

505.09 - ANIMAL NUISANCE CONDITIONS PROHIBITED.

(a) No person shall keep or harbor any animal in the City so as to create offensive odors, excessive noise or unsanitary conditions which are a menace to the health, comfort or safety of the public, or otherwise permit the commission or existence of a nuisance as defined herein.

(b) No person shall keep or otherwise harbor any animal within the City which, by frequent and habitual barking, howling or yelping, menacing passersby, chasing vehicles, or attacking other domestic *animals*, results in disturbance of the peace, quiet and good order of the City. Any person, who allows any animal habitually to remain, be lodged, or fed within any dwelling, building, yard or enclosure, which he occupies or owns, shall be considered as harboring such animal.

(c) Any animal which scratches, digs or defecates upon any lawn, tree, shrub, plant, sidewalk, building, park, playground, school ground or private property, other than the property of the owner or person in charge or control of such animal, is hereby declared to be a nuisance.

(d) No person being the owner or in charge or control of any animal shall allow or permit such animal to commit a nuisance on any school grounds, playground, City park or upon any private property other than that of the owner or person in charge or control of such animal without the permission of the owner of such property. Where the owner or person in charge or control of such animal immediately removes all feces deposited by such animal and disposes of same in a sanitary manner, such nuisance shall be considered abated.

(e) No person shall erect, use or maintain a building, structure or place for the keeping or feeding of *animals* which by causing noise or offensive smells becomes injurious to the health, comfort or property of individuals or the public.

(f) No person shall keep more than ~~four~~ five (5) adult *animals* for pleasure, profit, breeding or exhibiting without obtaining a kennel license and complying with the Zoning Code. Adult *animals* are defined as older than three months in age.

(g) Whoever violates this section is guilty of a minor misdemeanor for the first offense, a misdemeanor of the fourth degree for the second offense, and a misdemeanor of the second degree for all subsequent offenses.

(Ord. 0105-2002. Passed 6-17-02.)

1123.34 KENNEL OR OTHER ANIMAL SHELTERS.

Kennel or other animal shelters means the keeping of more than five (5) animals at least three months of age for pleasure, profit, breeding or exhibiting.