

HANCOCK COUNTY ORDINANCE NO. 23

TITLE: PROHIBITION AGAINST ANIMAL NUISANCES

Section 1. No person shall permit an animal under such person's control or within such person's custody to commit a nuisance in any unincorporated area in Hancock County, Iowa. An animal shall be considered a nuisance if it:

1. causes unsanitary or dangerous conditions; or
2. causes a disturbance by excessive barking or other noisemaking.

Section 2. If upon investigation there is probable cause to believe that the animal's continued presence would impair the public safety or peace, a law enforcement officer may apprehend and impound the animal. The officer shall provide written notice of impoundment to the owner if the owner's name and current address can be determined. The notice shall be sent within two days after the animal has been impounded. The notice shall provide that if the owner does not redeem the animal within seven days from the date that the notice is delivered the animal may be humanely destroyed or otherwise disposed of in accordance with law. Notice is delivered when the officer mails the notice by regular mail. An owner may redeem a animal by paying the costs of impoundment. If the owner of the impounded animal fails to redeem the animal within seven days from the date of the delivery of the notice to the animal's owner, the animal may be disposed of in accordance with law. If the animal is destroyed, it must be destroyed by euthanasia as defined in Iowa Code § 162.2.

Section 3. Violation of this ordinance constitutes a simple misdemeanor, punishable as follows:

First or second conviction: by a fine of at least \$50 and no more than \$500, and/ or by up to 30 days in jail.

Third or subsequent conviction: by a fine of at least \$200 and no more than \$500, and/ or by up to 30 days in jail, and an order permanently removing the animal from the owner's premises.

Adopted and passed by the Hancock County Board of Supervisors on this 25th day of September, 2006.

Signed by:

Attested by:

W. David Smith, Chairperson

Debra Bellinghausen, Auditor

Hancock County Board of Supervisors Hancock County, Iowa

First reading: September 18, 2006

Second reading: September 25, 2006

Final publication: October 4, 2006