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## DIVISION 2. - IMPOUNDMENT

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### Sec. 10-71. - Establishment of pound.

The city council may select and establish a place for impounding such animals as are found running at large, or make such arrangements for the impounding of such animals as is practical, pending the establishment of such pound.

*(Ord. No. 870414, § 4.5, 4-14-87)*

### Sec. 10-72. - Impoundment of animals.

- (a) The chief of police or any police officer or other person designated by the city council may at his discretion take up and impound any animal found running at large in the city limits.
- (b) The following animals may be impounded:
  - (1) Cats and dogs not exhibiting evidence of being vaccinated or as described in [section 10-101](#)
  - (2) Any animal infected or kept under conditions that could endanger the public's or the animal's health.
  - (3) Any animal that creates a nuisance, as prohibited in [section 10-37](#)
  - (4) Any animal running at large, as stipulated in [section 10-34](#)
  - (5) Any animal treated in a manner determined by the supervisor of animal control to be cruel or inhumane.
  - (6) Any animal that has bitten a human being or needs to be placed under observation for rabies determination, as determined by an animal control officer.
  - (7) Any animal violating any provision of this article.
- (c) Reasonable effort shall be made by an animal control officer to contact the owner of any animal impounded; however, final responsibility for location of an impounded animal is that of the owner.
- (d) The owner can resume possession of any impounded animal upon payment of impoundment fees, handling fees and any veterinarian bills incurred by animal control for the welfare of the animal, and upon compliance with vaccination provisions of this Code, except where prohibited in subsections (f), (i) and (j) of this section.
- (e) Disposition of animals impounded on the grounds of cruel or inhumane treatment shall be determined by the court of jurisdiction.

- (f) If any animal is being held under quarantine or observation for rabies, the owner shall not be entitled to possession until it has been released from quarantine.
- (g) The city council shall select and establish a place for impounding all animals impounded under any provisions of this article.
- (h) Any animal, except vicious or wild animals, not reclaimed by the owner may be humanely euthanized after being impounded 72 hours.
- (i) Any nursing baby animal impounded without the mother, or where the mother cannot or refuses to provide nutritious milk, may be immediately euthanized to prevent further suffering.
- (j) Any impounded vicious or wild animal, unless there is reason to believe that it has an owner, may be immediately disposed of as may be deemed appropriate by the supervisor of animal control.
- (k) Any impounded cat or dog may be given up for adoption after 72 hours, except under quarantine.  
(Ord. No. 870414, § 4.6, 4-14-87)

### **Sec. 10-73. - Fees for impoundment.**

The fees for taking up and impounding an animal shall be \$25.00 per head.

(Ord. No. 870414, § 4.7, 4-14-87)

### **Sec. 10-74. - Sale of impounded animals.**

The chief of police may sell at the city pound or any other location designated by the city council, impounded animals at public auction, for cash, after posting two notices, one at the courthouse and the other at the city hall, giving therein a description of such animal so taken up and impounded, and stating a day and place of sale of same, which date shall not be less than five days from the date of posting such notice, and which notice shall state that the described animal will be sold to defray costs if not reclaimed and costs paid before the day of sale. If not reclaimed by such day, he shall between the hours of 10:00 a.m. and 4:00 p.m. on such day sell such animal at public auction to the highest bidder; and after deducting all the expenses of sale and in taking up and keeping such animal, he shall return the balance of the proceeds, if any, to the owner of the animal. If no owner shall call for the animal or the funds remaining within 30 days from the day of sale, the balance shall be paid into the city treasury. At any time within six months after such sale the owner may apply to the city council, and upon satisfactory proof of his ownership he shall be entitled to receive the amount paid into the city treasury on account of such sale. If any animal impounded cannot be sold it shall be forthwith destroyed.

(Ord. No. 870414, § 4.8, 4-14-87)

### **Sec. 10-75. - Redeeming impounded animals.**

The owner of any animals impounded as set forth in [section 10-71](#) may redeem the same as follows:

- (1) Before the sale, by paying the expense of taking up and keeping together with the cost of advertising, if any.
- (2) After the sale, by paying to the purchaser double the amount bid by him for such animal and his reasonable expenses for keeping the animal, provided the owner so redeems the animal within 30 days after the date of sale; otherwise the animal shall become the absolute property of the purchaser.

(Ord. No. 870414, § 4.9, 4-14-87)

### **Sec. 10-76. - Maintenance of records.**

The chief of police shall keep a book giving the description of all animals impounded by him, the date of impounding, the date of sale, the amount realized for such animal, and the name and address of the

purchaser.

*(Ord. No. 870414, § 4.10, 4-14-87)*

### **Sec. 10-77. - Right to redeem dogs.**

The owner of any dog impounded as provided in [section 10-72](#) shall have the right to redeem the animal upon payment to the poundmaster of the sum of \$25.00 for each animal so redeemed, in addition to the tax or fine and all fees as required by the county humane society. The sum so paid to the city secretary shall be paid by him into the city treasury.

*(Ord. No. 870414, § 4.11, 4-14-87)*

### **Sec. 10-78. - Destruction of dogs or cats.**

All impounded dogs or cats shall be redeemed within 72 hours after their capture and impoundment, and all such animals not redeemed within that time shall be destroyed.

*(Ord. No. 870414, § 4.12, 4-14-87)*

### **Sec. 10-79. - Vaccination of redeemed animals.**

All animals redeemed at the humane society must be immediately vaccinated against rabies.

*(Ord. No. 870414, § 4.13, 4-14-87)*

### **Secs. 10-80—10-100. - Reserved.**