

CHAPTER 9  
ANIMAL PROTECTION AND CONTROL  
TITLE V - PUBLIC ORDER, SAFETY & HEALTH

SECTION 1. TITLE

This ordinance shall be known and may be cited and referred to as the Jones County Animal Protection and Control Ordinance.

SECTION 2. PURPOSE

The purpose of this ordinance is to establish regulations regarding the control of animals in the unincorporated areas of Jones County, in order to protect persons, property, and animals from harm caused by uncontrolled or vicious animals.

SECTION 3. DEFINITIONS

For the purpose of this ordinance these words have the following meaning:

- A. Animal means a nonhuman vertebrate.
- B. At Large means off the premises of the owner and not under the control of a competent person, restrained within a motor vehicle, or housed in a veterinary hospital or kennel.
- C. Livestock means an animal belonging to the bovine, caprine, equine, ovine or porcine species; farm deer, as defined in Section 189A.2(6A) of the Code of Iowa; ostriches, rheas, emus or poultry.
- D. Owner means any person owning, keeping, sheltering or harboring an animal.

SECTION 4. AT LARGE PROHIBITED

It is unlawful for any owner to allow an animal to run at large within the confines of Jones County.

SECTION 5. DAMAGE OR INTERFERENCE

It is unlawful for the owner of an animal to allow or permit such animal to pass upon the premises of another thereby causing damage to, or interference with the premises, property or livestock of another.

SECTION 6. ANNOYANCE OR DISTURBANCE

It is unlawful for the owner of a dog to allow or permit such dog to cause serious annoyance or disturbance to any person or persons by frequent howling, yelping, barking or otherwise; or by running after or chasing persons, bicycles, automobiles or other vehicles.

SECTION 7. VICIOUS ANIMALS

It is unlawful for any person to harbor or keep a vicious animal within Jones County. An animal is deemed to be vicious when it has attacked or bitten any person without provocation.

SECTION 8. ATTACKS BY ANIMALS

- A. Owners Duty. It is the duty of the owner of any dog, cat or other animal which has bitten or attacked a person, or any person having knowledge of such bite or attack, to report this act to the Jones County Board of Health or a law enforcement agency.
- B. Duty of Physicians and Veterinarians. It is the duty of physicians and veterinarians to report to the Jones County Board of Health the existence of any animal known or suspected to be suffering from rabies.
- C. Confinement. When the Jones County Board of Health or a law enforcement agency receives information that any person has been bitten by an animal, or that a dog or animal is suspected of having rabies, it shall order the owner to confine such animal in the manner it directs. If the owner fails to confine such animal in the manner directed, the animal shall be apprehended and

impounded, and after two weeks the Board of Health may humanely destroy the animal. The owner of the animal, if known, shall pay the cost of impoundment and or destroying the animal.

SECTION 9. AT LARGE IMPOUNDMENT

Any dog or cat or other animal found at large in violation of this ordinance shall be seized and impounded, or at the discretion of the peace officer, the owner may be served a summons to appear before the proper court to answer charges made thereunder.

- A. Disposition of Animals. When a dog or cat or other such animal has been apprehended and impounded, written notice shall be given in not less than two days to the owner, if known. Impounded animals may be recovered by the owner upon payment of impounding costs, and if an unvaccinated dog, by having it immediately vaccinated. If the owner does not redeem the animal within seven (7) days of the date of notice, or if the owner cannot be located within seven days, the animal may be humanely destroyed or otherwise disposed of in accordance with the law.
- B. Impounding Costs. Impounding costs shall be the actual costs to impound said animal. The owner of the animal, if known, shall pay the cost of impoundment and or destroying the animal.

SECTION 10. RIGHT TO KILL A TAGGED OR UNTAGGED DOG

It shall be lawful for any person to kill a dog, whether or not a rabies vaccination tag is attached, when the dog is caught in the act of worrying, chasing, maiming, or killing any domestic animal or fowl, or when such dog is attacking or attempting to bite a person.

SECTION 11. PENALTY

Violation of this ordinance shall constitute a county infraction which shall be punishable by a civil penalty in an amount not to exceed that allowed by Iowa Code Section 331.307 (1.), as now or hereafter amended. Alternatively, or in addition to, constitution of a county infraction, a person found in violation of this ordinance may be guilty of a simple misdemeanor, and on conviction thereof be subject to such maximum fine as the law allows in Iowa Code Section 903.1, as now or hereafter amended. Each day that a violation occurs or is permitted to exist by the applicant constitutes a separate offense.

SECTION 12. SEVERABILITY CLAUSE

If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 13. WHEN EFFECTIVE

This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Adopted November 18, 2003

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