

---

# KIRKSVILLE CITY COUNCIL REPORT

---

**Council Meeting Date:** March 21, 2011

**Agenda Item:** 1

**Report Prepared by:** Brad Selby, Codes & Planning Director

**Recommended Motion:** To approve an Ordinance to regulate the keeping, harboring, or sheltering of animals defined as Dangerous or Restricted Animals, to the City of Kirksville Code of Ordinances.

**Background:** The City has been working for several months on an ordinance defining and prohibiting Dangerous Animals, and defining and regulating the keeping of Restricted Animals. After a public meeting at which the City Council heard the comments and concerns of citizens regarding a proposed breed ban on Pit Bull dogs, Council members asked for a proposal that would not include a breed ban, but instead would label Pit Bull dogs as Restricted Animals and would include requirements for registration, insurance, confinement, and leash control, for the keeping and harboring of any Pit Bull dog.

The proposed ordinance has a list of animals classified as Dangerous Animals, and prohibits their keeping except in certain instances such as circuses, carnivals, conservation officials, medical or educational institutions, etc., with some other limited exceptions.

The proposed ordinance now classifies Pit Bull dogs as Restricted Animals. It does not ban the breed, and it does not limit ownership. A resident may own up to five Pit Bull dogs as long as there are no other pets in the household, the same as the Code currently allows.

The proposed ordinance requires Pit Bull dog owners to:

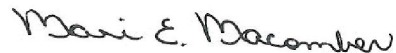
1. Register their Pit Bull dog annually with the city, for any dog that is over four (4) months of age.
2. Pit Bulls may not be kept on a chain or rope, or leashed to inanimate objects (posts, trees, etc.).
3. When confined indoors, a Pit Bull dog must not be able to exit the residence of its own volition.
4. When confined outdoors, a Pit Bull dog must be confined in a securely enclosed fenced yard. The fence must have secure sides and be a minimum of sixty (60) inches in height. If the fence is provided with a gate, it must be locked with a key or combination lock when the Pit Bull dog is within the fenced area.
5. If the Pit Bull dog is removed from the house or a fenced area, it must be on a leash no longer than four (4) feet, and a person must be in physical control of the leash.

6. The owner must provide proof to the city of public liability insurance in a single incident amount of \$100,000 for injury to persons or for damage to property owned by any person.

There is an exception to the above requirements. Any person who can show proof to the Kirksville Police Department, that their Pit Bull dog has current certification from the American Kennel Club Canine Good Citizen Program, will be exempt from the outdoor fencing requirements and from the insurance requirement.

**Fiscal Impact:** The City will be responsible for enforcement. No additional staff will be added to enforce the ordinance, but time may be shifted for enforcement.

Respectfully submitted,

A handwritten signature in cursive script that reads "Mari E. Macomber".

Mari E. Macomber  
City Manager