

CHAPTER 85A
PIT BULL DOGS

- 85A.01 Definitions
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85A.01 DEFINITIONS. "Pit bull dog" is defined to mean:

- (1) The bull terrier breed of dog;
- (2) The Staffordshire bull terrier breed of dog;
- (3) The American pit bull terrier breed of dog;
- (4) The American Staffordshire terrier breed of dog;
- (5) Dogs of mixed breed or of other breeds than above listed which breed mixed or mixed breed is known as pit bulls, pit bull dogs or pit bull terriers;
- (6) Any dog which has the appearance and characteristics of being predominantly of the breeds of bull terrier, Staffordshire terrier, American bull terrier, American Staffordshire terrier, any other breed commonly known as pit bulls, pit bull dogs or pit bull terriers or a combination of any of these breeds.

85A.02 KEEPING OF PIT BULLS. All pit bull dogs, as that term is defined in Section 85A.01, shall be tagged as provided in Section 351.25, Code of Iowa within thirty days after the effective date of this ordinance. The keeping of tagged pit bull dogs, as that term is defined in Section 85A.01 shall be subject to the following standards:

1. Leash and muzzle. No person shall permit a pit bull dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. Such dogs may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all pit bull dogs on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such dog from biting persons or other animals.

2. Confinement. All tagged pit bull dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as provided above. Such pen, kennel or structure must have secure sides and a 85.23 Vaccination for Rabies secure top attached to the sides. All structures used to confine tagged pit bull dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than

two feet. All structures erected to house pit bull dogs must comply with all zoning and building regulations of the city. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.

3. Signs. All owners, keepers, or harborers of tagged pit bull dogs within the city shall within ten (10) days of the effective date of this chapter display in a prominent place on their premises a sign easily readable by the public using the words "beware of dog".

4. Insurance. All owners, keepers or harborers of tagged pit bull dogs must, within ten (10) days of the effective date of the ordinance codified in this chapter, provide proof to the city clerk of public liability insurance in a single incident amount of fifty thousand (\$50,000) for bodily injury to or death of any person or persons or for damages to property owned by any person or persons or for damages to property owned by any persons may result from ownership, keeping or maintenance of such animal. Such insurance policy shall provide that no cancellation of the policy will be made unless ten (10) days written notice is first given to the city clerk.

5. Reporting Requirements. All owners, keepers or harborers of tagged pit bull dogs must, within ten (10) days of the incident, report in writing to the city clerk if a tagged pit bull dog bites another domestic animal or person.

6. Irrebuttable Presumptions. There shall be an irrebuttable presumption that tagged pit bull dog or any of those breeds defined in section 85A.01 is in fact a dog subject to the requirements of this chapter.

7. Failure to Comply. It is unlawful for the owner, keeper or harborer of a tagged pit bull dog to fail to comply with the requirements and conditions set forth in this chapter. Any dog found to be the subject of a violation of this chapter shall be subject to immediate seizure and impoundment. In addition, failure to comply may result in the immediate removal of the animal from the city.

85A.03 VIOLATIONS AND PENALTIES. Any persons violating or permitting the violation of any provision of this chapter shall upon conviction in magistrate court shall be guilty of a simple misdemeanor. In addition, the court shall order the dog removed from the city. Should the defendant refuse to remove the dog from the city the magistrate shall find the defendant owner in contempt and order the immediate confiscation and impoundment of the animal.

Each day that a violation of this chapter continues shall be deemed a separate offense. In addition to the foregoing penalties, any person who violates this chapter shall pay all expenses, including shelter, food, handling, veterinary care and testimony necessitated by the enforcement of this chapter.

Chapters 86-87 are reserved for future use.