

**CITY OF OAKLAND
ORDINANCE NO. 65**

AN ORDINANCE AMENDING THE CITY CODE FOR THE CITY OF OAKLAND BY REPEALING CHAPTER 57 PIT BULL DOGS AND AMENDING CHAPTER 55 TO INCLUDE PIT BULL RESTRICTIONS.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF OAKLAND, IOWA, AS FOLLOWS:

SECTION 1 – PURPOSE. The purpose of this amendment is to repeal Chapter 57 and to amend Chapter 55.

SECTION 2 – ADOPTION. In keeping with the above-stated purpose, Chapter 57 of the City of Oakland City Code is hereby repealed and Chapter 55 of the City of Oakland City Code is hereby amended as follows:

In Section 55.01 DEFINITIONS, add

- “6. “Muzzled” means that the jaws of the pit bull are confined by a device that prevents the pit bull from biting.”
- “7. “Pit Bull” means any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, or any dog displaying the majority of physical traits of any one or more of the above breeds (more so than any other breed), or any dog exhibiting those distinguishing characteristics which substantially conform to the standards established by the American Kennel Club or United Kennel Club for any of the above breeds.”
- “8. “Secure temporary enclosure” means an enclosure used for purposes of transporting an animal and which includes a top and bottom permanently attached to the sides except for a “door” for removal of the pit bull. Such enclosure must be constructed so that the animal cannot exit the enclosure on its own.

Add Section 55.17 PIT BULLS RESTRICTED

1. The owner of a pit bull must be at least eighteen (18) years of age.
2. The owner shall present to the City Clerk proof that the owner has procured liability insurance in the amount of at least one hundred thousand dollars (\$100,000), covering any damage or injury that may be caused by a pit bull.
3. The owner shall, at the owner’s expense, have the pit bull spayed or neutered and shall present to the Clerk written proof from a licensed veterinarian that this sterilization has been performed.
4. The owner shall have an identifying microchip inserted beneath the skin of the pit bull.
5. The owner shall at all times keep the pit bull confined either indoors or in a securely enclosed and locked pen or structure upon the premises which shall be in the back yard and set back at least ten (10) feet from the nearest property line. No utility meters shall be located in the closed area that would require utility or city personnel to have to enter the area. Such pen or structure must have secure sides embedded in to the ground no less than one foot or secured into a concrete slab, and a secured top. At all times when a pit bull is away from the property of the owner, the owner shall keep the pit bull either securely leashed with a leash of a fixed length no longer than six feet and muzzled, or in a secure temporary enclosure.
6. The owner shall have posted at each possible entrance to the owner’s property where the pit bull is kept, a conspicuous and clearly legible pit bull sign. Such pit bull sign shall contain only the words “PIT BULL DOG” in lettering not less than two inches in height.

SECTION 3 – AMENDING ORDINANCE. The City of Oakland – City Code shall include this amending ordinance and the City Clerk’s Certification of its adoption and its passage.

SECTION 4 – OFFICIAL COPY. The City Clerk shall be responsible for the maintenance of the City of Oakland – City Code 2018 as amended and shall keep a copy of this Ordinance and the City Code, as herein amended, at the office of the City Clerk, available for public inspection and purpose.

SECTION 5 – REPEALER. All ordinances, resolutions, motions or past council action in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6 – VALIDITY. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED BY THE OAKLAND CITY COUNCIL THIS ____ DAY OF _____, 2023.

Brant Miller, Mayor

Attest:

Marissa Lockwood, City Administrator/Clerk

CERTIFICATION

I hereby certify the foregoing Ordinance was published as Ordinance No. 65 on _____, 2023 in The Herald, Avoca, Iowa.

Marissa Lockwood, City Administrator/Clerk
City of Oakland

First Reading: _____ Second Reading: _____ Third Reading: _____