

CHAPTER 56**EXOTIC PETS AND FARM ANIMALS**

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56.01 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Owner" means any person owning, keeping, sheltering or harboring an exotic animal.
2. "Farm Animal" means any animal commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, the animals shall include members of the equine family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs and other miniature breeds), goats, bees and other animals associated with a farm, ranch or stable
3. "Wild Animal" means Any animal commonly considered to be naturally wild and not naturally trained or domesticated, or which is commonly considered to be inherently dangerous to the health, safety or welfare of people. Unless otherwise defined, the animals shall include:
 - A. Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards and jaguars, African Serval, but excluding commonly accepted domesticated house cats;
 - B. Any naturally wild member of the canine family (family canide) including wolves, foxes, coyotes, dingoes and jackals, but excluding commonly accepted domesticated dogs;
 - C. Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated housepet;
 - D. Any member or relative of the rodent family including any skunk (whether or not descended), raccoon or squirrel, but excluding those members otherwise defined or commonly accepted as domesticated pets;
 - E. Any poisonous, venomous, constricting or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators; and
 - F. Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this section, including but not limited to bears, deer, monkeys and game fish
4. "Temporary Housing" means a period of time not exceeding the time reasonably

required to set up, operate, and tear down the associated event.

56.02 REGISTRATION REQUIRED. The owner of wild or farm animals exempted in Chapter 56.07(1) of this code shall, within 24 hours, shall register the animal with the Clerk and indicate the type of animal it is, the location of the animal, whether the animal is confined or not confined and whether the animal is vaccinated against rabies. Upon receipt of the information, the Clerk shall enter the information in a book, along with the owner's name, which will be kept at City Hall.

56.03 FAILURE TO REGISTER ANIMAL. Failure to register a wild or farm animal as required under this code will be punishable by a fine not to exceed one hundred dollars (\$100.00).

56.04 RESPONSIBILITY TO CONTROL ANIMAL. It is the responsibility of the owner to control the animal at any time services are required at the residence or business, including but not limited to police, utilities maintenance or repair, medical and fire. If the owner fails to control the animal, creating a hazard to those persons required to be on the premises, the animal shall be taken away and destroyed, and costs for destroying the animal shall be assessed to the owner.

The owner of animals allowed under this ordinance shall be responsible for sufficiently confining the animal to their property and preventing the animal from entering upon adjacent properties.

56.05 ANIMAL SUSPECTED OF COMMUNICABLE DISEASES. It is the duty of any police officer or other person authorized by the Mayor to cause to be destroyed any farm or wild suspected of being infected with rabies or other diseases communicable to humans. The expense of destroying the animal shall be paid by the owner, if known.

56.06 ANIMALS NOT ALLOWED. Animals of the following types are not allowed within the city limits of the City of Marengo:

1. All types of wild animals as defined above
2. Farm animals as defined above except for those exempted in section 56.07 of this code

56.07 EXEMPTIONS. The following exemptions are allowed within the city limits of the City of Marengo with the limitations designated in the corresponding subsection of the code:

1. Temporary housing and display of farm or wild animals for the use of educational purposes or circuses.
2. Temporary housing, display, and showing of farm or wild animals for the use in the county fair.
3. Temporary housing, display, and showing of farm or wild animals for the purposes of community festivals.
4. Temporary transportation or overnight housing of farm animals due to the

transportation or movement of farm animals. Temporary housing in these circumstances should not exceed seventy-two (72) hours.

5. Domestic chickens with the following restrictions:
 - a. Each residentially or agriculturally zoned property that has a principal residence on the property shall be permitted to keep up to a maximum of eight (8). Only hens are allowed, not roosters.
 - b. Chickens must be confined in a well-ventilated coop, fowl house, or mobile coop known as a chicken tractor. If moved from the coop, the chickens must be caged in a pen designed to prevent their escape. Both shall be designed and constructed so as to be reasonably expected to prevent entry by dogs, cats, or other animals and shall be completely enclosed.
 - c. The owner shall be responsible for sufficiently confining chickens to their property and prevent chickens from entering upon adjacent properties.
 - d. Any coop, house, or fenced pen area shall be kept clean, sanitary, and free from accumulation of chicken excrement and objectionable odors. Food shall be stored in rodent-proof containers.
 - e. Owners of any number of chickens are required to register their flock with City Hall. The cost of such registration, if any, will be set by resolution of the City Council.
6. Vietnamese pot-bellied and other miniature breeds of pig.
 - a. Each residentially or agriculturally zoned property that has a principal residence on the property shall be permitted to keep up to one (1) Vietnamese pot-bellied or other miniature breed of pig. Other breeds or types of pig are not allowed.
 - b. Pigs must be housed within a residence. Any outdoor area, whether fenced or unfenced shall be kept clean, sanitary, and free from accumulation of excrement and objectionable odors. Food shall be stored in rodent-proof containers.
 - c. Pigs shall be registered with the City Clerk in the same manner and for the same fees as dogs and cats as provided in Chapter 55.06 of this code.
 - d. Vaccinations deemed as standard in the care of such breeds shall be required for registration.
7. Other farm animals may be granted exemptions by a majority vote of the Council. Their decision shall be final. To request an exemption hearing in front of the Council, the requestor shall provide the following items to the City Clerk:
 - a. Written request including property location, type and number of animals requested, duration of exemption requested, and detailed reason for request
 - b. Written consent of property owner (if different from requestor)
 - c. Written consent from adjacent residents and property owners (if different from resident) showing support for the exemption

56.08 VIOLATIONS. Violations of this code section are a municipal infraction as provided in this Code of Ordinances.

56.09 APPREHENSION AND IMPOUNDING. It shall be the duty of police officers of this City, and lawful for any other person, to apprehend any animal covered under this ordinance found running at large within the corporate limits of this City. All animals so apprehended shall be delivered promptly to the City shelter or pound and where such animal bears identification as to its owner, a good faith effort shall be made by the Police Department to notify the owner within twenty-four (24) hours. Impound fees associated with this chapter may from time to time be set by the Marengo City Council.

56.10 DISPOSITION OF IMPOUNDED ANIMALS. The following disposition shall apply to all animals covered under this code.

1. If the owner is unknown, an impounded animal shall be kept a minimum of three (3) business days (Monday through Friday except holidays) and thereafter may be adopted or humanely destroyed.
2. If the owner is known or determined, the owner will be given notice by personal service or registered mail to said owner's last known address that the impounded animal will be put up for adoption or disposed of in accordance with law within three (3) days of the date of the notice. If the owner has not reclaimed or redeemed the animal within said three-day period, the animal thereafter may be adopted or disposed of in accordance with law. If the animal is destroyed, it must be destroyed by euthanasia.
3. Upon impoundment an animal shall immediately be put up for adoption but shall not be adopted out until the waiting periods set forth in subsection 1 and 2 expire.

56.11 REDEMPTION OF IMPOUNDED ANIMALS. Except in such cases where the animal is determined to be vicious or dangerous, any owner may redeem an animal by immediately paying the fine and costs imposed by this ordinance.

Animals forbidden from the city limits by this chapter will only be released to the owner if the owner agrees, in writing to remove the animal from town permanently. Any violation of such agreement may result in further legal action.