

**ORDINANCE NO. 02-O-2024-2025**

**AN ORDINANCE AMENDING TITLE VIII OF THE 1994 RECODIFICATION OF THE MUNICIPAL CODE OF THE CITY OF STORM LAKE, IOWA, BY REPEALING AND REPLACING CHAPTERS 8-3 PERTAINING TO ANIMAL CONTROL**

WHEREAS, Title VIII, Police, of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa ("City Code") contains Chapter 8-3 pertaining to the control and regulation of animals and animal ownership within the corporate limits of Storm Lake; and

WHEREAS, the City Council of the City of Storm Lake ("Council" or "City," respectively) seeks to repeal and replace Chapter 8-3 pertaining to animal control and regulation for the purposes of updating the provisions; and

WHEREAS, the City finds it proper and necessary to adopt revised ordinances to protect the health and welfare of citizens; and

WHEREAS, the Council hereby determines the revisions and changes to the various animal control sections of City Code Title VIII are in the public's best interests.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STORM LAKE, IOWA, THAT:

**SECTION ONE.** Title VIII of the 1994 Recodification of the Municipal Code of the City of Storm Lake, Iowa, is hereby amended by repealing Chapter 8-3, Dogs, in its entirety and replacing it with the following in lieu thereof:

**Chapter 8-3**

**DOGS**

Sections:

8-3-1 Definitions

8-3-2 License

8-3-3 Immunization

8-3-4 Kennel Dogs

8-3-5 Dogs Disturbing the Peace

8-3-6 Impounding

8-3-7 Municipal Infraction

**Section 8-3-1 Definitions**

For use within this Chapter the following are defined:

(A) "DOGS" includes both male and female members of the canine species, whether altered or not;

- (B) "AT LARGE" refers to any dog running otherwise than upon the premises of its owner when the dog is not attached to a leash 6 feet or less in length, or other similar physical restraint, under the control of a person physically competent to restrain or control the dog, properly restrained within a motor vehicle, or housed in an animal hospital or kennel;
- (C) "OWNER" includes any person, firm or corporation owning, harboring, sheltering or keeping a dog, including any person who feeds or otherwise cares for a dog.

### **Section 8-3-2 License**

- (A) License Required. Every owner of a dog six (6) months of age or older shall annually procure a dog license from the City. The license fee shall be in the amount set by Council Resolution and shall be paid no later than January 1 of each year. It shall be unlawful for an owner to have a dog within the city without procuring a license as required by this Ordinance.
- (B) Application for License and Issuance Requirements. License applications shall be on a form provided and prescribed by the City Manager. Applications shall be made within six months of possession of the dog. Applications shall include evidence of rabies vaccination. The rabies vaccination required shall be that which is approved by the state of Iowa in accordance with the approved state agency's standards and requirements, and the frequency of revaccination necessary for approved vaccinations shall be established by that state department. The vaccine shall be administered by a licensed veterinarian and shall be given as approved by the state of Iowa.  
  
A copy of a certificate from a licensed veterinarian must accompany all applications claiming an animal has been spayed or neutered. The city clerk or designee shall issue dog licenses when the application requirements are met and the license fee is paid.
- (C) Duration of License. A license granted pursuant to this provision shall be valid for a period of one year.
- (D) License Tag. Upon payment of the license fee, the City shall issue to the owner a license which shall contain the name of the owner, his/her place of residence, and a description of the dog. The City shall keep a duplicate of each license issued as a public record. Upon issuance of the license, the City shall deliver to the owner a metal tag stamped with the number of the license and the year for which it is issued. The license tag shall be securely fastened to a collar or harness which shall be worn by the dog for which the license is issued. Any dog found running at large without the license tag attached to its collar or harness shall be deemed unlicensed. Licenses and license tags are not transferable.
- (E) Exceptions. The requirements for licensing dogs shall not apply in the following circumstances:
  - 1. The dog is in transit through the city only.

2. The first thirty (30) calendar days of residency in the city by the owner, or the first thirty (30) calendar days the owner has owned the dog and the dog is at least six months old.

### **Section 8-3-3 Immunization**

Every dog owner shall comply with state law requirements to obtain proper immunization against rabies. Ownership or possession of a dog over six months of age within the corporate limits of Storm Lake without proper immunization against rabies shall be unlawful. Proof of immunization issued by a licensed veterinarian in the form of a metal tag shall be worn by any dog owner's dog, and the dog owner shall additionally maintain documented proof of such immunization.

### **Section 8-3-4 Kennel Dogs**

Kennel dogs which are kept or raised solely for the bona fide purpose of sale and which are kept under constant restraint are not subject to the provisions of this Chapter.

### **Section 8-3-5 Dogs Disturbing the Peace – Leashing Required**

- (A) It shall be unlawful for an owner of a dog to allow or permit such dog to pass upon the premises of another.
- (B) It shall be unlawful for an owner of a dog to allow or permit such dog to run at large. Dogs may not run at large in any city park, public sidewalk, or trail. Dogs that are not properly attached to a leash 6 feet or less in length, or other similar physical restraint, shall be deemed at large.
- (C) It shall be unlawful for an owner of a dog to allow or permit such dog to cause serious annoyance or disturbance to any person by frequent and habitual howling, yelping, barking or otherwise; or by running after or chasing persons, bicycles, automobiles or other vehicles.
- (D) It shall be unlawful for any person who owns, possesses, or controls an animal to permit the animal's excrement to be left upon any public property, or any private property neither owned nor occupied by such person. Animal excrement shall be immediately removed and properly disposed of in a trash receptacle.
- (E) The provisions of Subsections (A) and (B) shall not apply to dogs being run by an employee of the City or by a person, including the person's employee, under contract with the City of Storm Lake for the purpose of controlling and minimizing the presence of geese in the City parks or other property owned by the City.

### **Section 8-3-6 Impounding**

- (A) Any unlicensed dog found at large, or any licensed dog found at large in violation of the provisions of this Chapter, shall be seized and impounded.

(B) The owners of such licensed dogs shall be notified in writing within two (2) days of impounding that upon payment of impounding costs such dogs will be returned. If the impounded licensed dogs are not recovered by their owners within five (5) days after notice, the dogs shall be humanely disposed of by the Chief of Police.

(C) Impounded unlicensed dogs may be recovered by the owner, upon proper identification, by payment of license fee and impounding costs. If such dogs are not claimed within five (5) days after impounding, they shall be humanely disposed of by the Chief of Police.

**Section 8-3-7 Municipal Infraction**

A violation of any of the provisions of this Chapter shall constitute a municipal infraction subject to the penalties and alternative relief authorized by Title 1, Chapter 20 of this Code and by Section 364.22 of the Code of Iowa.

**SECTION TWO.** Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portion hereof.

**SECTION THREE.** Repealer. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION FOUR.** Effective. This Ordinance shall be in full force and effect, from and after its passage, adoption, and approval and publication as required by law, unless a subsequent effective date is set out hereinabove.

**SECTION FIVE.** When this ordinance is in effect, it shall automatically supplement, amend, and become a part of the said Recodification of the Municipal Code of the City of Storm Lake, Iowa.

PASSED on its first consideration the 5<sup>th</sup> day of August, 2024.

PASSED on its second consideration the 19<sup>th</sup> day of August, 2024.

Requirement of consideration and vote at two (2) prior Council meetings suspended the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

PASSED AND APPROVED on its third consideration this 3<sup>rd</sup> day of September, 2024.

CITY OF STORM LAKE, IOWA

By: Michael [Signature]

Micheal Porsch, Mayor

\_\_\_\_\_ No action taken by Mayor.

\_\_\_\_\_ Vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Michael Porsch  
Michael Porsch, Mayor

ATTEST:

Mayra A. Martinez  
Mayra A. Martinez, City Clerk

\_\_\_\_\_ Repassed and adopted over the veto this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_ Veto affirmed this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by failure of vote taken to repass.

\_\_\_\_\_ Veto affirmed no timely vote taken to repass over veto.

ATTEST:

\_\_\_\_\_  
Mayra A. Martinez, City Clerk

CLEVELAND