

Sec. 4-10. Control of animals.

- (a) It shall be the duty of every animal owner or anyone having custody or care of any animal to ensure that the animal is kept under direct humane control. Reasonable care and precaution shall be taken to prevent the animal from leaving, while unattended, the real property limits of its owner, harbinger or keeper; and the animal is:
- (1) Securely and humanely confined within a house, building, fence, pen, or other enclosure with sufficient ventilation; or
 - (2) Humanely secured by a tether with a swivel hook attached to either a stationary object with a swivel hook or to a trolley assembly of sufficient strength to prevent escape. The tether must be attached to the animal by a properly applied, buckle-type nylon or leather collar, or halter or harness with a swivel hook, and configured so as to protect the animal from injury and prevent entanglement with other objects and/or animals. The tether shall not be attached to a stationary object or trolley at a point or location that would allow the animal to extend the tether over a fence or other object or edge in such manner that could result in the strangulation of or injury to the animal. The length of the tether must be at least the greater of either five (5) times the length of the animal measured from the nose to the tip of its tail, or ten (10) feet. An animal owner shall not leave an animal attached to such a tether, unattended for extended periods, where the length of the tether does not permit the animal access to water and either reasonable shade or shelter as defined herein; or
 - (3) Leashed under direct control by a responsible person at any time it is not secured as provided in subsections (a)(1) or (2) of this section.
- (b) It shall be the duty of every animal owner or anyone having custody or care of any animal to ensure that the animal is kept under direct control at all times while the animal is off the real property limits of the owner, harbinger or keeper.
- (c) This section shall not apply to dogs at the time they are engaged in hunting, or training, performing field trials, participating in dog shows organized events, or in locations designated by the board of county commissioners as pet play areas, dog parks or exercise areas.
- (d) Animal control or enforcement officers shall have the authority to take up, confine, hold and impound any animal and which is found to be running at large or straying. The owner of such animal shall be responsible for the costs of impoundment.
- (e) It shall be unlawful for the owner of an animal or anyone having custody or care of an animal to:
- (1) Fail to maintain direct control of an animal resulting in a bite or injury to a human being, unless such animal was reacting to a person unlawfully on its owner's property or protecting itself, its owner or keeper from an unjustified attack or assault; or
 - (2) Fail to maintain direct control of an animal resulting in an attack on another domestic animal while off the owner's or keeper's property; or
 - (3) Fail to humanely confine a female dog or cat in heat (estrus) in a properly ventilated building or secure enclosure with a top so as to make in inaccessible to any male dog or cat, except for controlled and intentional breeding purposes. The animal may not be walked off the owner's property or lease-hold during this time.
- (f) All livestock shall be controlled by utilizing fencing or enclosures which shall meet the livestock fencing minimum requirements.

(Ord. No. 11-55, § 1, 10-18-11)