

**BUSINESS OF THE CITY COUNCIL
WINDSOR HEIGHTS, IOWA
AGENDA STATEMENT**


Item No. 13
For Meeting of 04/05/10

ITEM TITLE: Consideration of ordinance 10-06 making changes to Chapter 55: Animal Protection and Control. (This is the first time this ordinance has been on the agenda.)

CONTACT PERSON: Marketa George Oliver

SUMMARY EXPLANATION

This ordinance changes one word in the ordinance from “dog” to “animal.” Currently, we do not have any recourse when a cat or ferret or some other animal bites a person. This ordinance corrects this problem.

Resolution _____ <input checked="" type="checkbox"/> Ordinance _____ Contract _____ Other (Specify) _____
Funding Source _____ NA _____
APPROVED FOR SUBMITTAL _____ <div style="text-align: center;"> City Administrator</div>

STAFF/COMMITTEE RECOMMENDATION: Move one or more readings of this ordinance on a roll call vote.

COUNCIL ACTION:

ORDINANCE NO. 10-06

AN ORDINANCE TO AMEND THE 2009 CODE OF ORDINANCES FOR THE CITY OF WINDSOR HEIGHTS, IOWA, BY AMENDING SECTIONS OF CHAPTER 55: ANIMAL PROTECTION AND CONTROL. .

BE IT ENACTED by the City Council of the City of Windsor Heights, Polk County, Iowa:

SECTION 1. Purpose. The purpose of this ordinance is to amend one section of Chapter 55 of the Municipal Code, to provide a recourse for the Police Department if a person is bit by any animal, not just a dog, to protect the health, safety and welfare of the residents of the City of Windsor Heights.

SECTION 2. Section 55.04 Offenses is amended to read as followings:

55.04 OFFENSES. No owner of any dog, cat, or other animal, or person having control or responsibility thereof, shall:

8. Allow or permit a ~~dog~~ **an animal** to run after, chase, or attack any person or vehicle or place any person in reasonable fear of attack or injury.

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 4. Severability. If any section, provision or part of this ordinance shall be adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of this ordinance as a whole, or any section, provision or part thereof not adjudged unconstitutional or invalid.

SECTION 5. Effective Date. This ordinance shall be effective from and after its final passage, approval and publication as provided by law.

Passed by the City Council this 5th day of April, 2010 and approved this XX day of XXXX, 2010.

David J. Sullivan, Mayor

ATTEST:

Marketa George Oliver, City Administrator/Clerk