

Exhibit "B"

Chapter 10 - ANIMALS

ARTICLE II. KEEPING ANIMALS

Division 1. GENERALLY

Sec. 10-41 (a) Requirements for Outside Dogs - Confinement Requirements For Dogs Kept Outdoors

An owner of a dog commits an offense if the fenced yard, or other pen or structure, used as the primary living area for the dog or used as an area for the dog to regularly eat, sleep, drink and eliminate is not:

- At least 150 square feet for each dog six months of age or older;
- Designed, constructed, and composed of material sufficient to prevent the dogs escape; and
- Designed in a manner that provides the dog access to the inside of a dog house, building, or shelter that meets all requirements of Subsection (b) of this section.
- A dog house or other building or shelter for a dog must:
 - a. Have a weatherproof top, bottom and sides;
 - b. Have an opening on no more than one side that allows the dog to remain dry and provides adequate shade during daylight hours to prevent overheating and discomfort to the dog;
 - c. Have a floor that is level and dry;
 - d. Be free from cracks, depressions, and rough areas that might be conducive to insects, parasites, and other pests;
 - e. Be of adequate size to allow the dog to stand erect with the dog's head up, to turn around easily, and to sit and lie down in a comfortable and normal position;
 - f. Have sufficient clean and dry bedding material or other means of protection from the weather that will allow the dog to retain body heat when the weather is colder than what a dog of that breed and condition can tolerate;
 - g. Provide suitable means for the prompt elimination of excess liquids;
 - h. Be structurally sound, maintained in good repair, and constructed with material that protects the dog from injury; and

- i. Allows the dog in and out.

Sec. 10-42. Public Nuisances designated

The following shall be considered a public nuisance and unlawful:

(1) The keeping of any animal which causes Continual Noise or frequent or long continued noise means noise pollution, unwanted or excessive sound, a nuisance that interferes with activities, for example owning an animal that causes frequent or long-continued noise, by barking or howling, which disturbs the comfort and repose of any person or persons, of ordinary sensibilities in the vicinity. Proof of such disturbance shall be provided to the Animal Control Officer for further investigation.

(2) The keeping of any animal in such a manner as to endanger the public health or as to disturb neighbors by the accumulation of urine and feces and putrescible materials which cause foul and offensive odors.

(3) The keeping of any animal which deposits body wastes upon or destroys by chewing, scratching, digging or otherwise, property other than that of the owner of such animal. Proof of such destruction shall be provided to the Animal Control Officer for further investigation.

(4) Feral Cat feeding - It shall be unlawful to provide food, water or other forms of substance to any feral cat or feral cat colony within the city limits of Alpine without a permit provided by the City of Alpine Animal Services. In order for a permit to be issued, proof of vaccination, sterilization and ear notch of any and all feral cats being cared for must be presented to the Animal Services officer and all feral cats must have been observed by the Animal Services Officer on the keepers property. Cats on the property that do not meet the requirements will be subject for removal by any Animal Services Officer. Refusal to permit any Animal Services Officer to impound a feral cat shall be deemed evidence of keeping and such keeper can be subject to a citation.

No person owning or keeping any cat shall permit such animal to:

- (1) substantially damage property other than the property of the owner or keeper or
- (2) cause an unsanitary, dangerous or unreasonably offensive condition. Violation of such provision shall be an infraction.

Definitions

"Feral Cat" means a domestic cat who has been born and raised without contact with humans, or a cat who has not had contact with humans for a significant period of time and has become unsocialized. It can also mean a free-roaming domestic cat which is not owned.

"Keeper" means any person or organization, harboring, regularly feeding or having in his or her possession any feral cat. A person becomes a "keeper" when any person has possession of or control over the animal and has fed the cat for 3 or more consecutive days. Also, a "keeper" can be any individual who permits a cat to habitually be or remain on or be lodged or fed within such persons property or premises.

Section 10-46. Dogs and Cats to be vaccinated; microchipped

Dog and Cat Microchipping required

- All cats and dogs living within the city limits of Alpine are required to have a microchip.
- The Owner or keeper of any dog or cat must have the animal implanted with a registered microchip before the animal attains six (6) months of age. Animals exempt from microchipping include:

(a) an animal that is determined to be medically unsuitable for microchipping by a licensed veterinarian in writing

(b) a dog or cat owner that is a nonresident of this city and is keeping the subject pet in the city for fewer than sixty

(60) days;

- All animals who enter the shelter whether stray or surrendered will be microchipped prior to return to owner or adoption. A fee will be included in the impound fee or adoption fee to cover the cost of the microchip. The microchip will be registered under the owners name and administered by the Animal Services Officer.

Maintaining current Microchip registration

- The owner or keeper of a dog or cat shall maintain current registration with a microchip registration company.
- If there is a change in contact information of an owner or keeper of a registered microchipped dog or cat, the owner or keeper shall update correct information, including new address or telephone number, with the microchip registration company within thirty (30) days of the change in contact information.
- If there is a change in ownership of the registered dog or cat, the initial owner or keeper shall be responsible for ensuring that the microchip is no longer registered in the initial owner's or keeper's name within (30) days of the change in ownership. The new owner or keeper shall be responsible for re-registering the microchip to include any new address and telephone number and have the registration information transferred to the new owner's or keeper's name within thirty (30) days after the change in ownership.