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Recording Fee: \$ 0.00 Transfer Tax: \$0
Janice Jacobs, Recorder, Butler County Iowa



**BUTLER COUNTY ORDINANCE TITLE V No. 16
BUTLER COUNTY, IOWA**

Adopted August 21, 2018

Preparer Information: Greg Lievens
428 6th Street
Allison, IA 50602

Return Document to: Butler County Auditor, PO Box 325, Allison, IA 50602

ORDINANCE NO. 16,
TITLE V, PUBLIC ORDER, SAFETY & HEALTH
ORDINANCE RELATING TO ANIMAL CONTROL

SECTION 1. PURPOSE. The purpose of this ordinance is to improve animal control within the County.

SECTION 2. DEFINITIONS. The following terms are defined for use in this Ordinance pertaining to Animal Control:

1. "Dog" means a domesticated quadruped descended from different wild species of the genus Canis, as the wolf, fox or jackal.
2. "Cat" means a domesticated animal of the feline family.
3. "Domesticated animal" means any animal that is tame and under the control of a person.
4. "Livestock" means any animal owned and maintained for agricultural purposes including but not limited to: breeding, feeding, milking or fattening for marketing or resale purposes.
5. "At large" means any dog or cat, or any domesticated animal or livestock found off the premises of such animal's owner and not under the control of a competent person, restrained within a motor vehicle, or housed in a veterinary hospital or kennel, barn or pen. The premises of such animal's owner should not include any public property. The premises shall only include private property.
6. "Owner" means any person owning, keeping, sheltering or harboring a dog or cat or other domesticated animal or livestock.

SECTION 3. DOGS OR CATS RUNNING AT LARGE. It is unlawful for dogs or cats to run at large within Butler County. The owner of any dogs or cats found running at large is guilty of violation of this section.

SECTION 4. AT LARGE: SUMMONS. The owner of any dog or cat found at large in violation of this Ordinance based on photographic or video evidence submitted by a complainant may be served a summons to appear before a proper court to answer charges made for violation of this ordinance.

SECTION 5. ANIMAL AT LARGE PROHIBITED. It shall be a violation of this ordinance for an owner or person in control to permit or allow any domesticated animal or livestock to run at large or to remain at large.

SECTION 6. ANIMAL NUISANCE. It shall be unlawful for any person to permit an animal under such person's control or within such person's custody to commit a nuisance. An animal shall be considered a nuisance if it:

1. Damages, soils, defiles or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner.
2. Causes unsanitary, dangerous or offensive conditions.
3. Causes a disturbance by excessive barking or other noisemaking or chases vehicles, or molests, attacks or interferes with persons or other domestic animals on public property.

SECTION 7. PENALTIES. Any person violating any of the provisions of this ordinance is guilty of a simple misdemeanor. Any person convicted of such violation shall be punished by a fine of not more than \$625.00, nor less than \$200.00

SECTION 8. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 9. 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 10. PENALTIES. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed on this 21st day of August, 2018.

READ FIRST TIME: August 21 2018
READ SECOND TIME: Waived
READ THIRD TIME: Waived

Ayes: Heideman
Barnett
Eddy

Nays: None

Greg Barnett
GREG BARNETT, Chairman
Butler County Board of Supervisors

(SEAL)
ATTEST: [Signature]
Lizbeth Williams, Auditor

Dated this 21st day of August, 2018.

Greg Barnett
GREG BARNETT, CHAIRMAN,
BUTLER COUNTY BOARD OF
SUPERVISORS

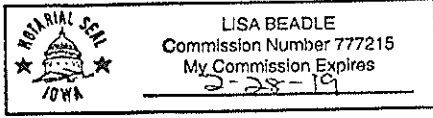
AUTHENTICATION

Pursuant to Section 331.302(8) of the Code of Iowa, the undersigned Auditor of Butler County, Iowa, hereby certifies that Ordinance No. 16, Title V was published once in the Clarksville Star, Allison Tribune, Greenleaf Beacon newspaper(s) on August 15, 16, 2018.
Parkusburg Eclipse

[Signature]
LIZBETH WILLIAMS,
BUTLER COUNTY AUDITOR

STATE OF IOWA)
)SS:

BUTLER COUNTY)
On this 21st day of August, 2018, the aforementioned Greg Barnett, Chairman, Butler County Board of Supervisors and Lizbeth Williams, Butler County Auditor, subscribed and sworn to be the same and signed in their official capacity as stated above in my presence.



[Signature]
NOTARY PUBLIC