of a misdemeanor and subject to the penalties provided for in this code. (Ord. No. 857, § 1.)

*For state law as to authority of city to prohibit cruelty to animals, see NDCC, § 40-05-01(42).*

### **Section 5.04.055 Rabid animals**

The owner or person in possession of any animal which has contracted rabies, been exposed to the same, suspected of having rabies, or bitten any person, shall, upon demand of the police department, surrender the animal to the police department to be held in quarantine for observation for at least two weeks (14 days). If, upon examination, any animal is found to be infected with rabies, the animal shall be destroyed.

No person shall knowingly keep or harbor any animal infected with rabies, or any known to have been bitten by any wildlife, nor fail to report to the police or to the city health officer the existence of any animal which he knows to be so infected or exposed to infection.

Any animal running at large and noticeably infected with rabies and displaying vicious propensities shall be killed by the police or animal control officer without notice to the owner. Any animal found to be infected with rabies during the impoundment shall be destroyed. (Ord. No. 1332 § 4.)

### **Section 5.04.058 Right of city animal control officer to enter property to confiscate an animal.**

Whenever the animal control officer shall have satisfactory evidence of any resident of the city harboring an animal of any description on said person's premises deemed in violation of any portion of this chapter, the animal control officer may confiscate said animal and hold in the animal shelter for a period of up to ten days. If, by the end of the impoundment period the owner has not licensed the dog or cat, it may be destroyed or given to another individual. Should the party harboring the animal refuse to surrender the animal, the keeper or owner shall be subject to a misdemeanor. (Ord. No. 1332 § 5.)

### **Section 5.04.060 Penalties**

Any violation of or failure to comply with any of the provisions of this chapter is punishable by a fine not exceeding five hundred dollars or by imprisonment of not more than thirty days, or both, in the discretion of the court, unless stated otherwise. (Ord. No. 857, § 1; Ord. No. 1272 § 7.)

## **Article 5.08 Animals**

### **Sections:**

- 5.08.00E** Editor's note to Article 5.08
- 5.08.001** Definitions - REPEALED
- 5.08.002** When dog or cat is a public nuisance
- 5.08.004** "Keeping dangerous or vicious dog or cat prohibited
- 5.08.006** Owner or keeper of nuisance
- 5.08.008** Citation to dog or cat owner.
- 5.08.010** Procedure for Person Filing a Complaint Regarding a Nuisance.
- 5.08.012** Disposition of dog or cat waste
- 5.08.014** Limitation on number of dogs and cats; permit to exceed limitation; kennels
- 5.08.016** Regulation of pit bull dogs - REPEALED
- 5.08.018** Impoundment Generally
- 5.08.020** Abatement of a Nuisance
- 5.08.022** Notice to owner regarding impounded dog or cat
- 5.08.024** Disposition of unreclaimed animals - REPEALED
- 5.08.026** Rabid animals - REPEALED
- 5.08.028** Muzzling of Vicious Animals in public - REPEALED
- 5.08.030** License requirements
- 5.08.032** Terms; cancellation for failure to have rabies and distemper inoculation
- 5.08.034** Issuance of tag; records - REPEALED
- 5.08.036** Refunds and transfer of license prohibited
- 5.08.038** Tag to be affixed to collar
- 5.08.040** Failure to license dog or cat
- 5.08.042** Right of city animal warden to enter property to collect license fee - REPEALED
- 5.08.044** Fraudulent licenses
- 5.08.02000** Division 5.08.02 Generally - REPEALED
- 5.08.02030** Female cats and dogs in heat - REPEALED
- 5.08.02070** Procedure for complaint - Generally - REPEALED
- 5.08.02090** Citation to animal owner; disposition - REPEALED
- 5.08.2100** Running at large prohibited - REPEALED
- 5.08.04000** Division 5.08.04 Impoundment - REPEALED
- 5.08.06000** Division 5.08.06 Licensing – REPEALED

### **Section 5.08.00E Editor's note to Article 5.08**

For state law as to authority of city to license, regulate and prohibit dogs, see NDCC, § 40-05-02 (22).

### **Section 5.08.001 Definitions - REPEALED**

This section was repealed on March 19, 2007 (Ordinance No. 1332 § 6.)

### **Section 5.08.002 When dog or cat is a public nuisance**

Any dog or cat within the city limits is a public nuisance when:

- (a) It frequently frightens, annoys, barks at or chases any person or vehicle;
- (b) It is a female in heat and not continually confined indoors by its owner;
- (c) Is more than six months old and that does not have a current vaccination or inoculation against rabies and/or has not been vaccinated against distemper;
- (d) It is not wearing a collar bearing a City Dog or Cat license tag and rabies vaccination tag verifying up to date vaccination;
- (e) An unattended animal that exhibits loud and frequent yelping, barking, crying or howling;
- (f) It damages any property not the property of its owner;
- (g) It runs at large upon any right of way, public property or upon the private premises of any person other than the owner or keeper of the dog or cat;
- (h) It is determined to be a dangerous or vicious dog or cat;
- (i) When it is dead and buried improperly, so as to cause a hazard or potential hazard to the public health. (Ord. No. 857, § 1; Ord. No. 1272 § 10; Ord. No. 1332 § 7.)

**Section 5.08.004 "Keeping dangerous or vicious dog or cat prohibited"**

Any person who shall knowingly keep, harbor or shelter a dangerous or vicious dog or cat within the city limits or in the extraterritorial jurisdiction of the city shall be guilty of a misdemeanor and subject to the penalties provided for this code. (Ord. No. 857, § 1; Ord. No. 1272 § 12; Ord. No. 1332 § 8.)

**Section 5.08.006 Owner or keeper of nuisance**

Any person who owns or keeps and permits a nuisance within the city shall be subject to an administrative fee set and maintained on file in the City fee schedule. (Ord. No. 857, § 1; Ord. No. 1272 § 13.)

**Section 5.08.008 Citation to dog or cat owner.**

Whenever the animal control officer or any police officer shall find a dog or cat, whether licensed or unlicensed, that meets the definition of a nuisance under any of the provisions of this article, that person may issue a citation to the owner or keeper of the dog or cat. (Ord. No. 857, § 1; Ord. No. 1272 § 14; Ord. No. 1332 § 9.)

**Section 5.08.010 Procedure for Person Filing a Complaint Regarding a Nuisance.**

Any person desiring to sign a complaint against the owner of a nuisance, as defined in this article must contact the city police department and state his/her name, address and facts supporting the alleged nuisance. (Ord. No. 857, § 1, Ord. No. 1176, § 1; Ord. No. 1272 § 16.)

**Section 5.08.012 Disposition of dog or cat waste**

Every person having custody or control of a dog or cat on property other than his own shall be equipped to, and shall collect such dog's or cat's solid waste when eliminated. Any

person having custody of a dog or cat on his premises shall not permit animal waste to accumulate on his/her property. (Ord. No. 857, § 1; Ord No. 1272 § 19; Ord No. 1332 § 10.)

**Section 5.08.014      Limitation on number of dogs and cats; permit to exceed limitation; kennels**

- (a) No person shall harbor or keep more than three dogs and/or cats upon premises within the city which are owned or controlled by said person, except where permitted by the City Zoning Code and unless a special use permit is obtained, if necessary pursuant to subsections (b).
- (b) The City may grant a person a special use permit and license to operate a kennel within permitted zones as described in Chapter 39. The special use permit and license shall specify the number of dogs and/or cats which the licensee may harbor or keep subject to such limitations and conditions listed in the special use permit and the license. The license shall attach to the premises to which it relates and shall be personal to the licensee and may not be transferred.
- (c) In determining whether a permit shall be issued or not, the City shall consider:
  - (1) The area in square footage of the premises to which the permit relates;
  - (2) The proposed facilities to house the dogs and/or cats and to provide them with an exercise area;
  - (3) The proposed sanitation measures the licensee will employ;
  - (4) The size and customary habits of each type or breed of dog and/or cat sought to be kept;
  - (5) The distance from the kennel to premises owned by other persons;
  - (6) The past history of the applicant with regard to violations of this chapter and generally with regard to providing sanitary and humane care for dogs and/or cats; and
  - (7) Any other factor reasonably likely to affect adversely the persons who live, work, visit or transact business in close proximity to the proposed permit area.
- (d) The willful violation of any permit term or condition shall be subject violator to an administrative fee as specified in the City fee schedule;
- (e) Each person; group, association, or corporation engaged in the commercial business of buying, selling, breeding or boarding animals who owns or keeps more than three animals where permitted to do so, shall pay an annual kennel license fee in such amount as determined from time to time by the board of city commissioners and shall be on file in the city fee schedule. (Ord. No. 1069, § 1; Ord. No. 1272 § 20; Ord. No. 1332 §11.)

**Section 5.08.016      Regulation of pit bull dogs - REPEALED**

This section was repealed on March 19, 2007. (Ord. No. 1332 § 12.)

**Section 5.08.018      Impoundment Generally**

It is the duty of every police officer and animal control officer to apprehend any dog or cat found at large or found to be a public nuisance as provided in this article, and to impound such dog or cat in the city animal shelter or other suitable place. Upon receiving any dog or cat,

the City shall make a complete registry, entering the breed, color and sex of such dog or cat and whether it is licensed and vaccinated against rabies and distemper. If the dog or cat is licensed and vaccinated against rabies and distemper, the name and address of the owner and number of the tag shall be recorded and the owner contacted. Licensed and vaccinated animals shall be separated from unlicensed and unvaccinated animals. Whether a dog or cat is surrendered, captured at large, or seized, the dog or cat may be impounded in the city animal shelter for a period as required in section 5.04.055. The owner of the dog or cat shall make arrangements to remove the animal from the animal shelter. If the owner fails to make such arrangements within ten (10) days of receiving notice of capture, the animal may be destroyed by the City or given to another person who is willing to adopt the animal and commits to licensing, vaccinating, and spaying or neutering the animal. Said owner will be subject to a fee as described in the city fee schedule for impoundment of the dog or cat. (Ord. No. 857, § 1; Ord. No. 1272 § 22; Ord. No. 1332 § 13.)

### **Section 5.08.020 Abatement of a Nuisance**

An animal control officer or a police officer may direct the owner of a nuisance pursuant to this Article to forthwith surrender the dog or cat. Failure to do so constitutes a violation of this article. In the event the owner fails to voluntarily surrender the dog or cat, the dog or cat may be seized by the animal control officer or police officer. (Ord. No. 857, § 1; Ord. No. 1272 § 23; Ord. No. 1332 § 14.)

### **Section 5.08.022 Notice to owner regarding impounded dog or cat**

Not later than two days after the impounding of any dog or cat, the owner shall be notified or, if the owner of the dog or cat is unknown, written notice shall be posted for three days at the police headquarters, describing the dog or cat and the place and time of taking. Except as provided in section 5.08.018, the owner of any dog or cat so impounded may reclaim the dog or cat upon payment of the license fee and verification that the dog or cat will be vaccinated if necessary, and all costs and charges incurred by the city for impounding and maintenance of the dog or cat. Failure to vaccinate an unvaccinated dog or cat within the time specified will subject the dog or cat to seizure and further impoundment and violation of a misdemeanor. The charges for impounding any animal shall be as determined from time to time by the board of city commissioners and shall be on file in the city fee schedule (Ord. No. 857, § 1; Ord. No. 1086, § 1; Ord. No. 1272 § 24; Ord. No. 1332 § 15.)

### **Section 5.08.024 Disposition of unreclaimed animals - REPEALED**

This section was repealed on March 19, 2007 (Ord. No. 1332 § 16.)

### **Section 5.08.026 Rabid animals - REPEALED**

This section was repealed March 19, 2007. (Ord. No. 1332 § 16.)

**Section 5.08.028 Muzzling of Vicious Animals in public - REPEALED**

This section was repealed March 19, 2007. (Ord. No. 1332 § 16.)

**Section 5.08.030 License requirements**

All dogs and cats kept or maintained in the city shall display a valid City dog or cat license. A dog or cat license shall be issued by the city upon payment of license fee and verification that animal has an up to date vaccination against rabies and has been vaccinated against distemper. The owner shall state at the time application is made for such license, upon printed forms provided for such purpose, said owner's name and address and the breed, color and sex of the dog or cat, date of rabies inoculation of the animal, and documentation of whether or not the dog or cat is neutered or spayed. A license shall not be issued unless the license application is accompanied by a certificate showing the dog or cat has current rabies and distemper vaccinations. No license for a neutered or spayed dog or cat shall be issued unless satisfactory evidence of neutering or spaying is submitted. The licensing provision of the section shall not apply to dogs or cats brought into the city for the purpose of participating in any city authorized dog or cat show. The license herein provided for shall be in force for the life of the dog or cat. (Ord. No. 856, § 1; Ord. No. 1044, § 1; Ord. No. 1086, § 2; Ord. No. 1272 § 29; Ord. No. 1332 § 17.)

**Section 5.08.032 Terms; cancellation for failure to have rabies and distemper inoculation**

Such license shall be canceled if the records of the city contain written evidence that the dog or cat does not have an up to date vaccination against rabies and/or has not been vaccinated against distemper. (Ord. No. 857, 1; Ord. No. 1044, § 2; Ord. No. 1272 § 30; Ord. No. 1332 § 18.)

**Section 5.08.034 Issuance of tag; records - REPEALED**

This section was repealed March 19, 2007. (Ord. No. 1332 § 19.)

**Section 5.08.036 Refunds and transfer of license prohibited**

No refund of any license fee required by this article shall be made upon the death of the dog or cat or the removal of a dog or cat from the city. A tag issued for a dog or cat shall not be transferable to any other dog or cat. (Ord. No. 857, § 1; Ord. No. 1272 § 32; Ord. No. 1332 § 20.)

**Section 5.08.038 Tag to be affixed to collar**

Each owner or keeper of a dog or cat shall cause the license tag issued by the city to be affixed to a collar and the collar shall be securely fastened about the neck of the animal licensed. The owner of the dog or cat shall see that the collar is constantly worn. (Ord. No. 857, § 1; Ord. No. 1044, § 4; Ord. No. 1272 § 33; Ord. No. 1332 § 21.)

**Section 5.08.040 Failure to license dog or cat**

In case of the failure of an owner or keeper of a dog or cat to license said dog or cat, the dog or cat shall be surrendered by the owner or keeper thereof for the purpose of being disposed of as provided in this article upon the demand of the animal control officer or any police officer of the city. (Ord. No. 857, § 1; Ord. No. 1272 § 34; Ord. No. 1332 § 22.)

**Section 5.08.042 Right of city animal warden to enter property to collect license fee - REPEALED**

This section was repealed on March 19, 2007. (Ord. No. 1332 § 23.)

**Section 5.08.044 Fraudulent licenses**

It shall be unlawful for any person, with the intention to defraud the city of the collection of a license fee, to put a collar or tag attached around the neck of any animal without having first paid the license fee required by this article. (Ord. No. 857, § 1; Ord. No. 1272 § 36.)

**Section 5.08.02000 Division 5.08.02 Generally - REPEALED**

This section was repealed September 2, 2003. (Ord. No. 1272 § 8)

**Section 5.08.02030 Female cats and dogs in heat - REPEALED**

This section was repealed September 2, 2003. (Ord. No. 857, § 1; Ord. No. 1272 § 11.)

**Section 5.08.02070 Procedure for complaint - Generally - REPEALED**

This section was repealed September 2, 2003. (Ord. No. 857 § 1, Ord. No. 1272 § 15.)

**Section 5.08.02090 Citation to animal owner; disposition - REPEALED**

This section was repealed September 2, 2003. (Ord. No. 1068, § 1; Ord. No. 1272 § 17.)

**Section 5.08.2100 Running at large prohibited - REPEALED**

This section was repealed September 2, 2003. (Ord. No. 857, § 1, Ord. No. 1176, § 2; Ord. No. 1272 § 18.)

**Section 5.08.04000 Division 5.08.04 Impoundment - REPEALED**

This section was repealed September 2, 2003 (Ord. No. 1272 § 21.)

**Section 5.08.06000 Division 5.08.06 Licensing - REPEALED**

This section was repealed on September 2, 2003 (Ord. No. 1272 § 28.)

## **Article 5.12 Other Animals**

### **Sections:**

- 5.12.010 Domestic fowl not to run at large**
- 5.12.020 Keeping chickens or poultry generally**
- 5.12.030 When keeping fowl declared nuisance**
- 5.12.040 Farm animals, livestock -- Restrictions on keeping, etc.**
- 5.12.045 Citation to animal owner.**
- 5.12.050 Impoundment**
- 5.12.060 Keeping of wild animals prohibited**
- 5.12.070 Exposure of male animals - REPEALED**
- 5.12.080 What constitutes nuisance; nuisances prohibited**
- 5.12.090 Dangerous Animals**
- 5.12.100 Exotic Pets**

### **Section 5.12.010 Domestic fowl not to run at large**

In this chapter unless the context or subject matter otherwise requires:

1. "Animal" means every living animal except the human race.
2. "Dangerous animals" mean animals which because of their poisonous bite or sting, their size, or their propensity to viciousness or aggressiveness would constitute a hazard or threat to the safety of the citizens of Dickinson.
3. "Domestic fowl" means chickens, ducks, geese, turkeys, pigeons or other domestic fowl. (Ord. No. 857, § 1; Ord. No. 1131 § 2.)

### **Section 5.12.020 Keeping chickens or poultry generally**

This section was repealed in 1996. (Ord. No. 1131, § 1.)

### **Section 5.12.030 When keeping fowl declared nuisance**

This section was repealed in 1996. (Ord. No. 1131, § 1.)

### **Section 5.12.040 Farm animals, livestock -- Restrictions on keeping, etc.**

1. The raising and keeping of farm animals is hereby prohibited except: As permitted in the zoning ordinances of the City; at zoos; at schools, clinics or laboratories for recognized educational, scientific or research purposes; providing the keeping of them does not create a public health or safety problem.
2. A person may not keep or raise domestic fowl, livestock or non-traditional livestock, within the City of Dickinson except as permitted in property which is zoned as Residential Agricultural - "RA" or Rural Residential - "RR", as defined by zoning ordinances. Domestic fowl when kept as permitted may not be kept within 150 feet of any dwelling unit other than that of the owner of such fowl. All fowl must be kept within a secure enclosure and it is unlawful to allow confinement areas of fowl to cause unpleasant odors, or to permit fowl to create

noise or attract vermin which may affect the health and well-being of persons living nearby. The restrictions concerning where fowl may be kept do not apply to young domestic fowl being kept temporarily in business places for sale.

3. It is unlawful to keep animals or fowl in the city which have been bred or trained for fighting for sport or exhibition.
4. It is permitted to display farm animals in parades approved by the city. (Ord. No. 857, § 1; Ord. No. 1131 § 3; Ord. No. 1332 § 24.)

### **Section 5.12.045 Citation to animal owner.**

Whenever the animal control officer or any police officer encounters an animal meeting the definition of a nuisance under any of the provisions of this article, said officer may issue a citation to the owner or keeper of the animal. (Ord. No. 1332 § 25.)

### **Section 5.12.050 Impoundment**

Any animals mentioned in article 5.12 found to be in violation of the provisions of any section 5.12 shall be subject to impoundment according to law. (Ord. No. 857, § 1; Ord. No. 1131 § 4; Ord. No. 1332 § 26.)

### **Section 5.12.060 Keeping of wild animals prohibited**

The keeping or maintaining of any wild animal within the corporate limits or within the area of extended planning and zoning jurisdiction of the city as defined in section 39.04.060(b) is hereby prohibited. Any zoo, circus, animal show, carnival or any other entity which shall receive a permit from the board of city commissioners to exhibit wild animals shall be exempt from the provisions hereof. (Ord. No. 857, § 1; Ord. No. 1332 § 27.)

### **Section 5.12.070 Exposure of male animals - REPEALED**

This section was repealed March 19, 2007. (Ord. No. 1332 § 28.)

### **Section 5.12.080 What constitutes nuisance; nuisances prohibited**

The keeping of any animal described in this article which causes annoyance, disturbance or offense to persons residing in or passing through the neighborhood, either by reason of:

- (a) Barking, howling, braying, crowing or other sound common to its species;
- (b) Biting, threatening, chasing or molesting persons upon the public sidewalk or streets, or the property of persons other than the owner;
- (c) The failure of any person responsible for an animal to maintain all structures, pens, coops or yards wherein any animal is kept in a clean and sanitary condition devoid of rodents and vermin, and free from all objectionable odors;
- (d) Keeping any animal in violation of any provision of this article, is hereby declared to be a nuisance and the keeping or maintaining of any such nuisance is hereby prohibited. Each day's continuance of such nuisance shall be a separate offense; or

(e) Allowing solid waste of animal to accumulate. (Ord. No. 857, § 1; Ord. No. 1332 § 29.)

### **Section 5.12.090 Dangerous Animals**

The keeping of dangerous animals is prohibited. When such an animal is discovered, the City will confiscate said animal and hold it in the animal shelter until arrangements are made to remove the animal from the City limits. (Ord. No. 1332 § 30.)

### **Section 5.12.100 Exotic Pets**

Exotic pets, except those which fall under the definition of a dangerous animal may be kept in the city, so long as such pets are confined to the owner's property and do not impact any other properties. If an exotic pet is found to be in violation of this chapter, the City will remove the animal and hold it in the animal shelter until arrangements are made to remove the animal from the City limits. (Ord. No. 1332 § 31.)