

CHAPTER 3

ANIMALS

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CHAPTER 3 ANIMALS

DIVISION I

Sec. 3.101. PURPOSE.

The purpose of the sections in Division I of this chapter is to establish regulations regarding the treatment and control of animals in the city.

(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.102. DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this chapter.

(1) At large means any animal off the premises of its owner and on other premises against the wishes of the person in possession of such other premises or upon the public streets, alleys, public grounds, school grounds or parks within the city. An animal shall not be deemed at large if:

- (a) the animal is on the owner's property or a neighbor's property with that neighbor's consent; or
- (b) the animal is confined in a cage or motor vehicle; or
- (c) the animal is restrained by a leash of sufficient strength to control its action; or
- (d) a dog is actively engaged in training in dog obedience, for hunting or for other service under continual control of his owner or trainer provided that the owner or trainer is conducting the training in an open public area, is not endangering other users or animals in the area, has the dog within 30 yards and under continual voice control and has in his/her possession a dog leash appropriate to control the dog.
- (e) the animal is a draft animal engaged in drawing vehicles or conveyances.

(2) Owner includes any person who owns, keeps or harbors an animal.

(3) Animal is a nonhuman vertebrate.

(State Law Ref. 702.3 Code of Iowa, 1987)

(4) Enforcement Officer is an animal control officer or a peace officer.

(5) Animal Control Officer is any person designated to enforce the regulations on animals, including those found in this chapter.

(Ord. No. 795, Sec. 1-1.4; Code 1955, Secs. 78-1--78-1.4; Ord. No. 964, Sec. 1, 5-17-60; Ord. No. 2528, Secs. 1, 2, 9-16-75; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.103. ANIMALS AT LARGE PROHIBITED

All animals shall be restrained by the owners thereof from running at large.

(Ord. No. 795, Sec. 14.1; Code 1956, Sec. 78-14.1; Ord. No. 2453, Secs. 1, 2, 9-4-73; Ord. No. 3003, Sec. 3, 2-23-88; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.104. IMPOUNDING ANIMALS AT LARGE

Any animal found at large shall be apprehended and impounded by an enforcement officer. The enforcement officer shall have the right to enter upon private property when it is necessary to do so in order to apprehend any animal that has been running at large. Such entrance upon private property shall be in reasonable pursuit of the animal(s) and shall not include entry into a domicile unless it be at the invitation of the occupant. If the enforcement officer determines that the animal at large is dangerous or fierce and a threat to human safety, and that it cannot be safely captured, the animal may be killed.

(Ord. No. 795, Sec. 14.3; Code 1956, Sec. 78-14.3; Ord. No. 2453, Secs. 1, 2, 9-4-73; Ord. No. 3030, Sec. 1, 12-20-88)
[State Law Ref. Iowa Code Sec. 368.8(4)]

Sec. 3.105. REDEMPTION OF IMPOUNDED ANIMALS.

When an animal has been apprehended and impounded for being at large or for any other reason, said animal may be redeemed by the owner by a payment of the appropriate service fee or fees as established by resolution of the City Council and set out in Appendix E.

(Ord. No. 2453, Sec. 2, 9-4-73; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.106. DISPOSITION OF UNCLAIMED ANIMALS.

If the unknown owner of an animal apprehended or impounded cannot be located after seven (7) days, or if an owner when known, does not, after **reasonable** notice, claim the animal within seven (7) days, the animal may be humanely destroyed or otherwise disposed of. If in the opinion of the animal control officer, an animal is too sick or injured to keep humanely for seven (7) days, the animal may be euthanatized.

(Ord. No. 795, Sec. 10; Code 1956, Sec. 78-10; Ord. No.2037, Sec. 1, 7-28-64; Ord. No. 2140, Sec. 9, 6-7-66; Ord. No. 3030, Sec. 1, 12-20-88; Ord. No. 3120, 3-5-91)

Sec. 3.107. RABIES VACCINATION.

Every owner of a dog, cat or horse shall obtain a rabies vaccination for each animal between three (3) and four (4) months of age and at such intervals thereafter as stipulated by the manufacturers of the vaccines used. This section applies to all dogs, cats and horses kept within the city, brought into the city for shows, exhibitions or performance, or in transit. This section does not apply to dogs, cats and horses in transit that are continuously held in secure cages and dogs, cats and horses assigned to research, production of biologics, and licensed animal care shelters or similar facilities.

(Ord. No. 795, Sec. 13; Code 1956, Sec. 78-13; Ord. No. 2037, Sec. 1, 7-28-64; Ord. No. 2140, Sec. 11, 6-7-66; Ord. No. 2453, Sections 1, 2, 9-4-73; Ord. No. 3030, Sec. 1, 12-20-88) [State Law Ref. Iowa Code Sec. 351.33]

Sec. 3.108. FAILURE TO REPORT SUSPECTED RABIES CASES.

It shall be the duty of the owner of any animal which has bitten or attacked a person or is suspected of having rabies or any person having knowledge of such bite or attack or suspicion of rabies to report this to a local enforcement officer.

(Ord. No. 795, Sec. 13.5; Code 1956, Sec. 78-13.5; Ord. No. 2140, Sec. 13, 6-7-66; Ord. No. 2850, Sec. 1, 6-14-83; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.109. CONFINEMENT FOR RABIES DETERMINATION.

When an animal control officer receives information that any person has been bitten by an animal or that an animal is suspected of having rabies, the animal control officer shall investigate and may order confinement of the animal in accordance with the provisions of this section. Failure or refusal to comply with such order shall be a violation of this section.

(1) Dogs or cats may be confined for observation for ten (10) days at the animal shelter or under the care of a licensed veterinarian. The animal control officer may permit confinement at the residence of the owner if the dog or cat has appropriate vaccination records, the dog or cat is not clinically suspected of being rabid and subject to other conditions imposed by the animal control officer. Dogs and cats suspected of rabies may be humanely euthanatized and examined by an authorized diagnostic laboratory for rabies upon the owner's request or when there has been a severe attack on the face or neck.

(2) Animals other than dogs or cats which are known to have bitten a person or are suspected of rabies shall be examined by a licensed veterinarian. Depending on the veterinarian's recommendation, the animal may be quarantined and/or humanely euthanatized and examined by an authorized diagnostic laboratory for rabies.

(Ord. No. 795, Secs. 13.1, 13.2; Code 1956, Sec. 78-13.1, 78-13.2; Ord. No. 2850, Sec. 1, 6-14-83; Ord. No. 3030, Sec. 1, 12-20-88) [State Law Ref. Iowa Code Sec. 351.39]

Sec. 3.110. RABIES TAGS.

All dogs and cats over the age of four months shall wear a collar or harness to which a valid rabies tag is attached. This section shall not apply to dogs being exhibited or trained at a kennel club event or while being transported to and from such event if the dog is properly controlled and the owner or trainer has in their possession documentation of valid vaccination and registration.

(Ord. No. 795, Sec. 13; Code 1956, Sec. 78-13; Ord. No. 2037, Sec. 1, 7-28-64; Ord. No. 2140, Sec. 11, 6-7-66; Ord. No. 2453, Sections 1, 2, 9-4-73; Ord. No. 3030, Sec. 1, 12-20-88) [State Law Ref. Iowa Code Sec. 351.33]

Sec. 3.111. STANDARD OF CARE

All owners and keepers of any animal shall comply with the following standards of care. Failure to comply with any standards shall be a violation of this section.

(1) It shall be the duty of each person keeping an animal to provide adequate food, shelter and water for

that animal. No person keeping an animal shall abandon any such animal. Abandon shall mean ceasing to provide control over, shelter, food and water for an animal without having made responsible arrangements for such care, custody, and physical control to be provided by another person.

(2) It shall be the duty of each person keeping an animal, and no person keeping an animal shall fail in that duty, to provide adequate food which shall mean providing at intervals appropriate for the species a quantity of wholesome food stuff, suitable for the physical condition and age of the animal, served in a clean receptacle or container, sufficient to maintain an adequate level of nutrition for such animal.

(3) It shall be the duty of each person keeping an animal, and no person keeping an animal shall fail in that duty, to provide adequate outdoor shelter for such animal when it is kept outdoors, tanglefree, which shall mean a structurally sound, weather-proof, properly ventilated shelter, which provides access to shade from direct sunlight and regress from exposure to weather conditions. The shelter should be appropriate for the particular species and breed.

(4) It shall be the duty of each person keeping an animal, and no person keeping an animal shall fail in that duty, to provide adequate indoor shelter for such animal when it is kept indoors, which shall mean a property ventilated and illuminated facility, sufficiently regulated by heating or cooling to protect the animal from extremes of temperature, and to provide for its health and comfort. It should be appropriate for the particular species and breed.

(5) It shall be the duty of each person keeping an animal, and no person keeping an animal shall fail in the duty, to provide adequate sanitation which shall mean periodic cleaning or sanitizing housing facilities, and any area where the animal is confined or restrained to remove excreta and other waste materials and dirt, so as to minimize vermin infestation, odors and disease hazards.

(6) It shall be the duty of each person keeping an animal, and no person keeping an animal shall fail in that duty, to provide adequate space which shall mean primary enclosures and housing facilities shall be constructed and maintained so as to provide sufficient space to allow each animal to make normal postural and social adjustments with adequate freedom of movement to maintain physical condition. The space shall be appropriate for the particular species.

(7) It shall be the duty of each person keeping an animal, and no person keeping an animal shall fail in that duty, to provide adequate veterinary care which shall mean that a sick, diseased, or injured animal shall be provided with a proper program of care by a veterinarian, or humanely euthanatized. All animals shall be provided with proper immunizations and preventive health care including parasite control.

(8) It shall be the duty of each person keeping an animal, and no person keeping an animal shall fail in that duty, to provide adequate water which shall mean reasonable access to a supply of clean, fresh, potable water, provided in a sanitary manner. If potable water is not accessible to the animal at all times, it shall be provided daily, for such duration and of sufficient quantity as appropriate for the species.

(9) It shall be the duty of each person keeping an animal, and no person keeping an animal shall fail in that duty, to keep the animal cleaned and to provide proper grooming as appropriate for the species.

(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.112. SALE OR DISPOSAL OF LIVE ANIMALS; ANIMALS AS PRIZES.

(1) No person shall give away any live animal, fish, reptile, or bird as a prize for, or as an inducement to enter any contest, game, or other competition, or as an inducement to enter a place of amusement or offer such vertebrate as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade.

(2) No person shall sell, offer for sale, raffle, offer or give as a prize, premium or advertising device or display in any store, shop, carnival or other public place a chick, duckling, gosling, or rabbit that has been dyed or otherwise colored artificially.

(3) No person may sell chickens or ducklings younger than four weeks of age in quantities of less than twenty-five to a single purchaser.

(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.113. POISONED MEAT.

No person shall knowingly expose any poisoned meat or other poisoned substances on public or private property where the same may be taken by any human being or domestic animal.

(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.114. DUTIES UPON STRIKING AN ANIMAL

Any person who, as the operator of a motor vehicle, strikes an animal shall report such injury or death to the animal control officer or the Ames Police Department.

(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.115. ANIMAL NUISANCE

The following acts and circumstances are hereby declared to be nuisances and therefore prohibited.

(1) The keeping of an animal on private property in such number or in such manner that allows for the accumulation of solid waste of such animal which becomes a detriment to or menace to the health of the animal, or an annoyance to humans.

(2) Allowing any dog, cat or animal to bay, bark, whine or howl or make a sound of any kind or nature for prolonged periods in such manner as to unreasonably disturb the peace and quiet of the vicinity.

(Ord. 3120, 3-5-91)

(3) Allowing a pet animal to cause any damage or defilement to public or private property.

(4) Allowing a pet animal to molest any person on public or private property who has a legitimate reason to be thereon.

(Ord. No. 795, Sec. 11; Code 1956, Sec. 78-11; Ord. No. 2140, Sec. 10, 6-7-66; Ord. No. 2186, Sec. 2, 5-2-67; Ord. No. 2528, Sections 1, 2, 9-16-75; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.116. ANIMALS IN MOTOR VEHICLES; RESCUE

No person shall leave an animal unattended in, or tethered to, a standing or parked motor vehicle, in a manner that endangers the health or safety of the animal.

The following persons may use reasonable means, including reasonable force to remove an animal from a motor vehicle when there is an apparent violation of this section.

(1) animal control officer under the jurisdiction of a state or local governing body

(2) peace officer

(3) a professional of a fire or rescue squad

The person rescuing the animal shall notify the animal control officer who may take the animal to a veterinarian for treatment, if necessary. The cost of such treatment shall be paid by the City and the City shall claim reimbursement from the person judged to be responsible for leaving the animal unattended.

(Ord. No. 3030, Sec. 1, 12-20-88; Ord. 3120, 3-5-91)

Sec. 3.117. ANIMAL RELATED EVENTS

No performing animal exhibition, circus, or animal related event shall be permitted in which animals are induced or encouraged to perform through the use of chemical, mechanical, electrical, or manual devices in a manner which will cause or is likely to cause injury or suffering. All equipment used on a performing animal shall fit properly and be in good working condition.

The animal control officer shall be notified of all public animal auctions and all public events in which animals perform, are exhibited or are available for hire.

Where applicable, all animal related events, including public auctions, animal exhibitions, and circuses must comply with the standards set out in the Code of Federal Regulations, Title 9, Part 3, Animals and Animal Products. *(Ord. No. 3030, Sec. 1, 12-20-88)*

Sec. 3.118. ANIMALS IN TRANSPORT.

No animal shall be transported in the open bed of a pickup truck, except when the animal is secured inside a cage or kennel or is secured by a leash or tether sufficiently short to keep the animal inside the pickup box at all times.

No person shall transport an animal in a box, container, or cage without proper ventilation and proper space requirements for that animal. Applicable standards set out in the Code of Federal Regulations, Title 9, Part 3, Animals and Animal Products shall apply.

(Ord. No. 3030, Sec. 1, 12-20-88, Ord. 3120, 3-5-91)

Sec. 3.119. ANIMAL WASTE.

Any person who walks an animal on private or public grounds shall be responsible for the proper and immediate disposal of the solid waste excreted by that animal, except when the animal is on the owner's or keeper's property. This section shall not apply to animals under control of a handicapped person and

especially trained for the purpose of assisting handicapped persons.
(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.120. NOTIFICATION OF GUARD DOG LOCATION.

Any person who harbors a guard dog in an area not adjoining the owner's residence shall post notice of the animal's presence and purpose at the place where the dog is being harbored.
(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.121. SHELTER FEES.

From time to time there may be established by resolution of the Ames City Council, a schedule of fees to defray the costs of caring for impounded animals. Failure or refusal by the owner of an impounded animal to pay such fees shall constitute a violation of this section.
(Ord. No. 3030, Sec. 1, 12-20-88; Ord. No. 3509, Sec. 1, 1-26-99)

Sec. 3.122. HARASSMENT OF ANIMALS.

It shall be unlawful to engage in harassment of an animal except when this action is deemed necessary to protect persons or their property from the animal. No person, except the owner of an animal or his/her authorized agent shall willfully open any door or gate on any private or public premises for the purpose of enticing or enabling any such animal to leave such premises.
(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.123. DUTY TO REPORT ANIMAL ABUSE, NEGLECT.

It shall be the duty of any person having knowledge of or observing animal abuse, cruelty or neglect to report such to a local enforcement agent.
(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.124. FREQUENT VIOLATORS, NUISANCE ABATEMENT, PROTECTIVE CUSTODY.

(1) Conviction of a person for violation of any provision of Chapter 3 of the Municipal Code of the City of Ames for a fourth or subsequent time, not necessarily the same provision of said Chapter 3, shall be punished by a penalty of not less than \$500 nor more than \$750.

(2) After the third conviction for violation of any provision of Chapter 3 of the Municipal Code of the City of Ames, Iowa by the same person with respect to any animal or animals at any site or sites, proceedings for a fourth municipal infraction against that person for a violation of said Chapter 3 may include a request to the Court for an order that a specified animal or animals being kept by that person be relocated or other disposition made within a reasonable time to be specified in the City's request to the Court.

(3) An animal that is a nuisance as declared by Section 3.115 of the Municipal Code of the City of Ames, Iowa, or an animal being kept in circumstances that are a nuisance as declared by said Code Section, may be impounded by the City's enforcement personnel so as to abate the nuisance. If the keeper of the animal so impounded is known, a violation of the said Section 3.115 may be charged against that person. Additionally, the enforcement personnel may, in the municipal infraction proceedings brought for violation of said Sec. 3.115, ask the Court for an order that the animal or animals be relocated or other disposition made within a reasonable time to be specified in the request for such order.

(4) When there is a violation of Sec. 3.111 of the Municipal Code of the City of Ames, Iowa, Standard of Care, enforcement personnel may cause an animal or animals affected by such violation to be taken into protective custody. The owner and/or keeper failing to meet the requirements of said Section 3.111 may be charged with a violation of that Section. Additionally, the enforcement personnel may, in the municipal infraction proceedings brought for violation of said Section 3.111, ask the Court for an order that the affected animal or animals be relocated or other disposition made within a reasonable time to be specified in the request for such order.

(5) The City shall ask the Court to specify in any order directing that an animal or animals be relocated or other disposition made that during the time allowed for relocation or other disposition the animals be kept in conformance with conditions and circumstances as specified in the Court's order, such conditions and circumstances to be reasonably proposed by the City in its request to the Court.

(6) When an animal is impounded or taken into protective custody by the City's enforcement personnel, the owner of the animal shall reimburse the City for the expense of nourishing and caring for the animal while impounded or in the protective custody of the City, and an animal shall not be released from impoundment or protective custody until the amount of such reimbursement due and payable to the City has

been received by the City. If the animal is not reclaimed and the expense of its care paid to the city within 14 days from the day the animal is available for release, the animal may be euthanized or made available for adoption.

(Ord. No. 3030, Sec. 1, 12-20-88; Ord. No. 3496, Sec. 1, 8-25-98)

Sec. 3.125. PROHIBITED PRACTICES.

Any practice and/or procedure designed or intended to increase the aggressiveness and attack propensities of an animal is unlawful.

(Ord. No. 3030, Sec. 1, 12-20-88)

DIVISION II
DANGEROUS DOMESTIC ANIMALS

Sec. 3.201. PURPOSE.

The purpose of the sections in Division II of this chapter is to establish regulations to protect the public from the hazards associated with dangerous domestic animals which are now or may hereafter be kept in the City.

(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.202. DEFINITIONS AND DETERMINATION OF DANGEROUS DOMESTIC ANIMALS.

(1) It shall be unlawful for any person to keep a dangerous domestic animal except as otherwise provided in this section.

For purposes of this section "Dangerous Domestic Animal" means:

- (a) Any animal which has inflicted serious injury on a person without provocation.
- (b) Any animal which has at the animal's own initiative, seriously injured or killed a domestic animal.
- (c) Any animal owned or harbored primarily or in part for the purpose of animal fighting.
- (d) Any animal which by breeding, training, disposition or behavior may pose a potential risk of attacking and inflicting injury without provocation upon people or other animals.

"Provocation" for purposes of this subsection, means that the threat, injury or damage caused by the animal was sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the animal, or was tormenting, abusing, or assaulting the animal, or was committing or attempting to commit a crime.

"Serious Injury" for purposes of this subsection means any physical injury to a human being or a domestic animal as a result of an animal's actions which demonstrate an intent to harm resulting in a major fracture, muscle tears, disfiguring lacerations or which requires multiple sutures or corrective or cosmetic surgery.

(2) **DETERMINATION OF A DANGEROUS DOMESTIC ANIMAL.** The determination as to whether a particular animal is a dangerous domestic animal shall be made by the City Animal Control Officer on the basis of reasonable evidence, which may include, but is not limited to, consideration of a verified report of an incident involving unprovoked aggressive behavior directed at a person or a domestic animal; any provocation or trespass on the part of the animal attacked; compliance, or lack of same, with all animal control ordinances on the part of any animal or the person responsible for any animal; and the opinions of experts.

(3) **SECURING ANIMAL.**

(a) During the period of investigation, the Animal Control Officer or designee shall have the authority to order the owner or keeper of an animal under investigation to secure that animal. This may include the directive that the animal be secured off the premises of the owner or keeper, at the owner's expense.

(b) Failure to strictly comply with all conditions of the order to secure an animal during investigation shall be a municipal infraction punishable by a fine of \$500 for a first offense and \$750 for any subsequent offense. Each day that the violation occurs or is permitted to exist constitutes a separate offense.

(c) If the Animal Control Officer has reason to believe that the animal threatens the safety of persons or domestic animals, the Animal Control Officer may enter upon any premises upon which the animal is kept and remove the animal from those premises to a place of impoundment.

Entry onto said premises shall be only with the consent of the person in lawful control of the premises, or after obtaining

a search warrant pursuant to law.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88; Ord. No. 3509, Sec. 1, 1-26-99)

Sec. 3.203. REGISTRATION REQUIRED.

(1) All animals within the scope of section 3.202 shall be registered with the Animal Control Officer by all adult person(s) responsible for the keeping of the animal. Failure or refusal to register each such animal, including providing the location where the animal resides and its identifying characteristics, on forms provided by the City, shall constitute a violation of the Ames Municipal Code.

(2) Re-registration is required in the event animal's owner, keeper or possessor is changed or the animal's place of residence is moved to another location. The registration requirements attach to the animal and compliance with all registration requirements shall be the strict duty of any person or entity which acquires ownership, keeping, or possession of the animal.

(3) The registration of an animal shall be renewed annually. The premises and facilities where such registered animal is kept shall be inspected annually, unless there is reason to believe animals are being improperly kept or cared for, in which case inspections may be made as the Animal Control Officer deems necessary. The City Council may establish a schedule of fees to cover costs of administration and inspection.

(4) In the event the animal registered pursuant to these provisions is found to be missing, this event shall be promptly reported to the Police Department or Animal Control.

(Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.204. PROOF OF FINANCIAL RESPONSIBILITY REQUIRED.

(1) Any person keeping a dangerous animal within the scope of section 3.202(1) shall be required to prove financial responsibility for any injury or damage that may be caused by the animal by either: (a) posting a cash or surety bond in the amount of one hundred thousand dollars (\$100,000.00), or (b) presenting a certificate of insurance issued by an insurance company licensed to do business in this state, providing personal liability insurance coverage as in a homeowner's policy, with a minimum liability amount of one one million dollars (\$1,000,000.00) for the injury or death of any person, for damage to property of others, and for acts of negligence by the owner or the owner's agents, in the keeping or owning of such potentially dangerous animal. The certificate shall require notice to the City, in conformity with general City standards for certificates of insurance, if the underlying policy of insurance is cancelled for any reason. If a certificate of insurance or policy is not immediately available, a binder indicating the coverage may be accepted for a period of up to thirty days following a determination that an animal is a dangerous animal within the scope of section 3.202.

(2) Failure to provide a certificate of insurance after thirty days shall be a violation of this section, and the dangerous animal shall be subject to removal or shall be humanely destroyed at the expense of the person keeping the dangerous animal.

Sec. 3.205. CONFINEMENT STANDARDS.

All animals within the scope of Sec. 3.202(1) shall be confined pursuant to a confinement plan approved by Animal Control. If such confinement facilities are indoors, all access doors must be continually locked. If such confinement facilities are outdoors, they must be securely constructed with chain link or masonry fence sides, with securely attached ceilings and with a concrete floor securely attached to the sides of the pen. Entrance gates must be continually locked with a key or combination lock. A perimeter fence of appropriate height and material to prevent escape must be built at least 4 feet from the primary enclosure and shall be built to surround all sides of the enclosure not adjacent to a solid wall of a building. When taken outdoors, whether on or off the owner or keeper's premises, the animals must at all times be muzzled and leashed with equipment which has been approved by the Animal Control Officer, or confined in a vehicle, cage or other animal carrier so as to be out of the reach of passersby.

(Ord. No. 3030, Sec. 1, 12-20-88)

Sec 3.206. ADDITIONAL HANDLING REQUIREMENTS

In addition to insurance and confinement, the Animal Control Officer shall have the authority to place additional handling requirements on any animal which is within the scope of Section 3.202(1) and to require timely compliance with the requirements. Any or all of the following conditions may be imposed:

(a) the requirement that the animal be spayed or neutered at the owner's expense by a specific date and proof of same furnished to Animal Control;

(b) the requirement that the animal be photographed by Animal Control, and implanted at the owner's expense with a microchip containing owner identification information. The microchip information shall be registered with Animal Control;

(c) the requirement that the owner and animal shall satisfactorily complete a pet safety course pre-approved by the Animal Control, at the owner's expense;

(d) that the animal shall at all times be required to wear a conspicuously colored collar with permanently affixed owner identification;

(e) that the owner of the dangerous animal has posted on the premises a clearly visible written warning sign stating that there is dangerous animal on the property with a conspicuous warning symbol that informs children of the presence of a dangerous animal. The sign shall be very visible from the public roadway or 50 feet, whichever is less; and

(f) that the animal have current rabies vaccination and furnish proof of same to Animal Control.

Sec. 3.207. REMOVAL.

When the Animal Control Officer determines that the owner has failed to keep an animal in compliance with the standards set out elsewhere in this chapter, and that animal presents a risk of harm to the public, the City Animal Control Officer shall order in writing that an owner shall have an animal euthanatized within ten (10) days of the order. Failure to comply with the Animal Control Officer's order shall be a violation of this section.

(Ord. No. 3030, Sec. 1, 12-20-88; Ord. No. 3509, Sec. 1, 1-26-99)

Sec. 3.208. APPEAL PROCEDURES.

Appeal of Euthanasia Order

(1) An person who receives an order from the animal control officer requiring that a dangerous domestic animal be removed and humanely destroyed as provided in section 3.207 may appeal the order by filing a written notice of the appeal to the Chief of Police within seven days of the date of the order. The written appeal shall state the grounds of the appeal, including how the person proposes to keep the dangerous domestic animal in a manner that is in compliance with the standards set out in this chapter, and how the person proposes to reduce the risk of harm that the dangerous domestic animal poses to the public.

(2) Upon receiving a notice of appeal, a hearing shall be convened, chaired by the Chief of Police or designee, to receive any testimony or other evidence that is deemed appropriate concerning the Euthanasia Order.

(3) When an appeal has been filed, Animal Control shall make a reasonable effort to notify any persons who would have had direct involvement in the situation which led to the euthanasia order, including those persons who were injured or who are owners or keepers of any animals which were injured by the Dangerous Domestic Animal.

(4) The appeal shall be heard by a committee appointed by the Chief of Police and consisting of a minimum of three people, including a member of the public, a dog professional, and an Animal Control director from another agency or his/her designee.

(5) Following such hearing, the Committee may:

(a) uphold the decision of the animal control officer and order the dangerous animal to be destroyed; or

(b) modify or reverse the decision of the animal control officer, after which the animal control officer shall take such action as is necessary to carry out the decision of the Committee.

(6) The decision of the Committee and the reasons for it shall be summarized in writing and provided to the person who filed the appeal.

Appeal of Registration Requirement

(1) Any person who receives an order from the animal control officer requiring that a dangerous domestic animal be registered as provided in section 3.203 may appeal the order by filing a written notice of the appeal to the Chief of Police within seven days of the date of the order. The written appeal shall state the grounds of the appeal.

(2) Upon receiving a notice of appeal, a hearing shall be convened, chaired by the Chief of Police or designee, to receive any testimony or other evidence that is deemed appropriate concerning the determination that an animal be registered.

(3) When an appeal has been filed, Animal Control shall make a reasonable effort to notify any persons who would have had direct involvement in the situation which led to the registration requirement, including those persons who were injured or who are owners or keepers of any animals which were injured by the Dangerous Domestic Animal.

(4) The appeal shall be heard by a committee appointed by the Chief of Police and consisting of a minimum of three people, including a member of the public, a dog professional, and an Animal Control director from another agency or his/her designee.

- (5) Following such hearing, the Committee may:
- (a) uphold the decision of the animal control officer and order the dangerous animal remain registered under the conditions imposed; or
 - (b) modify or reverse the decision of the animal control officer, after which the animal control officer shall take such action as is necessary to carry out the decision of the Chief of Police.
- (6) The decision of the Committee and the reasons for it shall be summarized in writing and provided to the person who filed the appeal.

Sec. 3.209. LIFT OF REGISTRATION REQUIREMENTS

If any animal previously determined to be subject to registration as a Dangerous Domestic Animal has not exhibited any of the behaviors specified under Section 3.202(1)(a) for a period of thirty six (36) months since the date of the registration, then that animal is eligible for a review of the determination with a potential for lifting the registration requirements. Application for such review shall be the responsibility of the owner and must be filed with the Animal Control Department. The review shall be completed by a committee appointed by the Chief of Police and consisting of a minimum of three people, including a member of the public, a dog professional, and an Animal Control director from another agency or his/her designee.

Sec. 3.210. REPORTING OF INCIDENTS REQUIRED

It shall be the duty of any person having knowledge of an incident in which any domestic animal has caused serious injury to a person or another domestic animal to report that incident within 24 hours of its occurrence. Failure to do so is a violation punishable as a municipal infraction.

Sec. 3.211. POLICE SERVICE DOGS EXEMPT

Police Service Dogs which are in active use by a Law Enforcement agency shall be exempt from the Dangerous Animal provisions.

(Ord. No. 3930; 11-20-07)

DIVISION III DANGEROUS WILD ANIMALS
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Sec. 3.301. PURPOSE AND SCOPE.

(1) The purpose of the sections in Division III of this chapter is to establish regulations to protect the public from the hazards associated with dangerous animals of wild species which are now or may hereafter be kept in the City.

(2) These regulations shall apply to all those animals of the kinds hereinafter listed, and any other dangerous wild animal not listed, except those which are expressly exempted. In that regard, a dangerous wild animal is one that is of a species that, if not properly kept when in captivity, is known to have caused serious injury, death, or disease to humans, or is manifestly capable of doing so. Decisions as to whether a certain animal shall be subject to these regulations shall be made by the city animal control officer on the basis of reasonable evidence that may include the opinion of an expert.

- (3) The following are exempt from these regulations:
- (a) Domestic ferrets, hamsters, gerbils, guinea pigs, domestic hares, rabbits, and domestic rodents.
 - (b) Macropodidae, e.g. kangaroos and wallabies;
 - (c) Dosypodidae, e.g. armadillos;
 - (d) *Canis familiaris*, e.g. domestic dogs;
 - (e) *Felis domestica*, e.g. domestic cats;
 - (f) Camelidae, e.g. camels and llamas;
 - (g) Cervidae, e.g. deer;
 - (h) Antilocopridae, e.g. pronghorn antelopes;
 - (i) Bovidae, e.g. buffalo;
 - (j) Wild Iowa rodents, rabbits and hares if the owner has a valid Iowa Collectors Permit from the Iowa State Conservation Commission.
- (4) The following animals, unless exempted above, are subject to these regulations:
- (a) Didelphidae, e.g. opossums;

- (b) Chiroptera, e.g. bats;
- (c) Lemnidae, e.g. lemurs;
- (d) Cebidae and Cercopithecidae, e.g. monkeys and baboons;
- (e) Callithricidae, e.g. marmosets, tamarins;
- (f) Pongidae, e.g. gibbons, orangutans, chimpanzees, gorillas;
- (g) Mymecophagidae, e.g. anteaters;
- (h) Leporidae, e.g. non-domestic rabbits and hares except as provided for by 3-j above;
- (i) Sciuridae, e.g. squirrels, woodchucks, prairie dogs and chipmunks;
- (j) Geomyidae, e.g. gophers;
- (k) Castoridae, e.g. beavers;
- (l) Canidae, e.g. non-domestic dogs, wolves, coyotes, foxes, jackels, wolf-dog crosses, and coyote-dog crosses;
- (m) Ursidae, e.g. bears;
- (n) Procyonidae, e.g. raccoons, pandas, kinkajous;
- (o) Mustelidae, e.g. weasels, minks, skunks, wolverines, otters, and polecats;
- (p) Viverridae, e.g. civets and mongooses;
- (q) Hyaenidae, e.g. hyaenas and aardwolves;
- (r) Felidae, e.g. lynxes, bobcats, pumas, jaguars, lions and tigers;
- (s) Helodermatidae, e.g. gila monsters;
- (t) Crotalidae, e.g. rattlesnakes, copperheads, and all other pit vipers;
- (u) Viperidae, e.g. puff adders and all true vipers;
- (v) Elapidae, e.g. cobras and coral snakes;
- (w) Hydrophiidae, e.g. sea snakes
- (x) African boomslang and African bird snake;
- (y) Those more than six feet long of the following: anaconda, boa constrictor, amethystine python, African rock python, Burmese python, and reticulated python;
- (z) Crocodylidae, e.g. crocodiles, alligators and caimans.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88; Ord. No. 3509, Sec. 1, 1-26-99)

Sec. 3.302. REGISTRATION REQUIRED.

(1) All animals within the scope of section 3.301 shall be registered with the City Animal Control officer by an adult person responsible for the keeping of the animal. Failure or refusal to register each such animal, stating the animals location and identifying characteristics, on forms provided by the city, shall constitute a violation of the Ames Municipal Code and be punishable as a municipal infraction. Failure to register if the animal's owner is changed, or it is moved to another location, or to report an animal as missing, shall also be a violation hereof.

(2) The registration of an animal shall be renewed annually. The premises and facilities where such registered animals are kept shall be inspected annually, unless there is reason to believe animals are being improperly kept or cared for, in which case inspections may be made as the animal control officer deems necessary. The city council may establish a schedule of fees to cover costs of administration and inspection. *(Ord. No. 3003, Sec. 5, 2-23-88; Ord. No. 3030, Sec. 1, 12-20-88)*

Sec. 3.303. DISPOSITION OF UNCARED FOR ANIMALS.

In the event that the city animal control officer encounters or learns of a dangerous wild animal being uncared for, or if such an animal is loose upon public or private property, the city animal control officer shall take the animal into protective custody and reasonable efforts shall be made to learn the identity of any person or persons, if any, lawfully entitled to have the animal. If no such person can be found within a reasonable time, the animal shall be disposed of in a humane manner. Disposition may be to return the animal to the wild if it is known that the animal species is native to Iowa and that the particular animal is capable of survival if released.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88; Ord. No. 3509, Sec. 1, 1-26-99)

Sec. 3.304. PROHIBITED ANIMALS.

Registration and keeping of certain animals, as specified in this section, shall not be allowed. The keeping of such an animal shall be a violation hereof and punishable as such. Furthermore, after notice and opportunity for hearing, the animal control officer shall take such animals into protective custody pending

appropriate disposition.

(1) Bears, large cats, and wolves shall not be permitted unless the animal was being kept prior to the effective date of this ordinance and the animal is kept under conditions which meet the security and space requirements of this ordinance.

(2) Imported mammals shall not be permitted unless the owner shows documentation of entry through a licensed quarantine station and shows an official certification of health.

(3) Wild species which are hazards of rabies or plague transmission, e.g. skunks, raccoons, foxes, bats and mongooses, and rodents captured in plague endemic areas, shall not be permitted unless there is produced certification by a state or federal regulatory agency that the animal was born and maintained continuously in captivity in accordance with all applicable regulations.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.305. CARE AND FEEDING OF ANIMALS.

(1) Keepers of animals subject to these regulations shall provide adequate treatment for such animals, and all appropriate care, including veterinary care, to maintain the health of the animal. If the animal control officer has evidence that such animal is not being provided proper nutrition and health care, the said officer may, after notice and opportunity for hearing, take such animal into protective custody pending veterinary evaluation.

(2) All animals subject to these regulations shall be kept under conditions which meet the federal standards set out in the Code of Federal Regulations, Title 9, Part 3, Animals and Animal Products, in so far as said regulations pertain to: structural strength of facilities, water, electrical safety, waste disposal, heating, ventilation, shelter from sunlight, shelter from rain and snow, shelter from wind and cold, drainage, cleaning and sanitation, pest control, feeding and watering. Copies of said regulations shall be kept on file by the animal control officer.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.306. MAMMAL SECURITY STANDARDS.

All mammals subject to these regulations shall be kept only in a manner that substantially conforms to the following standards:

(1) A sign to identify the species being kept, by its common name, shall be displayed on the holding pen.

(2) Mammals shall be kept in locked holding pens or locked cages at all times, except that wild canine and dog crosses may be walked for exercise or transported outside their locked pens or cages only when all of the following conditions are met:

(a) The animal is muzzled with a properly fitting commercial muzzle in good repair, designed for complete bite prevention, and which has been inspected for fit and condition by Animal Control staff;

(b) The animal is restrained with both a leash and a harness which are in good condition and of sufficient strength to control its actions;

(c) The animal is accompanied by its adult owner who has demonstrated sufficient strength and handling skills to control the animal;

(d) The animal shall not have contact with other animals, or with persons other than its owner;

(e) Animals which have not attained one (1) year of age by November 1, 1997, must be neutered; and

(f) The owner shall submit to inspection at least annually by Animal Control staff of muzzles, leashes, housing facilities and handling skills for the animal.

(Ord. No. 3467, Sec. 1, 10-28-97)

(3) The following pen and fence requirements apply to the mammalian orders as stated. A "C" means that a ceiling is required on the pen. A "P" means that a perimeter fence is required in addition to the pen. A required perimeter fence shall be at least four (4) feet out from, and entirely surrounding the primary holding pen, and shall be at least five feet high. An "N" means that no perimeter fence is required.

(a) Didelphidae - Chain link fence and concrete floor; or wood frame cage with 1/4" - 1/2" mesh hardware cloth; or room in a house with screen or 1/4" mesh hardware cloth over window openings; P, C

(b) Myrmecophagidae - Chain link fence and concrete floor; P, C

- (c) Chiroptera - Wood frame cage with 1/4" mesh hardware cloth or 3/16" plate glass; or large aquarium with fitted wood frame and 1/4" mesh hardware cloth top; N, C
- (d) Primates - Wire cage or chain link fence and concrete floor; P, C
- (e) Leporidae - Wood frame cage and chicken wire or 1/4" - 1/2" mesh hardware cloth;
- N
- (f) Sciuridae - Strong all-metal cage; N (except for woodchucks), C
- (g) Geomyidae - Large Aquarium; N
- (h) Castoridae - Chain link fence and concrete floor; P
- (i) Cricetidae - Commercial mouse cage or aquarium with fitted wood frame and 1/4" mesh hardware cloth top; N, C
- (j) Canidae - Chain link fence and concrete floor; P, C
- (k) Procyonidae - Chain link fence and concrete floor or strong metal cage; P, C
- (l) Mustelidae - Chain link fence and concrete floor or strong metal cage; for small weasels - aquarium with fitted wood frame and 1/4" mesh hardware cloth top or strong metal cage; P, C
- (m) Hyaenidae - Chain link fence and concrete floor; P, C
- (n) Viverridae - Chain link fence and concrete floor; P, C
- (o) Ursidae - Chain link fence and concrete floor; P, C
- (p) Felidae (larger than bobcat and ocelot) - Chain link fence and concrete floor; P, C
- (q) Felidae (bobcat and ocelot or smaller) - Chain link fence and concrete floor; P,C; or room in house with screen or 1/4" mesh hardware cloth over window openings in this room
- (r) Perissodactyla - Chain link or woven wire or barbed wire fence; N
- (s) Artiodactyla - Chain link or woven wire or barbed wire fence

(4) The perimeter fence is not required if there is a primary holding pen that is located entirely within an enclosed building.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.307. SPACE REQUIREMENTS FOR CERTAIN MAMMALS.

The following states the total required combined measurements for holding and exercise enclosures, for which substantial compliance shall be required. For each additional animal, add 25% of the stated amount. Infant animals in pet stores shall be exempt for not more than two weeks.

SPECIES	FLOOR (FT. ²)	HEIGHT (FT)
Opossum (1-2)	100	4-7
Prairie Dog	50	5
Agouti	100	6
Porcupine	150	7
Foxes (various species)	125	7
Coyote	200	7
Dingo	200	7
Wolf	2000	7
American Black Bear	3000	10
Kinkajoo	80	7
Raccoon and Coati	100	7
Wilk Ferrets	25	5
Skunk	100	5

Otter	250	7
Tayra	100	7
Grison	100	7
Cougar	2000	12
Leopard	2000	12
Jaguar	2000	12
Cheetah	2500	12
Lion	2500	12
Tiger	2500	12
Lesser Cats (less than 20 lb)	100	7
Lessor Cats (more than 20 lb)	250	7
Wild Goats & Sheep	1500	6
Hyaenas	500	7
Civets & Mongooses	100	5
Beavers	100	7
Pocket Gophers	25	2
Squirrels	50	7
Woodchuck	50	5
Chipmunks & Ground Squirrels	10	2
Wild Small Rodents (mice, etc.)	.5	.5
Wilk Rabbits & Hares	50	5
Anteaters	250	7
Apes	500	10-12
Old World Monkeys & Baboons	500	10-12
New World Monkeys	500	10-12
Lemurs	100	7
Marmossets & Tamarins	100	7
Bats	50	5

(Ord. No.2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.308. SPACE REQUIREMENTS FOR REPTILES.

The following space requirements, for which substantial compliance shall be required, are applicable to the keeping of reptiles which are subject to these regulations:

(1) Helodermatidae: A cage as wide as and twice as long as the lizard's total length and 12 inches high. For each additional lizard in the same cage, take the floor area needed by the largest occupant and

increase it by 25%.

(2) Snakes: Half a square foot of floor space per foot of length for a snake up to six feet long. One square foot of floor space per foot of length for a snake up to ten feet long. Two square feet of floor space per foot of length for a snake over ten feet. For each additional snake in the same cage, take the floor area needed by the largest occupant and increase it by 25%.

(3) Crocodiles and their allies

(a) There must be a pool of water as wide as and twice as long as the crocodilian's total length. It must be deep enough for total submersion. There must be a dry area as long and as wide as the occupant's total length. For each additional specimen in the same cage, take the area needed by the largest occupant and increase it by 25%.

(b) The wet and dry area must be enclosed with chain link fencing or other suitable material appropriate for the animal's containment. This enclosure must also have a ceiling secured on all sides. Materials used for such enclosure must be of a disinfectable nature. The dry area must consist of sand, pea gravel, or astroturf to allow disinfectant cleaning or complete changing. The enclosure must be kept locked at all times with a lock of sufficient strength to prevent the escape of the animal(s) and must display signage as to the content with an appropriate warning. Outdoor housing is allowed under species-appropriate weather conditions. If housed outside, a perimeter fence sufficient to prevent entry from all sides of the primary enclosure must be evident.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88; Ord. No. 3254, Sec. 1, 1-11-94)

Sec. 3.309. KEEPING OF VENOMOUS REPTILES.

(1) No person shall be permitted to keep venomous reptiles unless they have first demonstrated two years of secure and humane keeping of harmless snakes. Thereafter the person shall be restricted for one year to the keeping of non-lethal venomous reptiles, e.g. copperheads, pigmy rattlesnakes, and sidewinders.

(2) It shall not be permitted to keep venomous reptiles in buildings containing more than one dwelling unit.

(3) Venomous reptiles shall be kept in locked cages in locked rooms and the cage shall be labeled to identify the reptile contained.

(4) Venomous reptiles that have had duct ligation surgery shall nevertheless be regarded as subject to these regulations.

(5) Cages shall be so constructed as to not break or give way as a result of reasonable foreseeable accident or misuse.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.310. KEEPING OF LARGE NON-VENOMOUS REPTILES.

(1) No person shall be permitted to keep a snake as specified in Section 3.301(4)(y) unless the person can show two years of experience in the secure and humane keeping of constricting snakes.

(2) Snakes as specified in 3.301(4)(y) shall be kept in locked cages in locked rooms.

(3) Cages shall be so constructed as to not break or give way as a result of reasonably foreseeable accident or misuse.

(4) No person shall be permitted to keep a reticulated python, African rock python or an anaconda except after demonstrating to the satisfaction of the animal control officer that the person has sufficient knowledge and experience to keep such reptiles in a safe and humane manner.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.311. TRAVELING WILDLIFE, MENAGERIES, SHOWS, PETTING ZOOS.

(1) Non-resident persons, itinerant shows, traveling menageries, traveling petting zoos, and similar displays of wildlife that travel from place to place, shall not bring any dangerous wild animal, as defined in Sec. 3.301(2) hereof into the City of Ames without a permit from the City of Ames animal control officer. To obtain that permit an application shall be made in writing to the animal control officer stating the number and species of animals, anticipated itinerary, scheduled stops, and the purposes for bringing the animal or animals into the city. The permit shall be issued provided the applicant can demonstrate advance compliance with the standards of the Ames Municipal Code, or in the alternative, meet the federal standards set out in CFR Title 9, Part 3, Animal and Animal Products, including those standards governing the transportation of animals, while the applicant's animals are within the city. The permit shall be valid for one (1) year, but the animal control officer shall be notified of the time, date and place of each and every exhibition not less than

twenty-four hours in advance thereof. Fees shall be set by the city council on the basis of costs. Fees shall be differentiated between reasonable classifications and categories of exhibitors when there is a significant difference in costs of administration with respect to each classification.

(2) This section and the preceding sections of Division III of Chapter 3 of the Ames Municipal Code shall not apply to common carriers.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.312. EXEMPTIONS.

The following are exempt from the requirements of Division III of Chapter 3 of the Ames Municipal Code:

(1) A person possessing or having custody of a sick or injured animal in the city solely for the purpose of transporting the animal to a veterinarian for care, or to an animal shelter operated by the City of Ames, or to a State or Federal facility with authority or apparent authority to handle the animal.

(2) Private veterinarians, animal hospitals or clinics, provided such persons or establishments notify the animal control officer on the same day that they obtain custody of the animal.

(3) Any "research facility" within the meaning of Section 2(e) of the Federal Animal Welfare Act, 7 U.S.C. Sec. 2132(e), licensed by the Secretary of Agriculture of the United States pursuant to that Act.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88)

Sec. 3.313. RESIDENT EXHIBITORS PERMIT.

(1) A permanent resident of the City may, either at the time of the initial registration of an animal covered by these regulations, or at any other time, apply to the animal control officer for a permit to exhibit such animal or animals at places other than the site where the animal is kept. This shall be an annual permit for which a reasonable fee shall be set by the city council. Such animal shall not be taken off the premises of the site where the animal is kept without said permit, and the animal control officer shall be notified twenty-four hours in advance of each exhibition, of the time, date and place thereof.

(2) The animal control officer shall grant such permit to persons who, upon questioning by the said officer, demonstrate such knowledge of the animal and its behavioral characteristics, and such personality traits as to give no reason to doubt the ability of the applicant to exhibit the animal without substantial risk of harm to the animal or to persons to whom the animal is exhibited.

(3) When exhibiting an animal off the premises of where the animal is kept the exhibitor shall have a strict duty of care. If the animal escapes, for any reason whether the exhibitor's fault or not, or if any harm occurs to the animal, or to any person during such exhibition, the exhibition permit shall then be, ipso facto, revoked and null and void and any further exhibition off premises shall be punishable as a violation hereof.

(Ord. No. 2936, Sec. 1, 10-15-85; Ord. No. 3030, Sec. 1, 12-20-88)

DIVISION IV. TRAPPING

Sec. 3.401. PROHIBITION ON TRAPPING.

(1) It shall be unlawful for any person to set and maintain animal or bird traps upon public or private property at any time except as follows:

(a) Traps set and maintained by the City Animal Control Officers, or by persons acting under written permission of such officers, for the purpose of controlling animals determined by such officials to be a public hazard or nuisance.

(b) Humane live box traps on public or private property, with the written permission of the City Animal Control Official. Such permission must detail the approximate location of each trap and bear the identification of the trap's owner. Such permission shall be withheld if the traps used and/or the locations of placement are deemed to be cruel or a hazard to people or domestic animals.

(c) Instant kill snap traps designed for small rodents' pest control.

(2) The use of conibear traps, snare traps, steel jaw traps, leghold traps, spring traps, or any similar device designed to catch and hold the animal by the leg or other part of the body; or which is likely for any reason to cause injury, pain and suffering before death, are prohibited.

(3) The Animal Control Officials of the City may, with the approval of the City Council, promulgate

and publish detailed regulations and policies for trapping in the City of Ames violation of which shall constitute a violation of this ordinance.
(Ord. No. 2998, Sec. 1, 1-5-88; Ord. No. 3030, Sec. 1, 12-20-88)

**DIVISION V.
PENALTIES**

Sec. 3.501. PENALTIES FOR OFFENSES PERTAINING TO ANIMALS.

A violation of any provision of Chapter 3, Animals, shall be a municipal infraction punishable by a penalty of \$50 for a person's first violation thereof, and a penalty of \$100 for each repeat violation.
(Ord. No. 3497, Sec. 2, 8-25-98)

**DIVISION VI.
HUNTING**

3.601. PURPOSES.

For the purposes of preserving ecological integrity by controlling animal populations within the city corporate boundaries and adjacent communities, providing recreational opportunities for residents, and the overall health, safety and welfare of the general population, this section hereby declares that it shall be unlawful for any person to engage in hunting activity within the corporate city limits using a rifle, shotgun, bow and arrow or any other means either on public or private property, on land or in the water, except as in this division.

3.602. HUNTING IN DEER POPULATION MANAGEMENT ZONES.

Hunting is permitted within an area designated by the Iowa department of natural resources (DNR) as a special deer management zone and which has been designated as a City of Ames deer population management zone (DPMZ) by a resolution of the city council and subject to the following provisions:

(1) Hunting in a DPMZ shall be limited to the harvesting of antlerless deer. The city manager or designee may authorize an issuance of licenses for the harvesting of antlered deer under an incentive program authorized by the DNR.

(2) Hunting shall be limited to bow and arrow and shall be restricted to dates and hours established by the DNR. The city manager or designee may issue regulations to shorten the dates and hours for hunting within a DPMZ.

(3) The number of permits issued for each DPMZ shall be fixed by the city manager or designee.

(4) All hunters participating in this program must apply for and receive a City of Ames DPMZ permit. In order to receive the permit, a hunter must present a valid state of Iowa special urban deer license and show proof of the following:

- (a) Successful completion of a one time bow hunter safety education course approved by the International Bowhunter Education Foundation (IBEF).
- (b) Successful completion of an authorized archery proficiency test using the bow that the hunter will use to hunt. Testing must be administered by a certified IBEF instructor. Testing must be performed under rules approved by the City of Ames Special Urban Deer Management Task Force. The proficiency test must

be successfully completed each hunting season.

(5) Designation of a DPMZ within city park lands shall be first referred to the City of Ames Parks and Recreation Commission for approval and then may be established by resolution of the city council. Designation of a DPMZ on other city owned lands shall be by resolution of the city council.

3.603. SPECIAL URBAN DEER TASK FORCE.

There is established a Special Urban Deer Task Force, which will meet periodically to review the policies, procedures, effectiveness, and recreational benefits of urban bow hunting.

(1) The task force shall consist of the following:

(a) One or more representatives the Iowa Sate University with expertise in animal ecology, entomology, or other relevant fields.

(b) A wildlife management specialist from the Iowa Department of Natural Resources.

(c) A representative from the Izaak Walton League.

(d) One or more representatives from Neighborhood Groups or Associations in City Deer Management Zones.

(e) A representative from the Story County Conservation Board.

(f) A representative from the City of Ames Animal Control office.

(g) A representative from the City of Ames Police Department

(h) A representative from the City of Ames Parks & Recreation Commission.

(i) The City's hunter coordinator.

(2) The Task Force shall report annually to the city council concerning the status of the urban deer population and to make recommendations for changes in the policies and procedures regarding urban bow hunting.

(3) The city manager or designee shall appoint the Special Urban Deer Task Force.

(4) The city manager or designee, upon recommendation of the Special Urban Deer Task Force, may promulgate additional regulations, not inconsistent with this section, to administer this program and or ensure the safety of the public.

(Ord. No. 3891, 09-26-06)

**DIVISION VII.
FEEDING OF DEER**

Sec. 3.701. FEEDING OF DEER.

No person may place any salt, mineral, grain, fruit, or vegetable material outdoors on any public or private property within the City limits for the purpose of feeding deer. Prohibited items include, but are not limited to, salt, corn, apples, cabbage, potatoes, acorns, oats carrots, beets, straw, hay, fodder, or any combination thereof. No person shall intentionally feed, or cause to be fed food or other substances for the consumption of deer.

(1) There shall be a rebuttable presumption that either of the following acts are for the purpose of feeding deer:

(a) The placement of salt, mineral, grain, fruit, or vegetable material in an aggregate quantity of greater than one-half gallon at the height of less than 6 feet.

(b) The placement of salt, mineral, grain, fruit, or vegetable material in an aggregate quantity of greater than one-half gallon in a drop feeder, automatic feeder, or similar device regardless of the height of the material.

(2) This section shall not apply to the following situations

(a) Naturally growing materials. Naturally growing grain, fruit or vegetable material, including gardens, ornamental plants, and residue for lawns, gardens, and other vegetable material maintained as a mulch pile.

(b) Bird Feeders. Unmodified commercially purchased bird feeders or their equivalent used only for the purpose of feeding birds.

(c) Authorized by the City Council or the Special Urban Deer Task Force. Deer feeding may be authorized on a temporary basis by the City Council or the Special Urban Deer Task Force for a specific public purpose as determined by the Council or Task Force.

(Ord. No. 3933, 12-04-07)