

TITLE II - COMMUNITY PROTECTION

DIVISION 2 - ENFORCEMENT: ANIMAL PROTECTION AND CONTROL

CHAPTER 87

INJURY TO LIVESTOCK AND ANIMALS

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87.01 DEFINITIONS. The following terms are defined for use in this chapter.

1. "Animal" means a nonhuman vertebrate. However, "animal" does not include any of the following:

A. Livestock, as defined below.

B. Any game, fur-bearing animal, fish, reptile or amphibian, as defined in Section 481A.1 of the Code of Iowa, unless a person owns, confines or controls the game, fur-bearing animal, fish reptile or amphibian.

C. Any non-game species declared to be a nuisance pursuant to Section 481A.42 of the Code of Iowa.

(Code of Iowa, Sec. 717B.1)

2. "Animal facility" means any of the following:

A. A location where an agricultural animal, as defined in Section 717A.1 of the Code of Iowa, is maintained for agricultural production purposes, including but not limited to a location dedicated to farming as defined in Section 9H.1 of the Code of Iowa, a livestock market, exhibition or a vehicle used to transport the animal.

B. A location where an animal, as defined in Section 717A.1 of the Code of Iowa, is maintained for educational or scientific purposes, including an institution as defined in Section 145B.1 of the Code of Iowa, a research facility as defined in Section 162.2 of the Code of Iowa, an exhibition or a vehicle used to transport the animal.

C. A location operated by a person licensed to practice veterinary medicine pursuant to Chapter 169 of the Code of Iowa.

D. A pound, animal shelter, pet shop, boarding kennel or commercial kennel, all of which are defined in Section 162.2 of the Code of Iowa.

(Code of Iowa, Sec. 717A.1)

3. "Livestock" means an animal belonging to the bovine, caprine, equine, ovine or porcine species; ostriches, rheas, emus; farm deer, as defined in Section 170.1 of the Code of Iowa; or poultry.

(Ord. 884 - Oct-03 Supp.)

(Code of Iowa, Sec. 717.1)

87.02 LIVESTOCK NEGLECT.

1. It is unlawful for a person who impounds or confines livestock, in any place, to fail to provide the livestock with care consistent with customary animal husbandry practices or to deprive the livestock of necessary sustenance or to injure or destroy livestock by any means which causes pain or suffering in a manner inconsistent with customary animal husbandry practices.

2. A person who commits the offense of livestock neglect is guilty of a simple misdemeanor.

3. This section does not apply to an institution, as defined in Section 145B.1 of the Code of Iowa, or a research facility as defined in Section 162.2 of the Code of Iowa, provided that the institution or research facility performs functions within the scope of accepted practices and disciplines associated with the institution or research facility.

(Code of Iowa, Sec. 717.2)

87.03 ANIMAL FACILITIES.

1. A person shall not, without the consent of the owner, do any of the following:

A. Willfully destroy property of an animal facility, or kill or injure an animal maintained at an animal facility, including by act of violence or the transmission of a disease including but not limited to any disease designated by the department of agriculture and land stewardship pursuant to Section 163.2 of the Code of Iowa.

2. A person violating this section is guilty of a simple misdemeanor if the injury to an animal or damage to property does not exceed fifty dollars.

(Code of Iowa, Sec. 717A.2)

87.04 ANIMAL NEGLECT.

1. It is unlawful for a person who impounds or confines, in any place, an animal to fail to supply the animal during confinement with a sufficient quantity of food or water; fail to provide a confined dog or cat with adequate shelter; or torture, deprive of necessary sustenance, mutilate, beat, or kill such animal by any means which causes unjustified pain, distress or suffering.
2. This section does not apply to an institution, as defined in Section 145B.1 of the Code of Iowa, or a research facility, as defined in Section 162.2 of the Code of Iowa, provided that the institution or research facility performs functions within the scope of accepted practices and disciplines associated with the institution or research facility.
3. A person who negligently or intentionally commits the offense of animal neglect is guilty of a simple misdemeanor.
(Code of Iowa, Sec. 717B.3)

87.05 ABANDONMENT OF CATS AND DOGS. A person who has ownership or custody of a cat or dog shall not abandon the cat or dog, except the person may deliver the cat or dog to another person who will accept ownership and custody or the person may deliver the cat or dog to an animal shelter or pound as defined in Section 162.2 of the Code of Iowa. A person who violates this section is guilty of a simple misdemeanor.

(Code of Iowa, Sec. 717B.8)

(Ch. 87 – Ord. 860 – Jan. 03 Supp.)

87.06 ANIMAL CONTEST EVENTS. The City may confiscate an animal that is involved in a violation of Section 717D.2 of the Code of Iowa. An animal that is livestock shall be considered neglected and may be rescued and disposed of as provided in Section 717.5 of the Code of Iowa. An animal which is not livestock shall be considered threatened and rescued and disposed of as provided in Section 717B.4 of the Code of Iowa.

(Ord. 904 – Mar. 05 Supp.)

(Code of Iowa, Sec. 717D.5)