

ORDINANCE NO. 727

AN ORDINANCE AMENDING CHAPTER 55 “ANIMAL PROTECTION AND CONTROL”

WHEREAS, the Animal Control Commission annually reviews Animal Protection and Control provisions contained within the City Code; and

WHEREAS, the Commission finds it appropriate to revisit the penalty provisions related to classification of animals, animal neglect and other violation of Chapter 55; and

WHEREAS, the Commission also finds it appropriate to clarify the requirements of 55.10 Animal at Large Prohibited in relation to the West Branch Dog Park of Chapter 55; and

WHEREAS, the Commission has put forth recommendation to the City Council on this matter.

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Amendment. The Code of Ordinances of the City of West Branch is hereby amended by deleting Section 55.21 in its entirety and replacing it with a new Section 55.21 of the Code of Ordinances, which will read as follows:

55.21 PENALTIES. Any violation of this chapter shall be considered a simple misdemeanor or municipal infraction as provided in Chapter 4 of this Code of Ordinances. The following three schedules of civil penalties shall apply for violations punished as a municipal infraction in any 12-month period:

1. Penalties pertaining to Section 55.03 ANIMAL NEGLECT – Minimum fine of \$500 and up to 30 days in jail.

2. Penalties pertaining to Section 55.16 CLASSIFICATION OF ANIMALS

A. Level 1:

- | | |
|------------------------------------|-------|
| (1) First offense: | \$25 |
| (2) Second offense: | \$50 |
| (3) Third offense: | \$75 |
| (4) Fourth and subsequent offenses | \$100 |

B. Level 2:

- | | |
|------------------------------------|-------|
| (1) First offense: | \$30 |
| (2) Second offense: | \$60 |
| (3) Third offense: | \$90 |
| (4) Fourth and subsequent offenses | \$120 |

C. Level 3:

- (1) First offense: \$75
- (2) Second offense: \$100
- (3) Third offense: \$150
- (4) Fourth and subsequent offenses \$200

D. Level 4: \$200

3. Penalties pertaining to all other sections of Chapter 55 of the City Code:

- A. First offense: \$25
- B. Second offense: \$50
- C. Third offense: \$100
- D. Fourth and subsequent offenses \$150

Section 2. Amendment. The Code of Ordinances of the City of West Branch is hereby amended by deleting the first sentence of Subsection 55.10(1) and replacing it with the following:

1. It shall be unlawful for any person to permit any animal to be at large or stray beyond the property of such person unless such animal is restrained by leash, within the confines of the West Branch Animal Park, or confined within a motor vehicle.

Section 3 Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Adjudication. If any section, provision, or part of this ordinance shall be adjudged to be 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 5. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

Passed and approved this 18th day of May, 2015.

First Reading: April 20, 2015
Second Reading: May 4, 2015
Third Reading: May 18, 2015



Mark Worrell, Mayor

ATTEST:



Matt Muckler, City Administrator/Clerk