

ARTICLE II. DOGS AND CATS

DIVISION 1. IN GENERAL

Sec. 19-20. Definitions.

For use in this article, the following terms are defined:

Adequate shelter shall mean any shelter that allows for a cat or dog to be protected from the outside weather elements, ensures that they have room to move around, and clean dry bedding.

At large means any licensed or unlicensed dog or cat found off the premises of ~~his~~ **their** owner and not under the control of a competent person, restrained within a motor vehicle, housed in a veterinary hospital or kennel, ~~on a leash or "at heel" beside a competent person and obedient to that person's command.~~

Cats means both male and female animals of the feline species, whether altered or not.

Dogs means both male and female animals of the canine species, whether altered or not.

Owner means any person or persons, firm, association or corporation owning, keeping, sheltering or harboring a dog or cat.

(Ord. No. 621, section 1, 4-16-79; Ord. No. 1163, 07-09-2018.)

Sec. 19-21. Dogs and cats.

1. It shall be unlawful for the owner and occupant of a residential dwelling to keep, shelter or harbor more than four dogs or four cats, or a combination of four such animals.

This restriction shall not apply to:

- A. Kennels, pet shops, veterinary clinics or animal grooming in properly zoned commercial districts.
- B. The off-spring produced by any pets permitted herein may be maintained at or in a residential dwelling with the parent animal for a period not to exceed ten weeks.
- C. An annual special permit may be granted for the keeping, sheltering or harboring of AKC recognized breeds, in numbers which exceed the limitation of this chapter, upon prior written application to the code enforcement officer on a form furnished by the City of Oelwein, payment as set by the city's fee schedule, non-refundable inspection fee, and a determination by the code enforcement officer, or their designee, that the applicant has the demonstrable ability to provide each animal, appropriate for the particular breed, the following:
 - (1) Each animal is properly licensed in compliance with Oelwein Code section 19-47;
 - (2) Proper food and water;
 - (3) Proper grooming and cleaning;
 - (4) Adequate veterinary care, including: Immunizations, parasite control and preventative health care;
 - (5) Adequate shelter that includes the following:

-
- a. Is structurally sound, weather proof and properly ventilated with access to shade from direct sunlight and escape from exposure in inclement weather;
 - b. Sufficient space pursuant to most recent published standards of the AKC for the breed(s) sheltered with adequate freedom of movement and to allow postural and social adjustment which is maintained so as not to constitute a nuisance;
- (6) Otherwise in compliance with the Oelwein City Code.

Non-compliance with this exception shall warrant immediate revocation of the annual special permit and the applicant shall not qualify for a special permit for a period of 24 months.

2. The property owner and occupant shall keep all structures, pens, kennels or yards wherein said animals are confined clean and devoid of vermin and free of odors arising from feces.

Feces shall be collected, removed and placed in an air tight receptacle until disposed of in a sanitary manner.

3. No dog or cat may be enclosed or fenced in the front yard of a residential dwelling and all permitted enclosures shall be located at a minimum of 15 feet from a neighboring residential dwelling. No dog or cat shall be staked on bare ground in the front or side yard of a residential dwelling.
4. No dog or cat shall be left outside unattended for more than 30 minutes when the ambient or wind chill temperature is below -20 F or when the heat index exceeds 105 F as determined by any city official. This code does not apply if adequate shelter is provided for the animal.

5. **Dogs must be on leash on public sidewalks. Dogs must be on leash once leaving private property.**

(Ord. No. 1120, 6-26-2012; Ord. No. 1163, 07-09-2018.)