

ORDINANCE NO. 728

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF AUDUBON, IOWA, BY AMENDING PROVISIONS PERTAINING TO 55.09, ENTITLED "VICIOUS DOGS".

BE IT ENACTED by the City Council of the City of Audubon, Iowa:

Section 1. Section 55.09 of the Code of Ordinances of the City of Audubon, Iowa, repealed and the following adopted in lieu thereof:

**55.09 VICIOUS DOGS.** It is unlawful for any person to harbor or keep a vicious dog within the City. If proper documentation is not available and the breed is in question, then the owner of dog must have the dog submit to blood testing with cost to the owner, to determine the breed. "Vicious dog" means:

1. Any dog which has attacked a human being or domestic animal one or more times, without provocation.
2. Any dog with a history, tendency or disposition to attack, to cause injury to or to otherwise endanger the safety of human beings or domestic animals.
3. Any dog that snaps, bites or manifests a disposition to snap or bite.
4. Any dog that has been trained for dog fighting, animal fighting or animal baiting or is owned or kept for such purposes.
5. Any dog trained to attack human beings, upon command or spontaneously in response to human activities except dogs owned by and under the control of the Police Department, a law enforcement agency of the State or United States or a branch of the armed forces of the United States.
6. Any Staffordshire Terrier breed of dog.
7. Any American Pit Bull Terrier breed of dog.
8. Any Pit Bull Terrier breed of dog.
9. Any American Staffordshire Terrier breed of dog.
10. Any dog which has the appearance and characteristics of being predominately of the breeds of Staffordshire Terrier, American Pit Bull Terrier, Pit Bull Terrier, or American Staffordshire Terrier.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed by the Council the \_\_ day of \_\_\_\_\_, 2016, and approved this \_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Barb Jacobsen, Mayor

Attest:

\_\_\_\_\_  
Joseph Foran, City Clerk

I certify that the foregoing was published as Ordinance No. \_\_\_\_ on the \_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Joseph Foran, City Clerk