



# Ordinance 2312 Animal Code Amendment

City Council, December 7, 2020



# Purpose

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- Removal of the pit bull ban/registration requirement
- “Vicious animal” and “dangerous animal” concepts and conditions
- Clarifying no prior notice for animal attack violation
- Household pet clarification
- Animal disturbance violations
- Impoundment and disposition processes
- Updates definitions



# Violations (4-2008; 4-2010)

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- Vicious animal (as designated) in the city
- Dangerous animal (as designated) in the city in violation of conditions
- Animal that attacks without provocation causing physical injury (exceptions)
- Failing to report animal attack (exceptions)



# Dangerous Animal

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- Allowed in the City with conditions
- Determined by the municipal court to have:
  - (1) attacked a person or domestic animal, thereby causing physical injury to that person or domestic animal;
  - (2) behaved in a manner, when not on the animal owner's property, that a reasonable person would believe poses a serious and unjustified imminent threat of serious physical injury or death to a person or domestic animal;
  - (3) exhibited a propensity, tendency, or disposition to attack, cause injury or threaten the safety of persons or other animals without provocation; or
  - (4) acted in a manner that causes or should cause its owner to know that it is potentially dangerous.
- Includes any animal that has been previously determined or declared to be a dangerous animal elsewhere.



# Vicious Animal

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- Prohibited in the City
- Determined by the municipal court to have:
  - (1) attacked a person or domestic animal, thereby causing death or serious physical injury that person or domestic animal;
  - (2) attacked a person or domestic animal on two or more occasions, at any time, thereby causing physical injury to that person or domestic animal, provided different persons or domestic animals may be involved on either occasion; or
  - (3) been trained for fighting or is owned or kept for the purpose of animal fighting.
- Includes any animal that has been previously determined or declared to be a vicious animal elsewhere.



# Dangerous Animal Conditions (4-2011)

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- Confinement; leash/muzzle
- Annual registration with photo
- Conspicuous identification
- Insurance (with annual reporting)
- Notification
  - within 1 hour of attack/release
  - within 24 hours of death or transfer
- 1 per household
- Inspection at reasonable time
- Other municipal court conditions



# Number of Pets (4-2003)

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- Current:
  - “4 household pets” over 6 months
- Ordinance 2312:
  - 4 dogs or cats or combination thereof over 6 months



# Disturbances (4-2004)

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- Current:
  - Loud, persistent or habitual, without provocation
  - Requires two witnesses usually
- Ordinance 2312:
  - Audible sounds beyond the premises that is persistent, habitual, or frequent (presumed if continued more than 10 minutes) and unprovoked
  - Requires warning within prior 12 months
  - Allows as alternate to second witness







Questions?

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