

CHAPTER ELEVEN

ANIMALS AND FOWL

<u>ARTICLE 1 - GENERAL REGULATIONS</u>	<u>PAGES</u>
11.0101 Cruelty	116
11.0102 Dangerous Animals	116
11.0103 Vicious Animals	116
11.0104 Killing Dangerous Animals	116
11.0105 Diseased Animals	116
11.0106 Housing	116
11.0107 Keeping of Certain Animals Prohibited	116-118
11.0108 Strays	118
11.0109 Penalty	118
 <u>ARTICLE 2 - DOGS AND CATS</u>	
11.0201 Registration Required	118
11.0202 Registration Procedure and Terms	119
11.0203 Dog or Cat Running at Large Prohibited	119
11.0204 Disposition of Unregistered Dogs or Cats	119
11.0205 Disposition of Unclaimed Dogs or Cats	119
11.0206 Return to Owner if Known	119
11.0207 Noisy Dog or Cat Prohibited	119
11.0208 Raising and Breeding of Rats	120
11.0209 Nuisance - When	120
11.0210 Penalty	120

ANIMALS AND FOWL

ARTICLE 1 - GENERAL REGULATIONS

11.0101 Cruelty - Penalty

No person shall cruelly treat any animal in the city in any way; any person who inhumanely beats, underfeeds, overloads or abandons any animal shall be deemed guilty of an offense for which the maximum penalty shall be a fine of Five Hundred and No/100 Dollars (\$500.00), thirty (30) days imprisonment, or both such fine and imprisonment.

11.0102 Dangerous Animals

It shall be unlawful to permit any dangerous animal of any kind to run at large within the city; exhibitions or parades of animals which are ferae naturae in the eyes of the law may be conducted only upon securing a permit from the City of Sawyer.

11.0103 Vicious Animals

It shall be unlawful to permit any vicious animal of any kind to run at large within the city.

11.0104 Killing Dangerous Animals

The members of the Sheriffs Department are authorized to kill any dangerous animals of any kind when it is necessary for the protection of any person or property.

11.0105 Diseased Animals

No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner.

It is hereby made the duty of the Health Officer to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of the contagion or infection, except cases where the state veterinarian is empowered to act.

11.0106 Housing

No person shall cause or allow any stable or place where any animal is or may be kept to be unclean, or unwholesome.

11.0107 Keeping of Certain Animals Prohibited

- A. It shall be unlawful to keep any live alligators ,bears ,bees ,cattle ,coyotes, crocodiles ,felines other than domestic house cats, fowl, foxes, goats, mice, mules, poultry, rabbits, raccoons, rats, scorpions, sheep, skunks, snakes, swine, wolves and any other poisonous or venomous animals, in the city limits.
- B. It shall unlawful to keep any horses in the city limits without the consent of the majority of the adjoining property owners and a minimum of (2) acres pasture per horse. Except those grandfathered in before 2011.

- C. It shall be unlawful to allow any unnuetered male horses (18) eighteen months old or older to be kept with any other horses in the city limits.. Any foal under the age of (4) four months nursing on mare is exempt from pasture requirements.
- D. It shall be unlawful to keep, harbor, own or in any way possess within the corporate limits of he City of Sawyer, any Pit bull, Rottweiler, Chow or Chow breed or any other animal who is deemed dangerous.
- E. City Council may request at owners expense DNA testing if breed is questioned.
1. Pit Bull dog is defined to mean:
- a. The bull terrier breed of dog;
 - b. Staffordshire bull terrier breed of dog;
 - c. The American pit bull terrier breed of dog;
 - d. The American Staffordshire terrier breed of dog;
 - e. A dog of mixed breed or of other breeds than above listed which breed or mixed breed is known as a pit bull, pit bull dog or pit bull terrier;
 - f. Any dog which has the appearance and characteristics of being predominantly of the breed of bull terrier, Staffordshire bull terrier, American pit bull terrier, American Staffordshire terrier, any other breed commonly known as pit bull, pit bull dog or pit bull terrier, or a combination of any of these breeds.
2. It shall be unlawful to harbor or keep more than four (4) animals on property within the city limits. The word "animal" means any animals older than 16 weeks, but does not include fish.
3. The restrictions set forth in subsection (d) herein shall not apply to any city resident that had more than three animals at the time of this passage of this ordinance. However, if that resident should thereafter dispose of any animals that the resident maintained at the time of the passage of this ordinance, those animals may not be replaced, unless the resident is in compliance with the animal number required by subsection (d) of this ordinance.
- E. It shall be unlawful for animal raising business to be located in a district zoned residential without written concent from all neighbors and city council.
1. The provisions of subsection (2) of this ordinance an not applicable to an owner of a pit bull dog registered with the City of Sawyer on or before the first day of September, 1987, provided however, the owner owned the dog on or before July 1, 1987. The registration and the keeping of the dog shall be subject to the following conditions and limitations;
- a. Identification Photographs. The owner of a pit bull dog must provide to the City Auditor two color photographs of the animal clearly showing the color and approximate size of the animal.
 - b. Reporting Requirements. The owner, keeper or haborer of a pit bull dog must within ten (10) days of the incident, report the following information in writing to the City Auditor as required hereinafter:
 - (1) The birth of offspring of the pit bull dog

- (2) The new address of a pit bull dog owner should the owner move within the corporate city limits.
2. No person shall sell, barter, or in any other way transfer a pit bull dog registered with the City to any person within the City unless the recipient resides permanently in the same household as the registered owner of the dog; provided that the registered owner of the pit bull dog may sell or otherwise transfer a registered dog or the offspring of the dog to persons who do not reside within the City.
3. All offspring born of a pit bull dog registered with the City must be removed from the City within four (4) weeks of birth.
4. There shall be an irrebuttable presumption that any dog registered with the City as a pit bull dog or any of those breeds prohibited by subsection 1 of this section is in fact a dog subject to the requirements of this section.
5. Failure to Comply. It shall be unlawful for the owner, of a pit bull dog registered with the City of Sawyer to fail to comply with the requirements and conditions set forth in this ordinance. Any dog found to be the subject of a violation of this ordinance shall be subject to immediate seizure and impoundment. In addition, failure to comply will result in the revocation of the license of such animal resulting in the immediate removal of the animal from the City.

11.0108 Strays

It shall be unlawful to permit any animal to run at large in the city; and any such animal running at large in any public place in the city shall be impounded.

11.0109 Penalty

It shall be unlawful to harbor or keep any animals which disturb the peace by loud noises at any time of the day or night.

ARTICLE 2 - DOGS AND CATS

11.0201 Registration Required

No dog shall be permitted to be or remain in the city without being licensed as herein after provided if over one month of age. It shall be the duty of the owner or keeper of any dog or cat kept within the city to have the dog or cat inoculated against rabies and to license such dog. No license or renewal license shall be issued unless the dog has been inoculated against rabies and proof thereof is shown to the person issuing the license.

11.0202 Registration Procedure and Terms

All dogs and cats shall be registered as to sex, breed, name and address of owner and name of dog. Licenses shall be issued by the City of Sawyer on an annual basis as hereinafter more fully provided. The person paying the license fee shall receive a receipt therefore and a metal tag or badge with which to mark the animal. It shall be the duty of the owner or keeper to cause such license tag or badge to be securely attached around the animal's neck and kept there at all times during the license period.

11.0203 Dog or Cat Running at Large Prohibited

It shall be unlawful for the owner or keeper of any dog or cat to permit the same to run at large in the city at any time. A dog or cats shall not be considered running at large if attended and on a leash or when in the confines of the owner's or keeper's premises.

11.0204 Disposition of -Unregistered Dogs & Cats

Any unlicensed dog or cat or any dog or cat running at large may be taken up by the City Maintenance Officer and impounded at the city dog pound, or such other place as may be designated by the governing body. The dog or cat shall not be released to any person until such dog or cat is licensed (if unlicensed), a fee of depending on cost facility charges is paid for the taking of each animal, and all pound charges are paid directly to the facility where the dog or cat is housed.

11.0205 Disposition of Unclaimed Dogs or Cats

The owner or keeper shall be notified of the taking of the dog or cat. If the owner or keeper fails to pay the charges (including license if necessary) and claims the animal within three days of notification the animal may be destroyed. If the owner or keeper is unknown, the City of Sawyer shall give public notice of the taking of the animal before it is destroyed or otherwise disposed of.

11.0206 Return to Owner if Known

Notwithstanding the provisions of section 11.0206, if a dog or cat is found at large and it's owner can be identified and located, such dog or cat need not be impounded by may, instead, be taken to the owner. In such case the policeman or other officer may proceed against the owner or keeper for violation of this article.

11.0207 Noisy Dog or Cat Prohibited

It shall be unlawful to keep or harbor within the city any dog or cat that disturbs the peace by howling, barking, whining, meowing or making other disagreeable noise. Any person wishing to file a complaint shall be required to give his name and address and sign a complaint.

11.0208 Raising and Breeding of Rats

No person shall be allowed to keep or raise for commercial purpose and/or the most two for private use, any rats, mice, guinea pigs, hamsters, ferrets or any other miscellaneous rodents.

Furthermore, no person shall raise or harbor any snakes, poisonous or non-poisonous.

11.0209 Nuisance – An animal is considered a nuisance in any of the following circumstances:

- A. Any unlicensed dog, any dog or cat running at large, any dog or cat disturbing the peace, or any dog or cat molesting passers by, chasing vehicles or trespassing upon private property is hereby declared to be a nuisance.
- B. Any animals which damages or destroys any property which is not the property of its owner
- C. its actions frighten, under a reasonable person standard, any person not on the property of its owner,
- D. if its loud and frequent barking, yelping, howling, or other noise it makes annoys, under a reasonable person standard, any person not on the property of its owner,
- E. if it defecates or urinates on property other than that of its owner, and is not cleaned up.
- F. if it creates odors which are offensive, under a reasonable persons standards, to any person not on the property of its owner,
- G. if it causes unsanitary conditions harmful or tending to harm any person or animals

- H. it has been officially declared a public nuisance by the first district health unit, or any other government agency.

11.0210 Penalty

Any person violating any provision of this article except licensing shall be guilty of an infraction and be fined a minimum of at least Fifty and No/100 Dollars (\$50.00) and not to exceed Five Hundred and No/100 Dollars (\$500.00).

OWNER IS DEFINED TO INCLUDE SOMEONE WHO KEEPS OR HARBORS A PIT BULL DOG.