

Chapter 6.13

IRRESPONSIBLE ANIMAL OWNER

Section:

- 6.13.010** **Definition**
- 6.13.020** **Determination (Amended September, 2019)**
- 6.13.030** **Owner - Banned**
- 6.13.040** **Impound (Amended September, 2019)**
- 6.13.050** **Destruction**
 (Repealed June, 2014)

6.13.010 **Definitions.**

“Irresponsible animal owner” means any animal owner that has:

- A. Been convicted or plead guilty three times or more for separate incidents that occurred in any twelve-month period concerning:
 - 1. An animal at large;
 - 2. An animal disturbing the peace;
 - 3. An unlicensed animal;
 - 4. An excessive number of animals; or
 - 5. Unsanitary premises due to animals.
- B. Been convicted or plead guilty two times or more for separate incidents that occurred in any thirty-six month period concerning:
 - 1. Animal cruelty;
 - 2. Animal neglect,
 - 3. Keeping animals covered by section 6.12.60 without obtaining a permit; or
 - 4. An animal declared a vicious animal.

6.13.020 **Determination**

The determination of an “irresponsible animal owner” shall be in accordance with the following procedures:

- A. The animal control office, upon being satisfied that an owner is an irresponsible animal owner, shall cause to be served upon the owner a written notice of said determination.
- B. The written notice shall contain:
 - 1. A finding that the owner is an irresponsible animal owner.
 - 2. A description of the acts relied upon in determining the owner is an irresponsible animal owner.

3. A copy of the appropriate municipal code.
 4. A statement advising the owner of the right to request a hearing.
- C. Notice. Notice shall be by personal service or by certified mail to the owner.
- D. Request for hearing and appeal. Any owner advised that the owner is declared an irresponsible animal owner may have, upon request, a hearing with the officials making said determination as to whether the owner is an irresponsible animal owner. A request for a hearing must be made in writing and delivered to the office of the city manager or the city manager's designee within the time stated in the notice or it will be conclusively presumed that the owner is an irresponsible animal owner.

A member or designee of the animal control office will act as hearing officer. At the conclusion of the hearing or within three days thereafter, the hearing officer shall render a written decision as to whether the owner is an irresponsible animal owner. An appeal from this decision may be had by filing a written notice with the hearing officer. This appeal will be heard before the city council at a time and place fixed by the council. The findings of the council shall be conclusive. (Amended September, 2019)

6.13.030 Owner – Banned

If an owner is declared to be an irresponsible animal owner the owner shall be banned from having animals within the city limits of North Sioux City.

6.13.040 Impound

The animal control office shall cause the animal to be impounded with the Siouxland Humane Society in Sioux City, Iowa if an owner has been declared an irresponsible animal owner and is found to have an animal within the city. (Amended September, 2019)

6.13.050 Destruction

(Repealed June, 2014)

