

ARTICLE 6.03 KENNELS

Sec. 6.03.001 Permit required; exceptions

Permits shall be required for the operation of all kennels within the corporate limits of the city.

Sec. 6.03.002 Duration of permit; permit fees

Permits issued under this article shall be valid for one year from date of issuance. The fees for permits under this article shall be set by the city council, and are as shown in the animal registration fee schedule maintained by the city secretary and as set forth in section A6.03.002 of the fee schedule in Appendix A to this code.

Sec. 6.03.003 Facility requirements for kennels

Upon inspection by the animal services department of premises that are to be operated as a kennel, a permit will be issued if, in the opinion of the animal control officer, all of the following conditions are met:

- (1) The kennel facility is adequate for the number and type of animals to be kept therein.
 - (A) The kennel facility is of a sufficient size as to allow all animals in the kennel to move about freely, considering the maximum possible size of the individual animal's height and weight that may be kept within the kennel.
 - (B) Adequate food and fresh water is continuously provided so that each and all animals kept in the kennel shall be maintained in good health and free of malnutrition and/or dehydration.
 - (C) The kennel premises are kept in a sanitary condition and reasonably free of animal waste, parasites, insects, rodents and flies that could be harmful to the animal's health and/or to the health of the general public.
 - (D) Nothing about the operation of the kennel poses any public or private nuisance within the city's corporate limits.
- (2) The animals and the kennel facility shall, at all times, be kept free of odor or stench which is offensive to a person of ordinary sensibilities.

(3) The animals in the kennel shall at all times be maintained in a manner that does not pose a danger to the health of the animals themselves, to adjacent animals within the kennel, or to visitors or workers in the kennel facility.

(4) The animals in the kennel shall not cause noise(s) or other disturbances which are offensive or disturbing to a person of ordinary sensibilities on adjoining, adjacent or neighboring premises.

(5) If an applicant for or a holder of a kennel permit has been issued citations for violation of this chapter on two separate occasions, or possesses or controls animals covered by or to be covered by the kennel permit that have been impounded on two separate occasions, the kennel permit may be revoked (or the application for renewal of same be rejected) by the city.

(6) In the case of a boarding kennel, no animal may be bred or sold or transfer of ownership of an animal be otherwise effected from within the boarding kennel.

Sec. 6.03.004 Revocation or suspension of permit

(a) Any kennel permitted under this chapter found to be in violation of any municipal zoning law, health law or any other applicable ordinance of the city or of the state, or found to have a facility maintained in such a manner as to be detrimental to the health, safety or peace of mind of persons residing in the immediate vicinity because of the animals owned, controlled or housed by the kennel on the premises, may have all applicable permits suspended by the animal services department, pending a final informal hearing of information and evidence related to the offenses alleged. The informal hearing on such matters shall be before the director of animal services or his designee.

(b) Upon suspension of the permits, the animal services department shall notify the permit holder of such action in writing. Written notification shall be deemed made when a certified letter, return receipt requested, addressed to the last known mailing address of the permit holder is deposited in the U.S. mail.

(c) Upon the expiration of ten (10) days after written notification of suspension is deposited in the U.S. mail, as provided above, the permit holder shall no longer keep, maintain or harbor animals within the city's corporate limits, and each 24-hour period that an animal with a suspended registration remains in the city shall constitute a separate violation of this article.

(d) Upon suspension of the permit, the holder of the revoked permit shall notify the animal services department of the location to which the animal(s) are being removed.

(e) A permit holder may appeal the decision of the director of animal services to suspend a permit, after the informal hearing is held by the director, by appealing the decision, in writing, to the city manager or his designee. If the city manager determines that grounds exist for permanent or extended suspension and/or termination of the kennel permit, his/her decision on the matter is final and is not subject to further appeal.

Sec. A6.03.002 Duration of permit; permit fees

Kennel permit: \$50.00