

CHAPTER 55

ANIMAL PROTECTION AND CONTROL

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55.01 ADMINISTRATION AND ENFORCEMENT. The Mayor and Police Chief are responsible for the administration of the provisions of the chapters in this Code of Ordinances pertaining to animal control. All officers whose duty it is to enforce the provisions of these chapters shall be officers sworn by the Mayor or Police Chief. The Police Chief, Animal Control Officer, or any member of the Police Department shall be responsible for the enforcement of the provisions of these chapters. Those persons charged with enforcing the provisions of these chapters shall have the authority to seize and impound animals pursuant to the provisions of this chapter, and shall have the authority of peace officers, including the authority to issue misdemeanor citations for violation of these animal control chapters. It is the duty of those persons charged with enforcing the provisions of these chapters to impound any animals found running at large in violation of the terms of this Code of Ordinances, and it is the duty of the Police Department to investigate all animal bites and file reports with the County Board of Health and to impound and quarantine the biting animal as provided in this chapter. Reference to the Animal Control Officer in these chapters means the Police Chief and any officer charged with the enforcement of these chapters.

55.02 DEFINITIONS. The following terms are defined for use in Chapters 55 through 57 of this Code of Ordinances.

1. "Advertise" means to present a commercial message in any medium including but not limited to print, radio, television, sign, display, label, tag or articulation.
2. "Animal" means every wild, tame, or domestic member of the animal kingdom other than the genus and species *Homo Sapiens*.
3. "Animal shelter" means the premises and/or building which the Council may, from time to time, designate as the location for the impoundment of animals.
4. "At heel" means, with reference to a dog, within three feet of a person and subject to that person's strict obedience command.
5. "At large," "running at large," or "being at large" refers to any licensed or unlicensed animal found off the premises of its owner, whether on or off public or private property, and either: (i) not on a leash or at heel beside a person and obedient to that person's command; (ii) not restrained within a vehicle so as to prevent its leaving the vehicle; or (iii) not housed in a veterinary hospital or kennel.
6. "Bite" means any puncture, laceration, abrasion, scratch or any other break in the skin of a human, caused by an animal.
7. "Board of Health" means the Black Hawk County Board of Health.

8. "Business" means any enterprise relating to any of the following:
 - A. The sale or offer for sale of goods or services.
 - B. A recruitment for employment or membership in an organization.
 - C. A solicitation to make an investment.
 - D. An amusement or entertainment activity.
9. "Cat" means any member of the *Felis Domestica* species, male or female, altered or unaltered.
10. "Dart" means the process whereby a drug of a sedative nature is delivered to and injected into an animal by means of a projectile shot from a rifle, gun, or blowgun, or from a bow or crossbow, for the purpose of subduing or rendering unconscious an animal for capture.
11. "Department of Public Health," "Public Health Department," or "Health Department" means the Black Hawk County Department of Health.
12. "Director of Public Health" or "Health Officer" means the director and employees of the Black Hawk County Health Department.
13. "Dog" means both male and female animals of the canine species, whether neutered or not.
14. "Dangerous dog" means:
 - A. Any dog with a know propensity, tendency, or disposition to attack unprovoked, to cause injury to or to otherwise endanger the safety of humans or other domestic animals; or
 - B. Any dog known by the owner to be a pit bull terrier, which is herein defined as any American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier breed of dog or any mixed breed of dog which contains as an element of its breeding the breed of American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier as to be identifiable as partially of the breed of American Pit Bull Terrier, Staffordshire Bull Terrier or American Staffordshire Terrier.
15. "Emergency" means occurrence or set of circumstances involving actual or imminent physical trauma or property damage or which demands immediate action to protect the public health, safety and/or welfare, or the safety or welfare of an animal.
16. "Fair" means any of the following:
 - A. The annual fair and exposition held by the Iowa State Fair Board pursuant to Chapter 173 of the *Code of Iowa* or any fair event conducted by a fair under the provisions of Chapter 174 of the *Code of Iowa*.
 - B. An exhibition of agricultural or manufactured products.
 - C. An event for operation of amusement rides or devices or concession booths.
17. "Game" means a "game of chance" or "game of skill" as defined in Section 99B.1 of the *Code of Iowa*.
18. "Guard dog" means any dog trained or used to protect persons or property by attacking or threatening to attack any person found within the area patrolled by the dog and that is either securely enclosed within that area at all times or under the continuous control of a trained handler.

19. “Kennel” means a boarding kennel or commercial kennel, as defined in Chapter 162 of the *Code of Iowa*.

20. “Kennel dogs” means dogs which are kept solely for the bona fide purpose of sale and which are kept under constant restraint in a kennel pursuant to Chapter 162 of the *Code of Iowa*.

21. “Killer trap” means a type of trap designed to apprehend and instantaneously kill an animal, but does not include jaw, leg-hold or snare-type traps, regardless if set under water.

22. “Live trap” means a process whereby an animal is apprehended alive uninjured by means of a cage-type device, the door or entrance to which closes after the animal enters, preventing escape. Jaw, leg-hold or snare-type traps, designed to pinch trap an animal’s head or extremities, are not considered live traps.

23. “Livestock” means an animal belonging to the bovine, caprine, equine, ovine or porcine species, ostriches, rheas and emus; farm deer as defined in Section 170.1 of the *Code of Iowa*; or poultry.

(Code of Iowa, Sec. 717.1)

24. “Noise disturbance” means any sound which: (i) endangers or injures the safety or health of humans or animals; or (ii) annoys or disturbs a reasonable person of normal sensitivities; or (iii) endangers or injures personal or real property.

25. “Owner” means any person owning, keeping, sheltering or harboring an animal.

26. “Owner or person in lawful possession and control of any premises” means the fee title owner of any property or premises, or the person in actual possession or control of such premises under a lease or real estate contract.

27. “Pet” means a living dog, cat, or an animal normally maintained in a small tank or cage in or near a residence, including but not limited to a rabbit, gerbil, hamster, mouse, parrot, canary, mynah, finch, tropical fish, goldfish, snake, turtle, gecko, or iguana.

28. “Seeing eye dog” or “guide dog” means any dog which is owned by a person who is legally declared blind or partially sighted and which has been properly trained at a special school to guide in going from place to place.

29. “Vicious animal” means any animal which has attacked or bitten any person without provocation, or which has attacked or bitten any domestic animal or fowl on two or more occasions within a 12-month period; or which has been declared vicious by the Animal Control Officer or the Police Chief; or which has been found to possess such propensity by the Council.

55.03 ANIMAL NEGLECT. It is unlawful for a person who impounds or confines, in any place, an animal, excluding livestock, to fail to supply the animal during confinement with a sufficient quantity of food or water, or to fail to provide a confined dog or cat with adequate shelter, or to torture, deprive of necessary sustenance, mutilate, beat, or kill such animal by any means which causes unjustified pain, distress or suffering.

(Code of Iowa, Sec. 717B.3)

55.04 LIVESTOCK NEGLECT. It is unlawful for a person who impounds or confines livestock in any place to fail to provide the livestock with care consistent with customary animal husbandry practices or to deprive the livestock of necessary sustenance or to injure or destroy livestock by any means which causes pain or suffering in a manner inconsistent with customary animal husbandry practices.

(Code of Iowa, Sec. 717.2)

55.05 ABANDONMENT OF CATS AND DOGS. A person who has ownership or custody of a cat or dog shall not abandon the cat or dog, except the person may deliver the cat or dog to another person who will accept ownership and custody or the person may deliver the cat or dog to an animal shelter or pound.
(*Code of Iowa, Sec. 717B.8*)

55.06 TRAPPING, POISONING AND DESTRUCTION OF ANIMALS.

1. It is unlawful for any person to trap, poison, or destroy any animal, except in the following circumstances:

A. Trapping, poisoning, or destroying, in a permissible manner, any mole or rodent (rat, mouse, or gopher) found upon the premises, with the exception of tree squirrels;

B. Trapping, poisoning, or destroying, in a permissible manner, pigeons which congregate on such premises in such a manner as to create a hazard to public health or cause damage to property;

C. Trapping or destroying, in a permissible manner, any dangerous animal found at large upon the premises and constituting an immediate threat to the safety or health of any person;

D. Trapping, poisoning, or destroying, in a permissible manner, any animal which has entered the occupied portion of any building or which has entered or nested in the attic, eaves, drainage or plumbing vent piping of any building, thereby creating a nuisance which cannot otherwise be abated, except that animals regulated pursuant to Chapter 481A and 481B of the *Code of Iowa* may not be trapped, poisoned or destroyed unless permission has first been obtained from the Department of Natural Resources;

E. The utilization of live traps to apprehend animals on any premises, regardless of the zone, if such animals constitute a nuisance due to the destruction of property, and if the method and location of such trapping are with the concurrence of and under the direction of the State Department of Natural Resources or Department of Health. If such trapping is done with the concurrence of and under the direction of the Department of Natural Resources, killer traps may be utilized.

2. In the event that the Board of Health determines that game animal or fur-bearing animal populations pose a significant threat to public health, safety, or property anywhere within the City, the Board may authorize trapping by licensed pest control operators or by commercial trappers who do not own the properties to be trapped, provided that the written permission of such property owner is first obtained, utilizing leg-hold traps, live traps, or killer traps in accordance with the provisions of Chapters 481A and 481B of the *Code of Iowa*. It is the duty of every person maintaining traps pursuant to this chapter to label said traps plainly with a metal tag displaying the owner's name and address and to inspect said traps at least once every 24 hours. Failure to do so shall constitute a misdemeanor. All animals trapped pursuant to the provisions of this section shall be promptly disposed of or destroyed in a humane manner. Traps which are placed or used in violation of this provision may be seized by the Animal Control Officer. The Animal Control Officer may allow any person 18 years of age or older to trap game animals and/or fur-bearing animals in accordance with Chapter 481A and 481B of the *Code of Iowa*, and under the same terms and conditions as set forth above, upon City-owned property, if the Animal Control Officer determines that such trapping is necessary either to prevent animal overpopulation of those premises, or to promote the public health, welfare and safety, or to abate a nuisance caused by such animal population.

3. Nothing contained herein shall prohibit the operation of a pest control business within the City by licensed pest control technicians, provided that the pest control methods used meet with

the approval of the United States Environmental Protection Agency. A licensed pest control technician may perform any of the acts set forth in paragraphs A through E of subsection 1 of this section, if done in accordance with the requirements therein set forth and if authorized to do so by the owner or person in possession and control of the premises.

4. Nothing herein shall limit the authority of the Animal Control Officer to apprehend by any means animals found at large in violation of this chapter, or to apprehend by any means or destroy any animal found at large which constitutes an immediate threat to public health, welfare, or safety.

5. Nothing herein shall limit the authority of the Department of Natural Resources to trap or allow trapping upon property owned by the State or under the exclusive jurisdiction and control of the Department of Natural Resources.

55.07 AT LARGE PROHIBITED.

1. The owner of an animal shall at all times restrain such animal to prevent it from being or running at large. An animal found at large by the Animal Control Officer shall be seized and impounded. If the Animal Control Officer is unable to apprehend the animal, or if the owner refuses to relinquish the same, the Animal Control Officer shall serve the owner a misdemeanor citation.

2. If a cat does not bear a current rabies vaccination tag and license tag, the owner of such cat shall at all times restrain such animal to prevent it from being or running at large. A cat not bearing current rabies vaccination tag and license tag found at large by the Animal Control Officer may, in the discretion of the Animal Control Officer, be seized and impounded. If the Animal Control Officer is unable to apprehend such cat or if the owner of the cat refuses to relinquish the same, the Animal Control Officer may serve the owner a misdemeanor citation.

3. It is lawful for any person who finds any animal at large to seize and hold the animal. Any person so seizing and holding an animal may confine it within a fenced yard, house, garage, or other structure owned by said person, or by physically restraining said animal on a harness, collar, or leash. The person seizing and holding the animal shall be responsible for the humane treatment of the animal while it is under that person's custody, and shall notify the Animal Control Officer within 48 hours that the animal is in said person's custody. The provisions of this chapter shall not infringe upon any right or duty created by Section 351.26 or Section 351.27 of the *Code of Iowa*.

55.08 IMPOUNDMENT.

1. Animals which are impounded shall be placed in the City animal shelter, licensed kennel, or other suitable place as directed by the Animal Control Officer. The Animal Control Officer shall register every impounded animal noting the species, breed, color, and sex of such animal, and, if a dog or cat, whether or not it is wearing a license tag.

2. When an animal has been apprehended and impounded, written notice shall be provided to the owner within two (2) days after impoundment, if the owner's name and current address can reasonably be determined by accessing a tag or other device that is on or part of the animal. Impounded animals may be recovered by the owner upon payment of impounding costs, and if an unlicensed and/or unvaccinated cat or dog, by having it immediately licensed and/or vaccinated. If the owner fails to redeem the animal within seven (7) days from the date that the notice is mailed, or if the owner cannot be located within seven days, the animal shall be disposed of in accordance with law or destroyed by euthanasia.

(Code of Iowa, Sec. 351.37, 351.41)

3. For purposes of this section, the Animal Control Officer may give notice to the owner either orally, by posting a notice at the owner's residence, or by mail.

55.09 INJURED ANIMALS AT LARGE.

1. In the event that an injured animal licensed pursuant to the provisions of this Code of Ordinances is found at large, the Animal Control Officer shall impound such animal. Upon impounding an injured animal, the Animal Control Officer shall attempt as soon as practicable to notify the owner of the animal's location and condition. Upon being so notified, the owner of such animal shall either immediately take custody of such animal or cause said animal to be transported to a veterinarian, or authorize its destruction in a humane manner.

2. In the event an injured animal at large cannot be apprehended, or if it displays vicious tendencies which would make its capture unduly hazardous, or in the event that an animal is found at large so seriously injured as to make its recovery improbable, or its condition deteriorates to that point, the Animal Control Officer may immediately destroy such animal in a humane manner in the interest of humane treatment.

3. In the event an animal regulated by Chapters 481A and 481B of the *Code of Iowa* is found injured at large, the Animal Control Officer shall, if practicable, consult with an officer of the Department of Natural Resources before destroying such animal.

55.10 GENERAL PROHIBITIONS AND DUTIES.

1. No person shall aid or cause any animal, whether owned by such person or not, to escape confinement or impoundment, whether such confinement or impoundment is upon such person's property or that of another, by opening any gate, door or window, by making an opening in any fence, enclosure or structure, or by unleashing such animal.

2. It is prohibited for any person to permit or allow an animal owned by that person or under that person's custody or control to defecate upon public property, park property, public right-of-way or the property of another.

3. It is the duty of every person owning or having the custody or control of an animal to clean up, remove and dispose of the feces deposited by such animal upon public property, park property, public right-of-way, or the property of another.

4. It is the duty of every person owning or having the custody or control of an animal to physically restrain the animal within an enclosure or upon a leash when such animal is left unattended outside or is not at heel. The animal must be restrained so as to prevent the animal from leaving the premises of its owner or from coming in contact with the public right-of-way or the property of another.

5. No person owning or having an animal under his or her control or care and custody shall permit such animal to create a noise disturbance or to bark or make any loud or unusual noises during times which such owner knows or should expect that such noise will disturb one or more neighbors, or otherwise disturb the peace. Kennels, veterinary clinics, animal hospitals, and animal shelters located within properly zoned areas shall be eligible for a variance from this requirement.

6. It is unlawful for any person owning, controlling, or caring for any animal that has died from any cause to allow the carcass to lie about the owner's premises or upon the premises of another person or upon any public property or right-of-way. It is the duty of such person to cause such carcass to be removed and properly disposed of by burying it in an approved animal cemetery, cremating in an approved incinerator, desiccation, removal by a licensed animal disposal company, or by delivering to a licensed veterinarian or the Humane Society Shelter,

within 24 hours after the death of the animal. It is unlawful for any person to bury any animal on private premises within the City or for the owner of any property to allow an animal to be buried thereon, except in time of emergency as declared by the Board of Health when such action is necessary to protect the public health. The owner, possessor, and all persons having knowledge of any dead animal in the City shall report the same to the Department of Public Health, giving the name of the person who owned or had possession or control of the animal prior to its death, and the place where the animal may be found. The Department of Public Health shall immediately notify the person who owned or had possession and control of such animal to cause the same to be removed and properly disposed of as herein provided.

7. Regardless of the provisions of subsection 6 above, it is unlawful for any owner or other person to dispose of any dead animal or allow it to be collected for disposal by any person except authorized representatives of the City if such animal has attacked, bitten, or caused a skin abrasion on any person, if the animal is suspected of being infected with rabies, until permission for disposal has been given by the Animal Control Officer.

8. It is unlawful for any person owning, controlling or caring for any animal to fail to keep in a clean and sanitary condition the premises and any pen, kennel, shelter, house or the person's dwelling or other structure where the animal is at any time kept. At least once every 24 hours (or more often if odors or health problems arise), such person shall pick up any and all feces so as to prevent accumulation and same shall be properly disposed of. Feces shall be held in watertight and fly-tight containers pending disposal and shall be disposed of at least once weekly. Feces shall be disposed only by depositing same in a sanitary sewer receptacle, or by depositing same in a proper receptacle for disposal as solid wastes. The animal and place where the animal is maintained shall also be kept free of obnoxious odors and shall be maintained so as not to attract or permit the harborage or breeding of flies and other insects or rodent or other vermin. All animal food and water shall be stored and placed for the animal's consumption in such a manner so that it will not become food for rodents and other vermin.

9. It is unlawful for any owner or other person to abandon, turn loose or leave any animal within the corporate limits of the City or so that the animal may find its way into the corporate limits of the City, or to abandon or leave any animal upon or in any premises unattended for a period in excess of three days.

10. The combined number of adult cats and dogs is limited to six animals per household.

55.11 FEES. The fees for impoundment, boarding and keeping any animal, for removing a dead animal from any premises, for disposing of a dead animal, for humanely destroying an animal, for taking custody of unwanted animals, for trap rental, or for pest control shall be as provided in the prevailing schedule of fees adopted by the Council.

55.12 PET AWARDS PROHIBITED.

(Code of Iowa, Ch. 717.E)

1. Prohibition. It is unlawful for any person to award a pet or advertise that a pet may be awarded as any of the following:

- A. A prize for participating in a game.
- B. A prize for participating in a fair.
- C. An inducement or condition for visiting a place of business or attending an event sponsored by a business.
- D. An inducement or condition for executing a contract which includes provisions unrelated to the ownership, care or disposition of the pet.

2. Exceptions. This section does not apply to any of the following:
 - A. A pet shop licensed pursuant to Section 162.5 of the *Code of Iowa* if the award of a pet is provided in connection with the sale of a pet on the premises of the pet shop.
 - B. Youth programs associated with 4-H Clubs; Future Farmers of America; the Izaak Walton League of America; or organizations associated with outdoor recreation, hunting or fishing, including but not limited to the Iowa Sportsmen's Federation.

55.13 KEEPING OF VICIOUS ANIMALS PROHIBITED.

1. No person shall keep, shelter, or harbor a vicious animal for any reason within the City.
2. The Animal Control Officer, in his or her discretion or upon receipt of a complaint alleging that a particular animal is a vicious animal, may initiate proceedings to declare such animal as a vicious animal. A hearing on the matter shall be conducted by the Council. The person owning, keeping, sheltering, or harboring the animal in question shall be given not less than 24 hours' written notice of the time and place of the hearing. Said notice shall set forth the description of the animal in question and the basis for the allegation of viciousness. The notice shall also set forth that if the animal is determined to be vicious, the owner will be required to remove it from the City or allow it to be destroyed. The notice shall be served upon any adult residing at the premises where the animal is located or may be posted on those premises if no adult is present to accept service.
3. If, after the hearing, the Council determines that an animal is vicious, the Council shall order the person owning, sheltering, harboring, or keeping the animal to remove it from the City, or to cause it to be destroyed in a humane manner. The order shall immediately be served upon the person against whom issued in the same manner as the notice of hearing. If the order is not complied with within three (3) days of its issuance, the Animal Control Officer is authorized to seize and impound the animal. An animal so seized shall be impounded for a period of seven (7) days. If at the end of the impoundment period, the person against whom the order of the Council was issued has not petitioned the District Court for a review of said order, the Animal Control Officer shall cause the animal to be destroyed.
4. Failure to comply with an order of the Council issued pursuant hereto shall constitute a misdemeanor offense.
5. Any animal found at large which displays vicious tendencies may be processed as a vicious animal pursuant to the foregoing, unless the animal is so vicious that it cannot safely be apprehended; in which case, the Animal Control Officer may immediately destroy it, or unless its ownership is not ascertainable, in which case, it may be destroyed after three days' impoundment.
6. Any animal which is alleged to be vicious and which is under impoundment or quarantine shall not be released to the owner but shall continue to be held at the expense of the owner pending the outcome of the hearing. All costs of such impoundment or quarantine shall be paid by the owner whether or not the animal is determined to be vicious.
7. The prohibition contained in this section does not apply to keeping of guard dogs. However, guard dogs must be kept within a structure or a fenced enclosure at all times, and any guard dog found at large may be processed as a vicious animal pursuant to the provisions of this section. Any premises guarded by a guard dog shall be prominently posted with a sign containing the wording "Guard Dog," "Vicious Dog," or words of similar import, and the owner of such premises shall inform the Police Department that a guard dog is on duty at the premises. It is the owner's responsibility to notify the Police Department immediately when a guard dog has escaped and is running at large.

55.14 KEEPING OF DANGEROUS DOGS.

1. The provisions of this section apply to adult dogs only, which means any dog over the age of six (6) months.
2. A dangerous dog is at large if such dog is not securely confined indoors or confined in a securely enclosed and locked pen or structure upon the premises of the owner of such dog. Such pen or structure must have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides must be embedded into the ground no less than one foot.
3. No person owning or harboring or having the care of a dangerous dog shall suffer or permit such animal to go unconfined on the premises of such person.
4. No person owning or harboring or having the care of a dangerous dog shall suffer or permit such dog to go beyond the premises of such person unless such dog is securely leashed and muzzled, except that a dangerous dog shall not be required to be muzzled when shown in a sanctioned Kennel Club Show.

55.15 RABIES CONTROL. The owners of all dogs and cats four months of age or older, and which are permanently or temporarily within the corporate limits of the City, are required to have a vaccination against rabies for such animals. It is unlawful for any person to keep or harbor an animal which is not vaccinated as required. The rabies vaccination shall be administered in accordance with Chapter 351 of the *Code of Iowa*. A current certificate of vaccination for rabies signed by a licensed veterinarian administering the vaccine is required by this section.

1. **Display of Rabies Tag and License.** The owner of an animal shall at all times cause the current rabies vaccination tag, and current license tag if a license is required pursuant to Chapter 56 of this Code of Ordinances, to be displayed on a collar, harness, or chain attached to the dog or cat.
2. **Emergency Rabies Control.** If the County Board of Health believes rabies to be epidemic, or believes there is threat of epidemic within the City, it may declare a quarantine of all or part of the City and such declaration shall be reported to the Council and the State Department of Health. During the period of the quarantine, any person owning or having a dog or other animal in his or her possession in the quarantined area shall keep such animal securely enclosed or on a leash for the duration of the quarantine period. Any animal or dog running at large during the time of this declaration shall be seized and impounded unless noticeably infected with rabies. All animals or dogs so noticeably infected with rabies and which, in the opinion of the Animal Control Officer, are displaying vicious propensities may be killed by the Animal Control Officer without notice to the owner. Dogs or other animals impounded during this declaration shall be disposed of as provided in this Code of Ordinances.
3. **Reporting of Bites, Attacks, and Diseases.**
 - A. It is the duty of the owner of any dog or cat or other animal which has bitten or attacked a person or any other person having knowledge of such bite or attack, including physicians, nurses and veterinarians, or parent or guardian of the bite victim, to report such act to the Police Department.
 - B. It is the duty of physicians, veterinarians, and the owner of any animal to report to the County Health Department the existence of any animal known or suspected to be suffering from rabies.
4. **Procedure When Person Bitten By Animal; Quarantine.**
 - A. Whenever an animal bites any person, it is the duty of the Animal Control Officer to have such animal immediately removed from the owner's premises and either

taken to the animal shelter or a veterinary hospital for examination and quarantine, or destroyed if the animal appears to be diseased. If not destroyed, such animal must be placed under quarantine for a period of ten days. It is the duty of the owner of the animal which has bitten any person to deliver or surrender the possession of such animal to the City for quarantine when so ordered by the Animal Control Officer. Any confinement of an animal under quarantine shall be at the expense of the owner of such animal. If an animal is held by a veterinarian, it may not be released until the expiration of the ten-day quarantine period without express written permission of the Animal Control Officer. If for any reason a veterinarian determines that he or she may no longer continue to hold the animal, it may be surrendered only to the City animal shelter to be held for the remainder of the ten-day quarantine period.

B. If an animal which has bitten any person is suspected of having rabies, the Animal Control Officer may destroy the animal and have the carcass examined in lieu of quarantine. A wild or stray animal which has bitten any person may be destroyed immediately by the Animal Control Officer.

C. The owner of any animal which has bitten a person may apply to the Animal Control Officer to release the animal for the purpose of allowing quarantine at the home of the owner for a period of ten days. The application may be made at any time during the quarantine period and shall be on a form supplied by the Department of Public Health. Home quarantine shall not be permitted unless all of the following conditions have been fully met:

(1) The animal must have been vaccinated against rabies at least three weeks prior to the bite, and such vaccination must be valid for at least one month after the bite. A certification of rabies vaccination shall be produced by the owner of the animal. This vaccination certificate must bear the description of the animal, the type of vaccine used, the expiration of the vaccine and the signature of the veterinarian administering the vaccination. The animal must also have a current City license, if required by Chapter 56, at the time of the bite.

(2) The animal was not running at large at the time of the bite.

(3) Prior to approval of home quarantine, the owner shall have the animal examined by a veterinarian, licensed in the State of Iowa, who shall certify that the animal appears to be free of rabies or any other zoonosis. If an animal cannot be immediately examined, it shall be quarantined at the City animal shelter until the owner can make arrangements for such examination.

(4) The person bitten (or if a minor, the minor's parent or guardian) must sign the application indicating that said person has been advised of the risks of rabies, and that if the animal disappears during the home quarantine, the person bitten may have to undergo anti-rabies treatment, that said person does not object to home quarantine, and relieving the City, the Board of Health, the Department of Public Health and its agents from liability if the animal disappears during the quarantine period.

(5) The owner of the animal must demonstrate to the satisfaction of the Police Department that said owner has the proper facilities and the ability to adequately and properly confine the animal to said person's home or property during the quarantine period.

(6) The owner shall agree to notify immediately the Department of Public Health of any changes in the animal's health or disposition, to allow

representatives of the Department of Public Health or its agents to enter upon said owner's property and to examine the animal at any time and immediately to take the animal to a licensed veterinarian for examination at any time when directed by personnel of the Department of Public Health or its agents.

(7) At the end of the quarantine period, the owner shall have the animal examined by a licensed veterinarian who shall certify that the animal appears to be free of rabies or other zoonosis, and the quarantine should be terminated.

(8) The owner shall pay all costs of impoundment, board, and quarantine to the City before the animal is released, and shall agree to pay all costs of examinations by a veterinarian during the quarantine period.

(9) The owner shall further agree to surrender the animal immediately at any time the Director of Public Health or designee determines the home quarantine should be terminated, or at any time that any provisions or conditions of the home quarantine are violated, and the animal shall be returned to the custody of the Department of Public Health, its agents, or a licensed veterinarian in the State of Iowa.

(10) The County Board of Health may establish additional rules pertaining to home quarantine.

5. Report of Condition During Quarantine. It is the duty of any veterinarian or owner of other place at which an animal is placed under quarantine for any reason to report at once any noticeable change in the physical condition of such animal and to report at once if such animal dies. It is the duty of the Animal Control Officer to cause at least one examination at the end of the quarantine period and such other examinations as may be deemed necessary to insure that the animal is alive and well and not apparently infected with rabies. If deemed necessary, the Animal Control Officer may order such examinations done by a licensed veterinarian, and the owner of the animal shall pay all costs of such examinations.

6. Payment of Quarantine and Examination Costs.

A. The owner of any animal quarantined may redeem such animal after any quarantine period upon the payment in full of all costs of confinement, including reasonable costs of food and care of such animal, and medical examination before the animal is released. If the animal is not claimed after the ten-day quarantine period, whether the owner is known or unknown, the animal may be disposed of pursuant to this chapter.

B. When an animal dies during quarantine, the owner, if known, shall be billed for all costs of confinement to date of death and for all examinations including post-mortem or laboratory tests for rabies.

C. If the owner of an animal or any other person or organization specifically requests a post-mortem or laboratory examination of an animal for rabies, then the person making such request shall pay all examination costs.

D. If the owner of an animal is unknown, the Animal Control Officer may request a postmortem or laboratory examination of an animal for rabies at the expense of the City. Said cost shall be passed on to the owner, if determined.