

5.384 Impoundment.

(1) When a dog is impounded under authority of section [5.380](#), the dog control officer shall give written notice to the owner or custodian of the dog, either by personal service or by posting notice on the front door to the owner or custodian's residence, if the dog has, on a tag or otherwise on the dog, information sufficient to enable the dog control officer to serve the owner or if the dog control officer has actual knowledge sufficient to enable the dog control officer to serve the owner.

(a) Such notice shall state the name of the dog, if known, a general description of the dog, the date it was impounded, the amount of the daily boarding fee and the redemption fee, that a license for the dog must be obtained before redemption, and the date after which the dog may be humanely killed or adopted if the dog has not been redeemed.

(2) The owner or custodian of the dog may reclaim the animal by paying a daily boarding fee and a redemption fee in the amounts set by resolution of the Council.

(3) No dog required to be licensed under section [5.382](#), that does not have a current license when impounded, shall be released from impoundment until the owner or custodian has obtained a license for the dog as provided by section [5.382](#). In addition, if the dog is (a) unlicensed or (b) licensed but not displaying the license tag required to be displayed under section [5.382](#)(3), the owner or custodian shall implant the dog with microchip identification and registration with an approved national database, and provide proof of such registration within seven days after release from impoundment.

(4) If, at the expiration of five days after notice was given, the owner or custodian has failed to reclaim the dog and pay the fees, the dog may be humanely killed or ownership thereof may be transferred to a new owner (adoption) provided the prospective new owner prepays the actual cost of spaying or neutering (which funds shall be transferred to the veterinarian performing the procedure) and thereafter actually has the dog spayed or neutered. The fee for adoption shall be set by resolution. The Chief of Police, or his or her designee, may waive the requirement that the dog be spayed or neutered if, in his or her opinion, it would be unlikely that the dog would deliver or cause unwanted puppies. A prospective new owner may appeal the decision on the waiver to the City Manager by paying an appeal fee set by resolution. The fee for the adoption of a dog shall be set by resolution provided that fee shall be equal to the cost of neutering or spaying the dog if that requirement is imposed.

(5) If a written notice as described in subsection (1) above cannot be given within five days of impoundment, the dog may thereafter be humanely killed or adopted under the provisions of subsection (4).

[Section 5.384 amended by Ordinance No. 1592, passed August 8, 2000; Amended by Ordinance No. 1627, passed March 3, 2003; Amended by Ordinance No. 1688, passed July 7, 2008; Amended by Ordinance No. 1729, passed September 7, 2010.]