

Ordinance No. 2022-07

City of Stockport – Summary of Ordinance #2022-07

The City Council of the City of Stockport, Iowa, adopted Ordinance #2022-07 at a City Council special meeting held on June 8, 2022. The content of the Ordinance is summarized in its title as follows:

AN ORDINANCE AMENDING TITLE 4, CHAPTER 1 ANIMAL CONTROL (4-1) BY ADDING SECTION 11 OF THE CITY OF STOCKPORT MUNICIPAL CODEBOOK OF ORDINANCES. 4-1-11 Seizure, Impoundment and Disposition

1. In the event that a dangerous animal or vicious animal is found at large and unattended upon public property, park property, public right-of-way or the property of someone other than its owner, thereby creating a hazard to persons or property, such animal may, in the discretion of the Mayor or peace officer, be destroyed if it cannot be confined or captured. The City shall be under no duty to attempt the confinement or capture of a dangerous animal or vicious animal found at large, nor shall it have a duty to notify the owner of such animal prior to its destruction.

2. Upon the complaint of any individual that a person is keeping, sheltering or harboring a dangerous animal or vicious animal on premises in the City, the Mayor shall cause the matter to be investigated and if after investigation, the facts indicate that the person named in the complaint is keeping, sheltering or harboring a dangerous or vicious animal in the City, the Mayor shall order the person named in the complaint to safely remove such animal from the City or destroy the animal within three (3) days of the receipt of such an order. Such order shall be contained in a notice to remove dangerous or vicious animal, which notice shall be given in writing to the person keeping, sheltering or harboring the dangerous animal or vicious animal, and shall be served personally or by certified mail. Such order and notice to remove the dangerous animal or vicious animal shall not be required where such animal has previously caused serious physical harm or death to any person, in which case the Mayor shall cause the animal to be immediately seized and impounded or killed if seizure and impoundment are not possible without risk of serious physical harm or death to any person.

3. The order to remove a dangerous animal or vicious animal issued by the Mayor may be appealed to the Council. In order to appeal such order, written notice of appeal must be filed with the Clerk within three (3) days after receipt of the order contained in the notice to remove dangerous or vicious animal. Failure to file such written notice of appeal shall constitute a waiver of right to appeal the order of the Mayor.

4. The notice of appeal shall state the grounds for such appeal and shall be delivered personally or by certified mail to the Clerk. The hearing of such appeal shall be scheduled within seven (7) days of the receipt of notice of appeal. The hearing may be continued for good cause. After such hearing, the Council may affirm or reverse the order of the Mayor. Such determination shall be contained in a written decision and shall be filed with the Clerk within three (3) days after the hearing or any continued session thereof.

5. If the Council affirms the action of the Mayor, the Council shall order in its written decision that the person owning, sheltering, harboring or keeping such dangerous or vicious animal remove such animal from the City or destroy it. The decision and order shall immediately be served upon the person against whom rendered in the same manner as the notice of removal. If the original order of the Mayor is not appealed and is not complied with within three (3) days or the order of the Council after appeal is not complied with within three (3) days of its issuance, the Mayor is authorized to seize, impound or destroy such dangerous or vicious animal. Failure to comply with an order of the Mayor issued pursuant to this chapter and not appealed, or of the Council after appeal, constitutes a simple misdemeanor. The effective date of the Ordinance is June 15, 2022. A copy of the full text of the Ordinance will be mailed upon request of the undersigned at the City of Stockport, PO Box 15, Stockport, IA 52651; (319) 796-2135. Submitted for publication this 9th day of June, 2022.

Jennifer Palmer, City Clerk”

DATED this 8th day of June, 2022

Nathan Larsh, Mayor

The above Ordinance was passed and approved on the 8th day of June, 2022, and was signed by the Mayor on the 8th day of June, 2022.

ATTEST:

Jennifer Palmer, City Clerk

1st Reading: June 8, 2022

2nd Reading: Waived

3rd Reading: Waived

I hereby certify that the foregoing was published as Ordinance No. 2022-07 in the Van Buren County Register on the 23rd day of June, 2022.

1st Reading: June 8, 2022

	AYES	NAYS	ABSTAIN	ABSENT
CARTER	<u> x </u>	_____	_____	_____
CANADAY	<u> x </u>	_____	_____	_____
CLARK	<u> x </u>	_____	_____	_____
JESTER	_____	_____	_____	<u> X </u>
POOLE	_____	_____	_____	<u> X </u>

2nd Reading: Waived

3rd Reading: Waived