



NOTICE:

ROMULUS CITY COUNCIL

SPECIAL MEETING – STUDY SESSION

Monday, February 10, 2025

The Romulus City Council will hold a Special Meeting – Study Session on **Monday, February 10, 2025, at 6:30 p.m.** in the Romulus City Hall Council Chambers located at 11111 Wayne Road, Romulus, MI 48174, to discuss amendments to Chapter 6 of the Romulus Code of Ordinances (Animal Ordinance)

The Special Meeting-Study Session Agenda is as follows:

1. **Roll Call**
2. **Agenda**
3. **Discussion: Amendments to Ch. 6 - Animal Ordinance**
4. **Public Comment**
5. **Adjournment**

Ellen L. Craig-Bragg, City Clerk
City of Romulus

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act), MCL 15.263a et. seq., and the Americans with Disabilities Act. (ADA).

THIS IS AN OPEN-SESSION MEETING

Instructions for Persons with Disabilities

Persons with disabilities who need accommodations to participate in the meeting effectively should contact the City Clerk or send an email by 12:00 p.m. the day of the meeting to request assistance at:

Ellen L. Craig-Bragg, City Clerk, 11111 Wayne Rd., Romulus, MI 48174, (734) 942-7540,
clerk@romulusgov.com



City Council Special Meeting

Study Session Agenda

February 10, 2025

6:30 PM

1. **Roll Call**
2. **Agenda - Motion to accept Study Session Agenda as presented**
3. **Discussion: Amendments to Ch. 6 - Animal Ordinance**
4. **Public Comment**
5. **Adjournment - Motion to adjourn the Special Meeting**



MEMORANDUM

To: Honorable City Council
From: Ellen L. Craig-Bragg, City Clerk
Cc: D'Sjonaun Hockenhull, Deputy City Clerk
Date: February 6, 2025
Re: Special Meetings

There are two (2) special meetings scheduled for Monday, February 10, 2025:

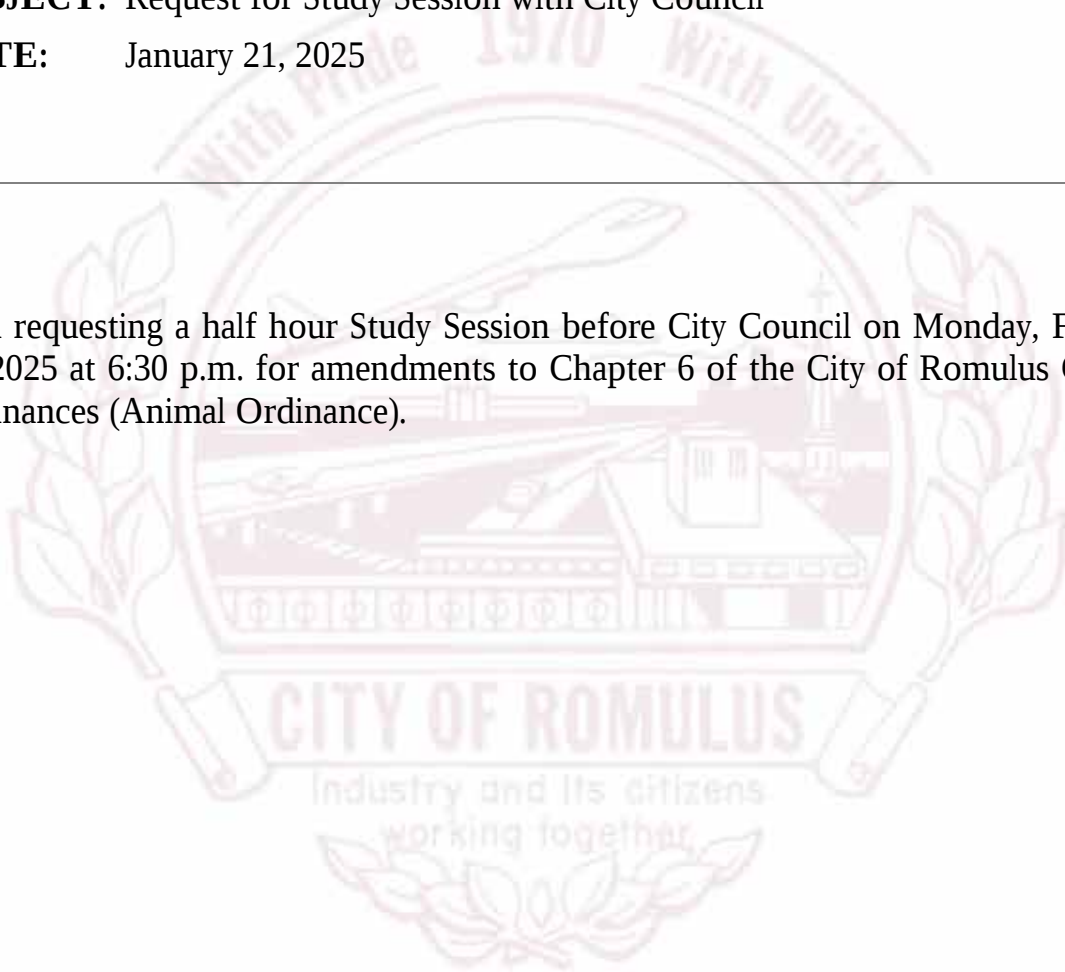
- | | | |
|---------------------|-----------------------|------------------------------------|
| 1. 6:30 p.m. | Study Session | Animal Ordinance Amendments |
| 2. 7:00 p.m. | Public Hearing | Alley Vacation |

City of Romulus

INTEROFFICE MEMORANDUM

TO: Ellen L. Craig-Bragg, City Clerk
FROM: Mayor Robert A. McCraight
SUBJECT: Request for Study Session with City Council
DATE: January 21, 2025

I am requesting a half hour Study Session before City Council on Monday, February 10, 2025 at 6:30 p.m. for amendments to Chapter 6 of the City of Romulus Code of Ordinances (Animal Ordinance).



Chapter 6 – ANIMALS

ARTICLE I. – IN GENERAL

Sec. 6-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Adequate care means the provision of sufficient food, water, shelter, sanitary conditions, exercise and veterinary medical attention in order to maintain an animal in a state of good health.

Adoption means to transfer ownership, with or without remuneration, of a dog, cat or ferret from an animal shelter, animal protection shelter or foster care to an individual for the purpose of being a companion animal for that individual.

Altered means professional sterilization procedure performed by a veterinarian that renders a dog, cat, or ferret incapable of reproducing.

Animal means any mammal, domesticated and indigenous to the state and not regarded as exotic.

Animal control shelter means a facility operated by the city to impound and care for animals found in streets or otherwise at large contrary to the ordinances of the city or state law.

Animal protection shelter means a facility operated by a person, humane society, society for the prevention of cruelty to animals, or any other nonprofit organization for the care of homeless animals.

Animal shelter means:

- (a) Adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health; and
- (b) Includes the following terms: Private kennel, commercial kennel, private stable, boarding stable and pet shop.

At large means any animal that is off the property of his owner and not under the control of a competent person of an age sufficient to control the animal.

Boarding stable means the structure, building or use on the premises of an owner wherein horses, ponies or other equines are kept for boarding purposes, whether for a fee or for sale.

Cat means an animal of any age of the species *felis catus*.

Commercial kennel means any lot or premises at least one and one-half acres in area, used for business purposes or otherwise and on which:

- (a) Six or more dogs, cats, or other domestic animals age four months or older are kept, and cared for, either permanently or temporarily, for hobby, sporting activity, protection of pets, foster or rescue care in a sanitary condition and in compliance with State law requirements for minimum standards for housing; or,
- (b) Any number of dogs, cats, or other domestic animals four months or older are kept for sale, boarding, breeding, training, grooming, transfer or handling in a sanitary condition and in compliance with state law.

Diseased and unhealthy animal means an animal that has an infectious or contagious disease, as determined by the state commissioner of agriculture, by the county health department or where the animal has been in contact with an animal that has been infected with a contagious or infectious disease.

Dog means an animal of any age of the species *canis familiaris*.

Domestic animal means any animal that traditionally lives in a state of dependence upon humans and have been kept as household pets such as dogs, cats, ferrets, hamsters, gerbils, rabbits, parakeets, parrots, canaries, love birds, finches and non-carnivorous birds.

Equine means any animal akin to the horse family, related to the family of or resembling a horse.

Ferret means an animal of any age of the species *mustela furo*.

Foster or rescue care means to temporarily house or feed a dog, cat or ferret for five days or more.

Fowl means chickens, ducks, geese and other kinds of birds, whether domestic or exotic.

Fowl or small animal pen means any structure or building and fenced open area used for keeping, caring or maintaining of fowl or small animals.

Horses means those horses or other types of equine used by the owner of the premises, or any member of his family, for pleasure riding.

Livestock means and shall apply to ponies, mules, jackasses, or other equines, sheep, cows, goats, swine, poultry and rabbits.

Livestock barn means any building or structure used for the keeping, caring, handling, maintaining or boarding of livestock, whether in a proprietary sense, as a business or as a means of livelihood.

Minimum Standards for Housing means in accordance with rules and regulations established by the Michigan Department of Agriculture.

Owner, when applied to a proprietorship of an animal, means and includes every person having the right of property of such animal, and every person who keeps or harbors such animal for a minimum of five days, or has in his care or possession such animal, and every person who permits such an animal to remain on or about any premises occupied by him.

Pen or corral means any fenced open area used in conjunction with the ownership or harboring of an animal.

Pet shop means a retail establishment, other than a kennel, wherein only such pets as may be commonly housed within domestic living quarters are kept and offered for sale. This shall include commonly recognized domesticated animals, birds, fish and small reptiles. It shall also include dogs, cats, rodents of all types, and fowl of all types. Pet shops must also be licensed by the Michigan Department of Agriculture.

Private kennel means any lot or premises at least one and one-half acres in area on which four to five dogs, cats, or other domestic animals age four months or older are kept, either permanently or temporarily, for hobby, sporting activity, protection of pets, foster or rescue care and are not kept for sale, boarding, breeding, training, grooming, transfer or handling are kept in a sanitary condition and in compliance with State law requirement for minimum standards for housing.

Private stable means the accessory building for the keeping of horses or other equines by the occupants of the premises, but not kept for hire or sale in a sanitary condition and in compliance with state law.

Sanitary conditions means space free from health hazards including excessive animal waste, overcrowding of animals, or other conditions that endanger the animals' health. This definition does not include a condition resulting from a customary and reasonable practice pursuant to farming or animal husbandry.

Shelter means and includes the following terms: Private kennel, commercial kennel, private stable, boarding stable, pet shop, [corral](#), [pen](#), [barn](#).

Small animals means and shall apply to rabbits, rats, mice, guinea pigs or other furbearing mammals, whether used and raised as a hobby or bred and sold for profit.

State of good health means freedom from disease and illness, and in a condition of proper body weight and temperature for the age and species of the animal, unless the animal is undergoing appropriate treatment.

Tethering means the restraint and confinement of a dog by the use of a chain, rope, or singular device.

Stray animal means an animal that is moving at large throughout the city not accompanied by its owner.

Water means potable water that is suitable for the age and species of animal, made regularly available unless otherwise directed by a veterinarian licensed to practice veterinary medicine.

Wild or exotic animal means any animal not domesticated and being incapable by its nature of being domesticated and is normally found in the wild, including, but not limited to: Alligators, badgers, bears, beavers, bobcats, cheetah, chinchilla, chipmunks, cougars, coyotes, crows, doves, dog-wolves, eagles, elk, foxes, hawks, jaguars, kangaroos, lions, lynx, monkeys, mink, opossums, owls, porcupines, pot belly pigs, prairie dogs, raccoons, skunks, squirrels, tigers, wild turkeys, wolverines, wolves, wild hybrids or the offspring of any animals that have been bred to a wild animal. Poisonous and nonpoisonous reptiles, spiders and insects, and endangered species are included as well.

Sec. 6-2. - Supervision and enforcement.

The mayor shall appoint an animal control officer or such other officials as the mayor deems necessary who shall have vested powers to enforce this chapter.

~~Sec. 6-3. - Theft of animals.~~

~~No person shall steal any animal. Violations of this section are enforceable by the ordinance department.~~

Commented [DG1]: We don't need this here. It is already a crime - Sec. 36-132- Larceny and should be a Police matter

Secs. 6-~~43~~-6-24. - Reserved.

ARTICLE II. - SHELTERS

DIVISION 1. - GENERALLY

Sec. 6-25. - Humane treatment.

Every kennel and pet shop licensee shall humanely treat all animals in his possession or custody, ~~or~~**and** in accordance with the rules and regulations which may be promulgated from time to time by the state and county board of health or the city. The license of any person who fails or refuses to humanely treat such animals in his care, possession or custody shall be subject to suspension or revocation by the city council, in addition to any other penalties which may be imposed for such violation.

Sec. 6-26 Misrepresentation.

It shall be unlawful for any owner or employee of any kennel or pet shop to mistreat in any way the health, condition or pedigree of any animal offered for sale, or to refuse to issue a written guarantee of the health or pedigree at the time of sale if requested to do so.

Sec. 6-27. - Kennel standards.

- (a) All kennels, stables and pet shops shall comply with the minimum standards set forth by the zoning ordinances of the city.
- (b) The animals housed in dog kennels shall be cared for and maintained in such a manner as not to constitute a nuisance as set forth in this chapter.
- (c) The kennel facility shall be constructed to prevent strange dogs from gaining contact with dogs lodged in the kennel.

Sec. 6-28. - Pet shop standards.

- (a) All pet shops shall be provided with proper sanitary receptacles that can be cleaned and flushed.
- (b) Before commencing any business of the pet shop, the proprietor shall secure a certificate from the county board of health approving the facilities of the pet shop. Thereafter, he shall comply with all regulations and requirements of the county board of health. A copy of the certificate shall be kept on the premises of the pet shop at all times. Any license or certification required by this article shall allow reasonable inspection by the city animal control officer and also by the county board of health.

Secs. 6-29-6-59. - Reserved.

DIVISION 2. ~~— SHELTER~~ LICENSE

Sec. 6-60. - Required.

Any person who keeps or operates a shelter of any type shall first obtain a license therefore as provided in this division.

Sec. 6-61. - Proof of vaccination.

Proof of vaccination of dogs against rabies shall be required with an application for a license under this division.

Sec. 6-62. - Entitlement.

A license under this division shall entitle the holder, in the case of a private kennel, to keep any number of dogs not exceeding five that are four months or older. In the case of a private stable or boarding stable, the license shall entitle the holder to keep the number of animals so specified in the license.

~~Sec. 6-63. -- Serial number and nature.~~

~~All licenses shall have duly stamped or engraved thereon a serial number thereof and indicate the nature of the license, City of Romulus, Wayne County, Michigan; "Pet Shop License, City of Romulus, Wayne County, Michigan," or "Commercial Kennel," or "Boarding Stable, City of Romulus, Wayne County, Michigan."~~

Sec. 6-~~63~~4. Fees.

Commented [DG2]: Do we need this? Do we do this? This is not the "dog license". Seems like this should be a piece of paper like a business license

- (a) Fees for licensing of private kennels, private stables, pet shops, commercial kennels and boarding stables shall be as adopted by resolution of city council.
- (b) The license fee shall be paid to the city treasurer upon application therefor.
- (c) The fees paid to the city treasurer are nonrefundable and nontransferable.

Sec. 6-645. - Expiration.

All licenses for the operation of any kennel, boarding or private, boarding stable and pet shop shall expire upon the first of March of each year.

Sec. 6-656. - Failure to obtain new license; penalties.

Failure to obtain new licenses on or before March second of each year, or within ten days after the commencement of operation of any such stable, kennel, or pet shop, shall subject the owner or operator thereof to the penalties otherwise prescribed by the terms of this chapter.

Secs. 6-667-6-8990. - Reserved.

ARTICLE III. ~~— KEEPING REGULATIONS; NUISANCE; DOGS AND DANGEROUS OR RABID ANIMALS; DOG LICENSE~~

DIVISION 1.- GENERALLY

Sec. 6-90. – Domestic animals; limitations

Domestic animals, dogs, cats, and nonbreeding rabbits, respectively, are limited to a total of three animals age four months or older per household, unless otherwise permitted by this chapter.

Sec. 6-91. - Public nuisance.

It shall be a public nuisance for any person to keep, care for, or maintain an animal ~~dog or cat~~ in such a manner as to be a public nuisance, which shall include any violations of this chapter include, but are not limited to dogs that repeatedly turn over garbage pails or damage gardens, flowers or vegetables, or and any animal that to generally

Commented [DG3]: Most municipalities have such a limitation. I don't see that we do even though I believe that the staff has told me about a limitation but I don't see it in the Ordinance.

~~conducts itself~~ in such a manner as to interfere with the reasonable use and enjoyment of property owned by others.

Sec. 6-92. - Dog or cat at large; Leash required.

~~It shall be unlawful for any person who is the owner or keeping any dog or cat to allow, suffer or permit such dog or cat to run at large within the corporate limits of the city. However, any Dog or Cat on a leash or engaged in lawful training which is accompanied by the owner or keeper thereof and under reasonable control shall not be deemed to be running at large.~~

It shall be unlawful for the owner, or any other person having the possession, care, custody or control thereof, to permit any dog or cat to go or be at large upon the public streets, walks, other public places within the city, or off the owner or custodian's property, unless such dog or cat shall be attached to a leash of eight feet or less in length and of sufficient strength to restrain such dog or cat in such a manner as to be kept under the control of the person accompanying it.

Sec. 6-93. - Barking dog.

No person shall harbor or keep any dog which by loud or frequent barking, yelping or howling shall cause ~~excessive serious~~ noise thereby creating a nuisance and annoyance to any of the residents of the surrounding neighborhood.

Sec. 6-94. - Dangerous dog.

- (a) No person shall keep or harbor a dog within the city which is known to kill, worry or injure livestock; to habitually and repeatedly chase vehicles, to habitually and repeatedly chase, snap, attack or bark at pedestrians on the public streets or walkways.
- (b) No person shall own, keep, or harbor any animal which has attacked, bitten or scratched any person, except in defense of his owner, family or property or exhibits a vicious nature and habitually molests passersby when lawfully on the public streets, regardless of whether or not said animal is on the public highway.

Sec. 6-95. Unsanitary shelter; Nuisance.curtilage kennel, pen and house

No person shall operate a commercial kennel, boarding stable, animal shelter, pen, corral, pet shop, private kennel, private stable or livestock barn that is an annoyance and nuisance to nearby residents, and interferes with the reasonable use and enjoyment of their property by reason of noise, stench and or unsanitary conditions.

Sec. 6-96. - ~~Vicious and r~~Rabid ~~animals~~dogs.

- (a) It shall be the duty of every owner of an animal which has attacked or bitten a person or another animal showing symptoms of being rabid to immediately notify the city animal control officer or any city officer or employee charged with the duty or responsibility of enforcement of this chapter that they have such an animal in their possession.
- (b) Any person who shall have in his possession an animal which is rabid, an animal which has been bitten by or has been fighting with an animal which is rabid, or which is suspected ~~[of being rabid,~~ or an animal which ~~has~~shall have bitten] any person shall, upon demand of the city animal control officer, or any officer or employee of the city charged with the duty or responsibility of enforcement of this chapter, produce and surrender the animal to the city animal control officer to be held for observation and treatment. Upon approval of the city animal control officer, any such animal may be surrendered to a duly licensed veterinarian selected by the owner or, if he/she so desires, to any nonprofit organization in the business of sheltering animals.
- (c) Whenever any animal is suspected of being rabid is held, as provided in this division, ~~for a period of ten days,~~ and it is determined that the animal is rabid, the city animal control officer shall cause ~~the to be issued a written order directing that such~~ animal ~~shall~~to be destroyed.

Sec. 6-97. - Defecation and urination.

No person owning or having custody or control of a dog shall intentionally, or by failing to exercise due care, ~~;~~ ~~(1)~~ permit the dog to defecate on any public or private property (other than the property of such person) unless such person immediately collects all fecal matter deposited by the dog, or; ~~(2)~~ repeatedly permits the dog to urinate on private property (other than the property of such person).

Sec. 6-98. - Cruelty.

No person shall treat any animal in a cruel or inhumane manner. No person shall own, keep, or harbor any animal, in a kennel or otherwise, and intentionally, willfully or negligently cause, or permit such animal to suffer unnecessary torture, ~~or~~ pain or injury. No person shall beat, kick, hit, bite, burn, or in any other manner, cause an animal to suffer needlessly. No person shall confine a dog on a tetherchain for more than four hours unless the tetherchain is over 15 feet and allows the dog free access to a suitable shelter and water. No person shall abandon any animal at a residence, drop off on a public road, or leave in a field.

Sec. 6-99. - Owner's responsibility.

No person shall:

- (a) Fail to provide an animal with adequate care.
- (b) Cruelly drive, work, or beat an animal, or cause an animal to be cruelly driven, worked or beaten.
- (c) Carry or cause to be carried in or upon a vehicle or otherwise any live animal having the feet or legs tied together, other than an animal being transported for medical care, or a horse whose feet are hobbled to protect the horse during transport or in any other cruel or inhumane manner.
- (d) Carry or cause to be carried a live animal in or upon a vehicle or otherwise without providing a secure space, rack, car, crate, or cage, in which livestock may stand, and in which all other animals may stand, turn around, and lie down during transportation, or while awaiting slaughter. As used in this subdivision, for purposes of transportation of sled dogs, "stand" means sufficient vertical distance to allow the animal to stand without its shoulders touching the top of the crate or transportation vehicle.
- (e) Abandon an animal or cause an animal to be abandoned, in any place, without making provisions for the animal's adequate care, unless premises are temporarily vacated for the protection of human life during a disaster. An animal that is lost by an owner or custodian while traveling, walking, hiking or hunting shall not be regarded as

abandoned under this section when the owner or custodian has made a reasonable effort to locate the animal.

- (f) Willfully or negligently allow an animal, including one who is aged, diseased, maimed, hopelessly sick, disabled, or non-ambulatory to suffer unnecessary neglect, torture, or pain.
- (g) Tether a dog unless the tether is at least 15 feet~~three times the in~~ length ~~of the dog as measured from the tip of its nose to the base of its tail~~ and is attached to a harness or no choke collar designed for tethering.

Sec. 6-100. - Picking up dog or cat.

Any person who picks up a stray dog or cat that is moving at large within the City of Romulus must report that event and deliver the animal to the animal shelter within 48 hours.

Secs. 6-101-6-126. - Reserved.

DIVISION 2. — DOG LICENSE

Sec. 6-127. — Dog license Rrequired.

- (a) It shall be unlawful for any person to own, possess or harbor a dog four months or older for more than ten days in the city without having obtained a license in compliance with the provisions set forth in this division. If a person becomes the owner of a dog that is four or months old and not licensed he/she shall apply for a license within ten days.
- (b) A person allowing an unlicensed dog ~~or cat~~ to remain or be lodged within his/her house, store, building, enclosure or premises, or feed the dog ~~or cat~~ for a period of five days or more shall be considered to be harboring or keeping the dog same within the meaning of this section.
- (c) A person who owns or harbors a dog shall produce proof of a valid license under the provisions of the ordinance upon the request of a person authorized to enforce ~~this chapter, e provision of this article.~~

Sec. 6-128. - Application.

A license application, including payment of the prescribed fee, shall be made to the city treasurer, who shall issue to each applicant a license to own or harbor ~~an animal~~dog for the term commencing on the date of such license and terminating on the first day of March following the application, except as otherwise provided in this article. Applications for a license under this section shall state the full name and address of the applicant and the breed, sex, age, color and markings of the ~~dog~~animal and the name and address of the previous owner for which the license ~~was~~ issued and the name and address of the present owner of the ~~animal~~dog.

Sec. 6-129. - Proof of vaccination for rabies required.

- (a) No license shall be issued unless the application for license shall be accompanied by a certificate of vaccination for rabies signed by a licensed veterinarian.
- (b) ~~The~~ Certificate of vaccination shall not expire more than one month before the date on which the license would expire.
- (c) Any license issued shall be considered void whenever a vaccination for rabies has expired and the animal has not received an updated shot.

Sec. 6-130. - Issuance.

After full compliance with all requirements for the issuance of licenses under this article, the city treasurer shall deliver to the applicant a ~~license tag~~check or disc containing the number of the license duly stamped thereon, together with the year and the words, "Romulus, Michigan."

Sec. 6-131. Fees.

All license fees shall be established by resolution as adopted by the city council from time to time.

Sec. 6-132. - Collars and license tags.

A person owning, possessing or harboring a dog four months or older shall provide the dog with a suitable collar of leather, iron, copper, brass or other durable material to which shall be securely attached the license tag.

Sec. 6-133. - Lost tags.

Duplicate dog ~~license tags~~checks or discs, upon due proof of purchase thereof, shall be issued by the city treasurer, at a cost of 50 percent of the original cost thereof.

Sec. 6-134. - Term; when to be obtained.

Licenses shall be obtained on or before March first of each successive year, unless the license is for two or three years, in which case licenses shall be obtained on or before March first of each successive two or three years respectively.

~~Sec. 6-135. - Transfer.~~

~~A dog license, once obtained, may be transferred to another dog at any time while the license is in good standing. The transfer shall be made and recorded by the city treasurer, upon the presentation to him of an application for transfer, prepared on forms provided by the city treasurer, proof of vaccination and the payment of a one dollar transfer fee, to be submitted concurrently with the application.~~

Secs. 6-136-6-151. - Reserved.

Commented [DG4]: This seems unnecessary. If a person gets a new dog and it is over 4 months old, it needs a new license. A new application & paperwork needs to be submitted

DIVISION 3. - IMPOUNDMENT

Sec. 6-152. - Animal control shelter.

There is hereby established a public animal control shelter for the city. The city animal control officers shall have such powers and duties as are provided in this article, and as may be prescribed from time to time. All expenses incurred in the erection, care, maintenance and operation of the animal control shelter shall be paid from the general fund of the city.

Sec. 6-153. - Impoundment of animals and enforcement.

It shall be the duty of the animal control officer to promptly seize, take up and place in the animal control shelter all dogs or cats that may be found, running at large, or animals abandoned, subject to cruelty, inadequately sheltered, vicious and diseased, or harbored or owned contrary to the provisions of this article.

Sec. 6-154. - Release of animals and shelter fees.

- (a) No animal shall be released from the animal control shelter unless the owner or person entitled to demand the animal shall pay the city treasurer the sums as adopted by resolution of council from time to time for the boarding, care, custody, and feeding of the animal. Furthermore, the person ~~he~~ shall secure a proper license for the dog if the dog is not already duly licensed.

- (b) The animal control shelter shall keep a ~~careful~~ record of all animals received in the animal control shelter with a description of each animal so impounded and its disposition.

Sec. 6-155. - Disposition of impounded dogs; rabid animals.

- (a) *Destruction, sale.* All healthy ~~dogs~~animals not claimed or released within four working days, or seven working days, if ~~a~~ collar with ~~an~~ ID or microchip ~~is~~are on the ~~dog~~animal after being impounded, and ~~any~~ injured, diseased, and unhealthy animals, after ~~an~~ evaluation by animal control officers, may be humanely euthanized. If, in the judgment of the animal control shelter, ~~asuch~~ dog ~~can~~could be sold, the same shall be sold at the animal control shelter, under the supervision and direction of the animal control shelter, or otherwise disposed of, in conformance with state law, when applicable. No dog shall be sold except in compliance with this article.
- (b) *Rabid or vicious animal.* Any impounded animals that are rabid, or any animal that has attacked a person, shall be kept for such period of time and under such conditions as shall be prescribed by the county health department, and it shall be the duty of the animal control shelter to notify the county health department whenever there is any good reason to believe that ~~he has~~ such an animal is at the animal control shelter.

Sec. 6-156. - Disposal of animals.

The bodies of all animals that have been destroyed under and according to the provisions of this ~~chapter~~division shall be disposed of in such a manner as shall be ~~permitted by law~~prescribed by the mayor.

Sec. 6-157. - Altered.

No dog, cat or ferret shall be sold or adopted from the city animal shelter or from an animal protection shelter until it has first been altered or the owner has entered into a contract with the animal control shelter or a protection shelter in a form provided by the animal control shelter or animal protection shelter, for the alteration of the dog, cat or ferret as provided in this article.

Sec. 6-158. - Contract for alteration

The contract for alteration shall require:

- (a) The alteration to be performed by a qualified veterinarian within four weeks after the date of adoption if the dog, cat or ferret is four months of age or older at the time of adoption;
- (b) The alteration shall be performed within four weeks of the date when the dog, cat or ferret became four months old;
- (c) That a veterinarian shall certify in writing that the dog, cat or ferret has serious permanent medical or health problems that prevent alteration;
- (d) That a veterinarian shall certify that alteration poses serious, temporary medical or health problems to the dog, cat, or ferret in which case re-evaluation by a veterinarian shall take place at intervals not to exceed fourteen (14) days until the temporary problem has resolved, at which time the alteration shall take place within seven days;
- (e) That a deposit of \$15025.00 be paid to the animal control shelter or animal protection shelter to assure compliance with the above. If the new owner fails to comply with the terms of the contract, the deposit shall be forfeited;
- (f) The deposit shall be returned by the animal control shelter or animal protection shelter if a new owner submits written certification from a veterinarian on a form provided by the animal control shelter or animal protection shelter, either that the dog, cat or ferret died within the time periods set forth in subsections (a), (b), (c) or (d) or the owner complied with the terms of (a), (b), (c) or (d);
- ~~(g) That the new owner shall be liable for liquidated damage the greater of \$100.00 or the actual reasonable costs incurred by the animal control shelter or animal protection shelter in enforcement of the contract.~~

Commented [DG5]: More? The people get it back if they get it done...

Sec. 6-159. - Waiver.

The provisions of this sections ~~6-112 6-154, 6-157 and 6-158~~ shall not apply, if:

Commented [DG6]: I don't know what Sec 6-112 was - it does not exist at this time. One or more of the 3 sections I have inserted is my best guess and makes sense

- (a) A dog is transferred to a local, state or federal law enforcement agency.
- (b) A dog is transferred to an organization or trainer that trains guide or leader dogs for blind persons, hearing dogs for deaf or auditory impaired persons, or service dogs for physically limited persons.

- (c) A dog, cat or ferret is transferred to another animal control shelter or animal protection shelter or is transferred to a person who will transfer the animal to another animal control shelter or animal protection shelter. Before the first animal control shelter or animal protection shelter releases the animal, it shall obtain from the person to whom the animal is to be released a written statement by the second animal control shelter or animal protection shelter that it is willing to accept the animal for purposes of adoption or humane euthanasia. Promptly after receipt of the animal by the second animal control shelter or animal protection shelter, the person to whom the animal was released shall provide the first animal control shelter or animal protection shelter with a written statement by the second animal control shelter or animal protection shelter containing a description of the dog, cat, or ferret and acknowledging its receipt on a date specified in the statement.

Secs. 6-160-6-186. - Reserved.

ARTICLE IV. - HORSES AND LIVESTOCK

Sec. 6-187. - Public nuisance.

It shall be unlawful for any person to keep, care for, or maintain a horse or livestock in such a manner as to be a public nuisance.

Sec. 6-188. - Horse or livestock at large.

No person owning or keeping any horse or livestock shall suffer, allow or permit such horse or livestock to run at large within the corporate limits of the city, ~~except accompanied by and under the reasonable control of the owner or keeper thereof.~~

Sec. 6-189. - Trespass.

No horse or livestock at large, or accompanied by its owner or keeper, shall be permitted to trespass upon the property of another person.

Sec. 6-190. - Riding on public streets, roads and ways.

No person shall be permitted to ride a horse or other equine upon any paved road, or the right-of-way thereof, in the city unless the paved road shall have been designated for pleasure riding by the traffic control officer for such right and excepting where crossing the public streets, roads and ways.

Sec. 6-191. - Unsanitary stable or corral.

No person may permit any condition to exist upon ~~the~~^{his} premises where ~~the~~ horses or livestock are located that is likely to cause any offensive smells or to create noises such as to interfere with the reasonable and peaceful use and enjoyment of the neighboring property owners.

Sec. 6-192. - Diseased or unhealthy horse or livestock.

No person shall possess, keep or harbor a diseased or unhealthy horse or livestock in violation of the state, county and city health regulations.

Secs. 6-193-6-222. - Reserved.

ARTICLE V. WILD AND EXOTIC ANIMALS, REPTILES, FOWL AND SMALL ANIMALS

Sec. 6-223. - Possession.

It shall be unlawful for any person to possess, keep or maintain any wild or exotic animal or any poisonous reptiles.

Sec. 6-224. - Sale.

It shall be unlawful for any person to keep for sale or offer for sale any reptile or any wild or exotic animal unless licensed by the state or federal government.

Sec. 6-225. - Diseased and unhealthy fowl, small animals.

No person shall keep, possess, or maintain fowl or small animals upon his premises that are diseased ~~or unhealthy~~, or ~~being kept~~ contrary to state, county ~~and~~ city health regulations.

Secs. 6-226-6-229. - Reserved.

ARTICLE VI. – VIOLATIONS AND PENALTIES

Sec. 6-230. - Violations and penalties.

- (a) A violation of any provision of this chapter, with the exceptions of sections 6-25, 6-26, 6-94, 6-96, 6-98 and 6-99, shall be deemed a civil infraction and each and every day, or portion thereof, during which a violation occurs or exists, shall be deemed a separate offense. A third offense of any provision of this chapter that is a civil infraction may be charged as a misdemeanor, punishable by a fine not to exceed \$500 (plus costs of prosecution), or imprisonment not to exceed 90 days, or both. However, nothing herein requires an authorized city official to charge a third or subsequent offense by the same person as a misdemeanor.
- (b) A violation of sections 6-25, 6-26, 6-94, 6-96, 6-98 and 6-99, shall be deemed misdemeanors punishable by a fine not to exceed \$500 (plus costs of prosecution), or imprisonment not to exceed 90 days, or both.
- (c) In addition to any remedies available at law, the city may bring an action for an injunction or other process against a person or entity to restrain, prevent or abate any violation of this chapter. Actual costs incurred, including, but not limited to, attorney fees incurred by the city to enforce this chapter, enforce any injunctive order or abate any violation may be assessed against the person in violation of this chapter. The city shall have a lien against the property at issue in any action or proceeding to enforce the provisions of this article in the amount of any fines, sanctions, costs, or judgments assessed against a person or entity in violation this article.