



Animal Treatment and Care

With respect to the humane treatment of animals, the City specifically requires, that animals:

- Be kept in a clean, sanitary, and health manner
- Has adequate and appropriate food, fresh potable water, and shelter (including ventilation) that protects against heat and cold and is sufficient in size to permit the animal to exercise and move about freely
- Be protected from abuse, cruelty, neglect, torment, overload, overwork, and mistreatment
- Receives reasonably necessary medical care

The City also has anti-tethering laws for animals and specific requirements of the treatment and habitat of outdoor dogs.

The City's animal regulations are enforced by the Johnson County Animal Control Department, the City's Police Department, Code Enforcement Department, and Fire Department.

Sec. 6-19 General Requirements for Animal Care and Treatment.

(a) Every owner or keeper of an animal in the City shall see that such animal:

(1) Is kept in a clean, sanitary, and healthy manner and is not confined so as to be forced to stand, sit or lie in its own excrement and shall ensure that the animal's area is maintained and cleaned in such a manner as to prevent odor or health and sanitation problems;

(2) Has food that is appropriate for the species in adequate amounts to maintain good health, fresh potable water, and shelter (including ventilation) in such a manner as to be protected from excess heat and cold and is of sufficient size to permit the animal to exercise and move about freely;

(3) Is protected against abuse, cruelty, neglect, torment, overload, overwork, or any other mistreatment; and

(4) Shall provide the reasonably necessary medical care according to commonly accepted veterinary standards, in addition to the required rabies vaccine, and if diseased or injured or exhibiting symptoms of disease, receives proper care and is segregated from other animals so as to prevent transmittal of the disease.

(b) It shall be unlawful to fail to comply with any requirement of subsection (a) of this Section.

(c) It shall be unlawful to tether any animal by use of a choke collar or any collar too small for the size and age of the animal, nor by any rope, chain, or cord directly attached to the animal's neck, nor by a leash less than twelve (12) feet in length, or of such unreasonable weight as to prevent the animal from moving about freely;

(d) It shall be unlawful for any animal to be tethered between the hours of 11:00 p.m. and 6:00 a.m.; or to tether any un-sterilized dog for any period of time unless the dog is in visual range of a competent adult who is outside with the dog; or to tether or confine an animal at a vacant structure or premises for any purpose or time when it is not monitored by a competent adult who is present at the property for the duration of such tethering or confinement.

(e) In addition to the general requirements for animal care and treatment in this article, every owner or keeper of a dog kept in the City shall see that such dog when confined outside:

(1) Has access to a shelter constructed of solid wood or other weather resistant material, consisting of a structure with solid walls on all sides, a dry floor raised above the ground, and a solid roof sloped away from the entrance to protect the dog from weather and extreme cold. During winter and any day when the temperature is at or below 40°F, the shelter must be just large enough for the dog to stand up and turn around, the entrance covered by a flexible wind-proofing material or self-closing door, and must contain clean, dry bedding, which must consist of an insulating material that does not retain moisture, such as straw, of sufficient depth for the dog to burrow. On any day when the temperature is at or above 80°F, the shelter must be shaded by trees, a tarp, or a tarp-like device.

(2) Must be brought into a temperature controlled facility when the temperature is at or below 20°F or at or above 90°F, or when a heat advisory, wind chill warning, or tornado warning has been issued by local, state, or national authority, except when the dog is in visual range of a competent adult who is outside with the dog.

(3) Has adequate space for exercise when confined in an enclosure or pen, which shall consist of no less than one hundred (100) square feet. A dog over eighty (80) pounds must be provided with an additional fifty (50) square feet. For each additional dog inside the enclosure, fifty (50) square feet of space for exercise must be added per dog.

(4) Is treated so that there are no open lesions on the dog's skin due to insect bites or other parasitic infections.

(5) Shall not be tethered except when all of the following conditions are met:

(i) The tether is not attached to a motorized vehicle, such as an automobile, truck, or motorcycle;

(ii) The dog is at least six (6) months of age and is not sick or injured;

(iii) The tethered dog has access to water, shelter, and dry ground. If there are multiple tethered dogs, each dog must be tethered separately in a manner that prevents the tethers from becoming entangled with each other or any other object, and each dog must have separate water and shelter;

(iv) The tether is attached to the dog by a properly fitting buckle-type collar, or a collar that will not break under pressure, with a rotating toggle or attachment. Pinch, prong, or choke collars shall not be used. The tether shall not wrap directly around the dog's neck;

(v) The tether is not of such unreasonable weight as to prevent the dog from moving about freely, is free of tangles, cannot be entangled with another animal or object, and is at least twelve (12) feet in length.

(vi) If the dog is attached to a trolley system, the running line must be at least twelve (12) feet in length and the tether length must be greater than the height of the running line.

(vii) The tether is located so as not to allow the dog to trespass on public or private property nor in such a manner as to cause harm or danger to persons or other animals.

For purposes of this section, the following terms have the following meanings:

(1) **CONFINED OUTSIDE** means confined outside the house, mobile home, or apartment where the owner is living. Confined outside would include in the yard, or in a garage, shed, or barn without heating or air-conditioning. Access to a garage, shed, or barn maintained between 40°F and 80°F would not be considered confined outside.

(2) **TEMPERATURE CONTROLLED FACILITY** means a building maintained between 40°F and 80°F.

(f) It shall be unlawful for a person to abandon any animal on public or private property in the City.

(g) It shall be unlawful for a person to throw or deposit poisoned meat or any poison or harmful substance in any street, alley, marketplace, public place, or private premises in the City for the purpose of destroying or injuring an animal.

(h) It shall be unlawful for a person to shoot any dog, cat, or other animal unless it is a dangerous animal.

(i) A person who violates the provisions of this Section shall be subject to the following fines:

(1) Violations of subsections (a), (b), (c), (g), (h), and (i) shall be subject to a fine of not less than One Thousand Dollars (\$1,000.00) and not greater than Two Thousand Five Hundred Dollars (\$2,500.00). Upon request, the Court may order termination of the owner's rights and charge the cost of depositing the animal with the County or rescue organization against the violator.

(2) Initial violations of subsections (d), (e), and (f) shall be subject to an initial fine of not less than Two Hundred Fifty Dollars (\$250.00). Subsequent violations shall be subject to fines of not less than One Thousand Dollars (\$1,000.00) and not greater than Two Thousand Five Hundred Dollars (\$2,500.00). Upon request, the Court may order termination of the owner's rights and charge the cost of depositing the animal with the County or rescue organization against the violator.

(Ord. No. 16-17, § 1, 4-4-16)