Sec. 10-181. - Public nuisance. **2.0**

(a) The chief of police shall have the authority to declare an animal a public nuisance. Any determination that an animal is a public nuisance shall be made in writing, summarizing the available evidence. The letter shall be served by personal delivery or by certified or registered mail to the owner. The written determination shall order compliance with the provisions of this chapter.

(b) The keeping of an animal deemed to be a public nuisance, as defined in this chapter, is hereby prohibited.

(c) Complaint and notice. Upon receipt of a complaint being made to the police department by any resident or residents that any person is keeping a public nuisance animal as defined in this chapter, the chief of police shall cause the owner of the animal or animals in question to be notified that a complaint has been received and shall cause the situation complained of to be investigated and a report and findings thereon to be reduced to writing by the investigating animal services officer.

(d) Removal. If the written findings of the investigating officer indicate the complaint is justified, then the chief of police shall cause the owner of the animal in question to be so notified in writing, by registered or certified mail, or by personal delivery, ordered to remove such nuisance from the city limits or surrender it for humane euthanasia within five days after notification and be given a citation for the violation

(d) Elimination of the nuisance. If the written findings of the investigating officer indicate the complaint is justified, then the chief of police shall cause the owner of the animal in question to be so notified in writing, by registered or certified mail, or by personal delivery, ordered to eliminate such nuisance either by rehoming it outside the city limits or by surrendering it for humane euthanasia within five days after notification and given a citation for the violation.

In the event the owner of the animal or animals is unknown and cannot be ascertained, the notice and order, along with a general description of the animal or animals shall be published within a local newspaper.

(e) Impoundment upon failure to abate. If any person receiving notice in the manner hereinabove described shall fail or refuse to abate the nuisance upon order of the chief of police within the specified time, the chief of police may cause the animal or animals in question to be apprehended and impounded.

(f) Civil penalties. Additionally, if any person receiving notice in the manner hereinabove described shall fail or refuse to abate the nuisance upon order of the chief of police within the specified time, the chief of police may assess a civil penalty as provided in section 1-6.

(g) Right of appeal. Within five business days from receipt of their notification, the owner of the nuisance animal may appeal the findings of the chief of police by giving written notice of appeal to the chief of police. An appeal shall stay the abatement of the public nuisance animal determination until a final determination by the animal services advisory committee.

(Ord. No. 23-47, § 1, 8-9-23)

Public nuisance animal means any animal or group of animals which:

(1) Is found at large three or more times in a 12-month rolling period; or

(2) Damages the property of anyone other than its owner; or

(3) Is a vicious animal; or

(4) Causes unsanitary condition of enclosures or surroundings; or

(5) Is diseased and dangerous to the public health.