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CHAPTER 1

**MINORS**

SECTION:

5-1-1: Curfew

5-1-2: Juvenile Runaways

5-1-3: Truancy

5-1-1: **CURFEW:**

A. Title: This section shall be known and may be cited as the *RIRIE CURFEW ORDINANCE.*

B. Purpose: The city council has determined that persons under
 The age of eighteen (18) are particularly susceptible, by
 their lack of maturity and experience, to participation in unlawful activities and to be victims of older perpetrators of crime; therefore, the purpose of this chapter is to provide for the protection of minors from each other and from other persons, for the enforcement of parental control over and responsibility for children, for the protection of the general public, and for the reduction of juvenile criminal activities.

C. Definitions: As used in this section, the following words and terms shall have the meanings ascribed to them in this subsection:

 CURFEW HOURS: 1. Eleven o'clock (11:00) P.M. to five o'clock (5:00) A.M., Sunday night through Friday morning.

 2. Twelve o'clock (12:00) midnight to
 five o'clock (5:00) A.M., Friday night
 through Sunday morning.

 EMERGENCY: An unforeseen combination of circumstances
 or the resulting state that calls for
 immediate action. The term includes, but is
 not limited to, a fire, a natural disaster,
 or automobile accident, or any situation
 requiring immediate action to prevent
 serious bodily injury or loss of life.

 ESTABLISHMENT: Any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

 GUARDIAN: A person who, under court order, is the guardian of the person of a minor.

 MINOR: Any person under eighteen (18) years of
 age.

 OPERATOR: Any individual, firm, association, partnership, or corporation operating, managing, or conducting an establishment. This term includes the members or partners
 of an association or partnership and the officers of a corporation.

 PARENT: A person who is:

 1. A natural parent, adoptive parent, or
 stepparent; or

 2. At least twenty-one (21) years of age
 and specifically authorized in advance by a parent or guardian to have the care and custody of a minor.

 PUBLIC PLACE: Any place to which the public or a substantial group of the public has access and includes, but is not limited to,
 streets, highways, and the common areas of
 schools, hospitals, apartment houses and
 office buildings.

 REMAIN: To:

 1. Linger or stay; or

 2. Fail to leave premises when requested to do so by a law enforcement officer or the
 owner, operator, or other person in control of the premises.

 SERIOUS Bodily injury that creates a substantial BODILY risk of death or that causes death, serious INJURY: permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

D. Offenses:

 1. Minor: A minor commits an offense if he remains in any public place or on the premises of any establishment within the city during curfew hours.

 2. Parent; Guardian: A parent or guardian of a minor
 commits an offense if he knowingly permits, or by
 insufficient control allows the minor to remain in any
 public place or on the premises of any establishment within
 the city during curfew hours.

 3. Owner, Operator, Employee of Establishment: The owner, operator or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours.

 4. Failure To Take Custody: A parent or guardian commits a separate offense if he or she fails to come immediately to a location designated by a law enforcement officer to take custody of a child after being notified to do so by a law enforcement officer or his designated agent.

E. Defenses:

 1. Minor: It is a defense to prosecution under subsection
 D4 of this section that the minor was:

 a. Accompanied by the minor's parent or guardian;

 b. On an errand at the direction of the minor's parent or guardian, without any detour or stop;

 c. In a motor vehicle involved in interstate travel;

 d. Engaged in an employment activity, or going to or
 returning home from an employment activity, without
 any detour or stop;

 e. Involved in an emergency;

 f. On the sidewalk abutting the minor's residence;

 g. Attending an official school, religious, or other
 recreational activity supervised by adults and
 sponsored by a government or civic organization, or
 other similar entity that takes responsibility for the
 minor, or going to or returning home from, without any
 detour or stop, an official school, religious, or
 other recreational activity supervised by adults and
 sponsored by a government or civic organization,
 religious or another similar entity that takes
 responsibility for the minor; or

 h. Exercising First Amendment rights protected by the
 United States constitution, such as the free exercise
 of religion, freedom of speech, and the right of
 assembly; or

 i. Married or had been married.

 2. Owner, Operator, Employee of Establishment: It is a defense to prosecution under subsection D3 of this section that the owner, operator, or employee of an establishment promptly notified law enforcement that the minor was
 present on the premises of the establishment during curfew
 hours and refused to leave.

F. Enforcement: Before taking any enforcement action under
 this section, a law enforcement officer shall ask the
 apparent offender's age and reason for being in the public
 place. The officer shall not issue a citation or make an
 arrest under this section unless the officer reasonably
 believes that an offense has occurred and that, based on
 any response and other circumstances, no defense in
 subsection E of this section is present.

G. Penalty:

 1. Adult Violation: A violation of subsection D2, D3 or D4 of this section is a misdemeanor and, upon conviction thereof, subject to penalty as provided in section 1-4-1 of this code.

 2. Minor Violation: A violation of subsection D1 of this section may form the basis for a petition or proceedings against the minor pursuant to the juvenile correction act, Idaho Code section 20-501 et seq. The court may utilize any of the dispositional alternatives provided by Idaho law for the violation of a status offense.

 3. Restitution: The court may order restitution to the city or other appropriate agencies for any costs reasonably incurred by the city, or other appropriate agencies, in caring for the child, including, but not limited to, wages of law enforcement officers, law enforcement officials, transportation and attendant care charges, which resulted from a violation of subsections D1, D2 and D3 of this section. (2025 Code)

5-1-2: **JUVENILE RUNAWAYS:**

A. Authority: This section is enacted and adopted pursuant to the authority granted to the city by the constitution of
 the state of Idaho, article 12, section 2.

B. Violation: Each violation of any provision of this section shall be punishable as provided in Idaho Code section 20-520. (2025 Code)

5-1-3: **TRUANCY:**

A. Prohibited: It shall be unlawful for any child between the age of seven (7) years of age at the time of the commencement of school, but not the age of sixteen (16) years who is enrolled in a public, private or parochial school to be absent from school in session without the knowledge and authorization of a parent, legal guardian or adult having the legal care and custody of the child.

B. Penalties: Each violation of any provision of this section shall be punishable as provided in Idaho Code section 20-520. (2025 Code)

CHAPTER 2

**ANIMAL CONTROL**

SECTION:

5-2-1: Authorization

5-2-2: Purpose And Intent

5-2-3: Definitions

5-2-4: Violations

5-2-5: Keeping Of Wild or Exotic Animals

5-2-6: Keeping Of Domestic Animals; Limits

5-2-7: Limits On Numbers of Animals on Residential Premises

5-2-8: Caring For Animals

5-2-9: Sanitation

5-2-10: Cruelty To Animals

5-2-11: Restraint And Confinement; Generally

5-2-12: Restraint Of Guard Animals

5-2-13: Animal Bites; Report Notice

5-2-14: Animal Bite; Quarantine Required

5-2-15: Possession And Disposition of Infected Animals

5-2-16: Vicious Animal; Complaint

5-2-17: Vicious Animal; Appeal

5-2-18: Viciousness Guidelines and Standards

5-2-19: Vicious Animals; Confinement and Supervision

5-2-20: Dangerous Or Nuisance Animals

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5-2-23: Return Of Animal to Owner

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5-2-25: Licensing Of Dogs

5-2-26: License Tags; Identification

5-2-27: Impoundment

5-2-28: Notice To Owner and Redemption

5-2-29: Miniature Potbellied Pig

5-2-30: Enforcement; Interference Prohibited; Authority
 Granted

5-2-31: Violations And Penalties

5-2-1: **AUTHORIZATION:** This chapter is enacted pursuant to
 the general police power and the authority granted to cities by the Idaho constitution article 12, section 2 and Idaho Code section 50-319. (2025 Code)

5-2-2: **PURPOSE AND INTENT:** The purpose of this chapter is to promote the public health, safety and the general welfare of the residents of the city and to foster the humane treatment of animals by regulating the care and control of animals within the city. (2025 Code)

5-2-3: **DEFINITIONS:** When used in this chapter, the following words, terms, and phrases, and their derivations shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ANIMAL: Any live creature, either domestic or wild, except humans or plants. Animal includes fowl and reptiles, but shall exclude fish.

ANIMAL Any employee or agent of the city, designated by CONTROL the mayor to administer and enforce the

OFFICER: licensing, inspection and compliance requirements
 established by this chapter.

ANIMAL Any establishment maintained and operated by a HOSPITAL: licensed veterinarian for surgery, diagnosis and treatment of animal diseases and injuries.

ANIMAL Any nuisance arising out of the keeping, NUISANCE: maintaining or owning of, or failure to exercise sufficient control of an animal or animals.

ANIMAL Any facility operated for the temporary care, SHELTER: confinement and detention of animals and for the humane euthanizing and other disposition of animals or any facility authorized by the mayor
 or his designee to impound, confine, detain, care
 for or destroy any animal.

AT LARGE An animal that is off the premises of its owner, ANIMAL: or if on the premises of its owner or of another,
 with permission, is not on a leash or otherwise
 suitably contained within a fenced enclosure such
 that it is under the immediate control of a
 person physically capable of restraining the
 animal.

CRUELTY: Any act or omission whereby unjustifiable
 physical pain, suffering or death of an animal is
 caused or permitted, including failure to provide
 proper drink, air, space, shelter or protection
 from the elements, a sanitary and safe living
 environment, veterinary care or nutritious food
 in a sufficient quantity. In the case of
 activities where physical pain is necessarily
 caused, such as medical and scientific research,
 food processing, customary and normal veterinary

 and agricultural husbandry practices, pest
 elimination, and animal training and hunting,
 cruelty shall mean a failure to employ the most
 humane method reasonably available.

DISPOSITION: Adoption, quarantine, voluntary or involuntary custodianship or placement, or euthanasia

 humanely administered to an animal. Disposition
 includes placement or sale of an animal to the
 general public.

DOMESTIC Includes dogs, cats, domesticated sheep, horses, ANIMAL: pigs (excluding a miniature potbellied pig), cattle, goats, swine, fowl, captive bred species
 of common cage birds, nonpoisonous snakes less than three feet (3') in length, pigeons, ducks, geese, turkeys, confined domestic hares
 and rabbits, pheasants, and other birds and
 animals raised and/or maintained in confinement.

EXOTIC Any live monkey, alligator, crocodile, cayman, ANIMALS: raccoon, skunk, fox, bear, sea mammal, poisonous snake, nonpoisonous snakes more than three feet (3') in length, members of the feline species other than domestic cat (Felis domesticus),
 member of the canine species other than domestic
 dog (Canis familiaris) or any other animal that
 by virtue of strength or inherent temperament or disposition would require a standard of care and control greater than that required for customary household pets sold by commercial pet shops or domestic farm animals.

GUARD OR A dog trained to attack on command or to protect ATTACK DOG: persons or property.

IMPOUNDMENT: The taking into custody of an animal by any law enforcement officer, animal control officer, or any authorized representative thereof.

KENNEL: Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee or as such term
 might otherwise be defined by the applicable
 zoning ordinance of the city.

MINIATURE A miniature Vietnamese or Chinese potbellied pig POTBELLIED kept for the sole purpose of providing human PIG: companionship.

MUZZLE: A device constructed of strong material designed to fasten over the mouth of an animal to prevent the animal from barking or biting.

OWNER: Any person having temporary or permanent custody of, sheltering or having charge of, harboring, exercising control over, or having property
 rights to, any animal covered by this chapter. An
 animal shall be deemed to be harbored if it is
 fed or sheltered by any person or if the person
 purported to be harboring claims to have custody
 or responsibility for the care of any animal.

SANITARY: A condition of good order and cleanliness to minimize the possibility of disease transmission and not producing adverse health or sensory conditions for adjoining property owners.

UNDER That an animal is secured by a leash or lead RESTRAINT: under the control of a person physically capable
 of restraining the animal, or securely enclosed within the real property limits of the owner's premises.

VICIOUS Any animal that attacks, bites, or physically OR injures human beings, domestic animals, or DANGEROUS livestock without adequate provocation, or which, ANIMAL: because of temperament or training, has a known propensity to attack, bite, or physically injure human beings, domestic animals, or livestock. Any wild animal or any animal that without adequate provocation has bitten or attacked a human being or other animal shall be prima facie presumed vicious or dangerous.

WILD Any live, nonhuman primate, leopard, panther, ANIMAL: tiger, lion, lynx or any other warm blooded
 animal that can normally be found in the wild
 state. The term wild animal does not include
 domestic dogs (except hybrids with wolves,
 coyotes or jackals), domestic cats (excluding
 hybrids with ocelots or margays), farm animals,
 rodents, any hybrid animal that is part wild, and
 captive bred species of common cage birds. (2025
 Code)

5-2-4: **VIOLATIONS:**

A. Prohibited: It shall be unlawful for any person to keep any animal on any property located within the corporate limits of the city when the keeping of such animal, or the manner thereof, violates the provisions of this chapter, or when the owner neglects a duty established by this chapter or carries out conduct which the chapter labels as unlawful,
 or engages in activities, actions or behavior which
 violates a rule of conduct or requirement of this chapter
 or which creates a menace to public health or safety so as
 to create a nuisance to neighboring property owners or the
 public at large.

B. Prohibited Behavior and/or Conditions: Behavior and/or conditions which violate this chapter shall include, but
 are not limited to, the following:

 1. Any animal that unreasonably annoys humans, endangers
 the life or health of persons or other animals, or
 substantially interferes with the rights of citizens, other
 than its owner, to enjoyment of life or property;

 2. Any animal found running at large.

 3. Any animal that damages, soils, defiles or defecates on
 any property other than that of its owner;

 4. Any animal that makes disturbing or grunting noises, including, but not limited to, continued and repeated howling, barking, whining, or other utterances which cause annoyance, disturbance, or discomfort to reasonable neighbors or reasonable others in close proximity to the premises where the animal is kept or harbored;

 5. Any animal, or owner thereof, that causes fouling of the air by noxious or offensive odors and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored inclusive of conduct which neglects to
 maintain, clean or otherwise eliminate the waste which
 results from the containment of an animal;

 6. Any animal in heat (estrus) that is not confined so as
 to prevent attraction or contact with other animals;

 7. Any animal, whether or not on the property of its owner, that without provocation, molests, attacks, bites, menaces or otherwise interferes with the freedom or movement of persons in a public right of way;

 8. Any animal that chases motor vehicles on a public right of way;

 9. Any animal that attacks domestic animals;

 10. Any owner or harborer of animals who causes or allows conditions offensive or dangerous to the public health, safety or welfare by virtue of the number of animals maintained at a single residence or premises or because of the inadequacy of the facilities. (2025 Code)

5-2-5: **KEEPING OF WILD OR EXOTIC ANIMALS:** It shall be unlawful for anyone to own, harbor, or permit at large any wild or exotic animal without the express written authorization of the city council. Such authorization may be given only if it is demonstrated to the satisfaction of the council that the animal will not constitute a threat to public health or safety. The city council may conduct a public hearing to obtain the opinions of adjoining residents and property owners when considering such requests. The city council may charge an applicant for such authorization an appropriate fee to recover the authorization processing costs incurred by the city. Public educational institutions shall be exempt from the foregoing authorization requirement. (2025 Code)

5-2-6: **KEEPING OF DOMESTIC ANIMALS; LIMITS:**

A. Limitations And Licensing Requirements: It shall be
 unlawful for any household to own, harbor, or possess more
 domestic animals than authorized by this section or in
 accordance with limitations and licensing requirements
 established by this chapter:

 1. Dogs and cats, not exceeding the number limitations as set forth in this chapter.

 2. Cattle, horses, goats, sheep, may be kept on premises containing a minimum of three-fourths (3/4) acre of securely fenced, irrigated open space, exclusive of a home site, and containing at least one acre in total, maintained in compliance with this chapter. Said fenced area shall be irrigated during the growing season to sustain vegetation.

B. Duty Of Person Owning Or Harboring Animals: It shall be the duty of all persons owning or harboring such animals to
 keep them in secure confinement to prevent them from
 roaming onto adjacent lands and to maintain such animals,
 and the grounds upon, and facilities within which they are
 housed, in a clean and sanitary condition. (2025 Code)

5-2-7: **LIMITS ON NUMBERS OF ANIMALS ON RESIDENTIAL PREMISES:**

A. Number Allowed: It shall be unlawful for any household to keep more than two (2) permitted "animals" as defined in subsection 5-2-6A of this chapter. No more than four (4) animals to be permitted pursuant to subsection 5-2-6A of this chapter, but not more than two (2) of any species
 shall be allowed within such limitation; except that a
 litter of pups may be kept for a period of time not to
 exceed five (5) months from their date of birth.

B. Residents may petition the City Council for exemptions to
 the number of allowed animals. Residents would need to
 show cause as to why the exemption should be granted. The
 Council will address each request on a case-by-case basis.

1. Examples of Criteria to be used by the Council during their deliberations:

 Compelling Reason(s) for the request, Previous
 Complaints, Sanitary Conditions, Size of Animal(s),
 Size of Property, and other factors that the Council
 deems appropriate.

C. Kennels: Kennels shall not be permitted in the city. (2025 Code)

5-2-8: **CARING FOR ANIMALS:**

A. Failure To Provide: It shall be unlawful for the owner or custodian of any animal to refuse or fail to provide such animal with sufficient wholesome and nutritious food,
 water, veterinary care when needed to prevent suffering,
 humane care and treatment, or to unnecessarily expose any
 such animal to intolerably hot, stormy, cold or inclement
 weather without adequate shelter.

B. Abandonment: No owner or custodian of any animal shall abandon such animal on any street, road, highway or public place, or on private property when not in the care of another responsible person. (2025 Code)

5-2-9: **SANITATION:**

A. Removal Of Feces: It shall be unlawful and no owner or custodian of any animal shall allow the owner/custodian's
 animal to soil, defile or defecate on any public property,
 street, sidewalk, public way, public play area or upon
 private property other than that which is exclusively owned
 by the animal owner, unless such owner or custodian
 immediately removes and disposes of all feces deposited by
 such animal by the following method:

 1. Collection of the feces by appropriate implement and placement in a paper or plastic bag or other container; and

 2. Removal of such bag or container to a waste disposal container lawfully available to the owner for sanitary disposal of waste as permitted by law.

B. Waste Matter; Removal Required: It shall be unlawful and no person owning, harboring or keeping an animal within the city shall permit any waste matter from the animal to collect and remain on the property of the owner or custodian, or on the property of others so as to cause or create an unhealthy, unsanitary, dangerous or offensive living condition on the owner's or custodian's property, or upon the abutting or nearby property of others.

C. Inadequate Facilities: It shall be unlawful and no person owning, harboring, keeping or in charge of any animal shall cause or allow the existence or maintenance of unsanitary, dangerous or offensive conditions by virtue of the size or number of animals maintained at a single location or due to the inadequacy of the facilities. (2025 Code)

5-2-10: **CRUELTY TO ANIMALS:**

A. Prohibited Acts: It shall be unlawful for any person to strike, beat, abuse, or intentionally run down with a vehicle any animal, or otherwise engage in any act to cause or inflict unnecessary pain, injury, suffering or death to such animal; except that reasonable force may be used to drive away vicious or trespassing animals.

B. Poisonous Or Harmful Substances: No person, except a licensed veterinarian, or animal control officer (for humanitarian purposes) shall administer poison to any animal, or knowingly leave any poisonous or harmful substance of any kind or ground glass in any place with the intent to injure any animal. The provisions of this section are not applicable to licensed exterminators using poisons as part of a pest control program or the use of commercial insecticides and rodent baits used to control insects
 and/or wild rodents. (2025 Code)

5-2-11: **RESTRAINT AND CONFINEMENT; GENERALLY:**

A. Failure To Restrain: It shall be unlawful for the owner of any animal to fail to keep such animal under restraint or permit such animal to run at large upon the streets and public ways of the city or upon private property without consent of the owner or present occupant. It shall be prima facie evidence of a violation of this section when an
 animal is found by an animal control officer or law
 enforcement officer while it is away from its owner (or
 responsible person).

B. Leash Required: Any dog, while on a street, sidewalk,
 public way or other public space, or upon private property
 without the consent of the owner, shall be secured by a
 leash or chain of sufficient tensile strength to restrain
 the dog and be controlled by a person of
 sufficient age and strength to control the animal. This
 shall not apply to animals prescribed by a doctor for
 medical reasons or other properly trained assist dog.

C. Failure To Exercise Proper Care and Control: No owner or custodian of any animal shall fail to exercise proper care and control of such animal to prevent the same from
 becoming a private or public nuisance.

D. Female Dog in Heat: Every female dog in heat shall be confined in a building or other enclosed area in such a manner that such female dog cannot come into contact with another animal except for planned breeding. (2025 Code)

5-2-12: **RESTRAINT OF GUARD ANIMALS:**

A. Confinement In Enclosure Required: Every owner of a guard
 or attack animal shall keep such animal confined in a
 building, compartment or other enclosure. Any such
 enclosure shall be completely surrounded by a fence at
 least six feet (6') in height and shall be topped with an
 anticlimbing device to prevent the animal from exiting the
 top of the enclosure.

B. Gates And Entrances; Escape Proof; Posting Of Warning Required: Such areas of confinement shall all have gates
 and entrances thereto securely closed and locked, and all
 fences shall be properly maintained and escape proof. Such
 premises shall be clearly posted to warn of the presence of
 guard animals.

C. Exception: The provisions of this section shall not apply
 to animals owned or controlled by government law
 enforcement agencies. (2025 Code)

5-2-13: **ANIMAL BITES; REPORT NOTICE:**

A. Reporting Required: Any person owning, possessing or harboring any animal that bites any person, any person bitten by such animal or physician attending such, shall report the same to the animal control officer or law enforcement officer, immediately, but in no case longer
 than within eight (8) hours of the time of the bite or of learning of the bite, giving his/her full name, age, and address, the circumstances surrounding the bite and the extent of the bite, the medical treatment given and the
 name and address of the owner or person having custody or possession of the animal. The owner of the animal in question shall release, to the animal control officer or
 law enforcement officer upon request, all information about
 the animal needed to complete the investigation.

B. Report Of Rabies Suspect: It shall be the duty of every person having knowledge of the existence of an animal apparently afflicted with rabies to report immediately to the animal control officer the existence and description of such animal, the place where seen, the name of the owner or persons having custody of the animal, if known, and the symptoms suggesting rabies. (2025 Code)

5-2-14: **ANIMAL BITE; QUARANTINE REQUIRED:** No person owning or having custody or possession of any animal shall fail, refuse or neglect to isolate or allow to be isolated or quarantined an animal that has bitten a human or other animal for at least ten (10) days in such manner as may be specified by the animal control officer or a law enforcement officer or for such period and in such manner as may otherwise be required by a public official with lawful authority. (2025 Code)

5-2-15: **POSSESSION AND DISPOSITION OF INFECTED ANIMALS:** It shall be unlawful for any owner of any animal to keep such animal if it is known to have a contagious disease unless the animal is under the current treatment of a licensed veterinarian. If any animal impounded under the provisions of this chapter is found to be suffering from rabies or is inflicted with hydrophobia, mange or other infectious or dangerous disease, it shall not be released. The animal control officer may order that an incurably contagious or harmful animal be destroyed, subject to appeal to the mayor. (2025 Code)

5-2-16: **VICIOUS ANIMAL; COMPLAINT:** Any person reasonably apprehensive over the safety of his person, family or property because of the threatening, predatory, menacing, destructive or vicious actions of any animal may make written complaint to the animal control officer providing such information as the animal control officer requires. Such proceedings may also be initiated by an animal control officer upon information developed in the course of his duties. The animal control officer, after investigation and consultation with the owner or custodian, and upon finding that there is good cause to believe that an animal poses a threat of injury to persons, animals or property, may declare such animal vicious. The owner of such animal shall immediately be notified, in writing, of the declaration and shall immediately thereafter maintain said animal in an enclosed cage or other secure enclosure as required by this chapter or by the lawful directives of the animal control officer. (2025 Code)

5-2-17: **VICIOUS ANIMAL; APPEAL:** Any owner or keeper aggrieved by the classification of his animal as vicious, may request, in writing, a hearing before the city council at the next regularly scheduled meeting at which the appeal request may be accommodated. Notice of any such appeal hearing shall be provided by mail or personal delivery to any complaining party or adjoining property owner at least seven (7) calendar days in advance of the appeal hearing. Subject to procedural rulings by the mayor, any appealing party, or those opposing such appeal, may present witnesses, evidence, and argument in support of the appeal, and the council shall, by a vote of the majority of the members present, either affirm or reverse the findings of the animal control officer. The mayor may establish time limits and procedural standards for the presentation of any such appeal. (2025 Code)

5-2-18: **VICIOUSNESS GUIDELINES AND STANDARDS:**

A. Guidelines And Standards: In determining whether an animal is vicious, the animal control officer shall be guided by the following:

 1. Whether or not the animal has bitten or attempted to
 bite any person or persons;

 2. Extraneous circumstances surrounding the occasion indicating the temper or potential ferocity of the subject animal; or

 3. Its general menace to the public or to specific individuals;

 4. The potential for the animal to attack or menace again;

 5. The record or history of compliance with animal regulations by the animal's owner;

 6. The propensity of the breed of animal, according to documented authority, to display aggressive or vicious characteristics.

B. Applicability: These provisions shall apply to all animals
 even though the animal in question has been vaccinated and
 licensed as required by this chapter. (2025 Code)

5-2-19: **VICIOUS ANIMALS; CONFINEMENT AND SUPERVISION:**

A. Confinement Required; Specifications; Maintenance: Every
 animal declared vicious shall be confined by its owner or authorized agent of its owner within a building or secure enclosure which complies with this chapter. The secure pen or structure must have secure sides and a secure top attached to the sides, or in the alternative to a secure top, the sides must be of such height that the enclosed animal could not, under any foreseeable circumstances, in the opinion of the animal control officer, escape by
 jumping or otherwise. If the pen or structure has no bottom
 secured to the sides, the sides must be embedded into the
 ground no less than one foot (1') or be otherwise designed
 to prevent any possibility of escape by digging by the
 animal. All such pens, enclosures or structures must be
 adequately lit, be kept clean and in sanitary condition
 and comply in all respects with applicable zoning and
 building codes.

B. Restraint And Muzzle Required; Posting of Sign: A vicious animal may be temporarily allowed out of said secure
 enclosure if such freedom from confinement occurs when
 accompanied at all times by an adult with the physical
 ability to control the animal and if securely muzzled.
 Every person harboring a vicious animal is charged with an
 affirmative duty to confine the animal in such a way that
 children, other than those of the owner, do not have access
 to such animal and that the animal cannot access others,
 either adult or children. The pen, enclosure or structure
 shall be locked and shall have displayed in a prominent
 place a clearly visible sign, at least eight and one-half
 inches by eleven inches (81/2" x 11") in size, in at least
 two (2) conspicuous locations on the property, indicating
 that there is a vicious animal on the premises. The owner
 of a vicious animal shall not suffer or permit the animal
 to go beyond the premises of the owner unless the animal is
 caged or securely muzzled and restrained by a chain or
 leash not more than three feet (3') in length, and under
 the physical restraint of a person large and strong enough
 to control the animal. The muzzle shall be made in a manner
 that will not cause injury to the animal or interfere with
 its vision or respiration, but shall prevent it from biting
 any human or animal.

C. Notice Of Residence Location: It shall be the duty of the owner of a declared vicious animal to furnish the animal control officer or law enforcement officer with the residence location of said animal unless or until the vicious designation is removed, even if such location is
 not within the city.

D. Liability Insurance Required: The owner of an animal
 declared vicious pursuant to this chapter must secure and
 maintain general liability insurance, in an amount of not
 less than fifty thousand dollars ($50,000.00), which
 insures against the liabilities which derive from custody
 of the vicious animal. Proof of this insurance shall be
 displayed to any animal control officer or law enforcement
 officer upon demand. Said insurance shall be obtained
 within ten (10) days from the date that the animal is
 declared vicious. Noncompliance with the requirements of
 this section by any owner of an animal designated as
 vicious shall constitute a violation of this chapter
 subject to all penalties or methods of enforcement
 authorized hereby. (2025 Code)

5-2-20: **DANGEROUS OR NUISANCE ANIMALS:**

A. Declared Nuisance or Dangerous: Any animal which has been
 at-large more than two (2) times in any calendar year or which has been at large and has proven menacing or threatening when at large may be declared a nuisance or dangerous, as appropriate, by the animal control officer.
 An animal may be designated as dangerous even though it has
 not behaved in a manner severe enough to warrant
 designation as a vicious animal.

B. Restrictions Imposed: Upon making such a declaration, the animal control officer may prescribe the actions which the animal owner must take to abate the nuisance or to protect
 the public from the menacing characteristics of an animal so designated. Such restrictions may include additional
 fencing, security measures, repair of containment
 facilities, additional supervision or other measures intended to address the nuisance or danger involved. Such designation may be applied for a certain designated time frame such that the restrictions serve as a probation for the animal or animal owner in question.

C. Violation Of Restrictions: Violation of any restrictions
 set forth in a written order of the animal control officer pursuant to this section shall constitute a violation of this chapter, subject to all penalties and enforcement measures authorized hereby.

D. Petition And Demonstration of Compliance: Upon petition and demonstration of compliance with applicable requirements, the animal control officer may revise the designation of a vicious animal to nuisance or dangerous status if the
 animal control officer believes that such designation will
 fulfill the purposes of this chapter.

E. Appeal: Any decision concerning classification of an animal as a nuisance or dangerous may be appealed by the animal owner in accord with the procedures established in this chapter regarding vicious animals. (2025 Code)

5-2-21: **SUBSEQUENT ATTACK:** Should any animal attack or bite a person or another animal, after the owner or harborer of such animal has been notified that the animal has been declared vicious, dangerous or nuisance, such animal shall be impounded, held for observation and shall not be returned to its owner until the animal control officer can be assured that the insecurity which allowed the animal to go free has been remedied and will remain so. If any declared vicious animal found at large cannot be safely taken up and impounded, such animal may be summarily destroyed by any law enforcement officer or animal control officer. Failure to maintain security for vicious, dangerous or nuisance animals shall constitute a violation of this chapter. (2025 Code)

5-2-22: **PROPERTY OWNERS MAY IMPOUND:** Any person finding an animal at large on his property may remove the same to any animal shelter that will take possession of the animal. Any person doing so shall inform the shelter operator of the location where the animal was captured, type of animal, and any other information which may be relevant to locating the owner or circumstance concerning the animal. If no such shelter is available, the property owner may humanely hold the animal in his own possession and immediately notify the animal control officer. The property owner shall provide a description of the animal and the name of the owner if known. (2025 Code)

5-2-23: **RETURN OF ANIMAL TO OWNER:** If the name of the owner
 or custodian of an animal found at large is known or can be obtained with reasonable dispatch, the animal control officer may attempt contact with such owner and advise the owner of the location of the animal and attempt to make arrangements to return the animal. If the animal owner is not available, the animal control officer may provide written notice to the registered owner explaining who the owner must contact to reclaim the animal. The officer may remove the animal to the nearest shelter that will accept the animal. The ultimate responsibility for locating an impounded animal is the owner's. (2025 Code)

5-2-24: **DISPOSITION OF LARGE ANIMALS:** Any animal control officer or other designated person on call who removes or takes custody of a healthy large animal such as a horse, cow, mule or other animal, which is not acceptable to any animal hospital or shelter, shall be authorized to call a trucking firm or company which may convey the animal to a farm or other appropriate facility that will accept such animals. The disposition of any animal removed to a facility other than an animal hospital or shelter shall be handled in the same manner as though the animal were confined in an animal hospital or shelter. Any such expenses of shelter or care shall be the responsibility of the owner. (2025 Code)

5-2-25: **LICENSING OF DOGS:**

A. License Required: No person shall own, keep, or harbor any dog over the age of six (6) months within the city unless such dog is licensed as provided in this chapter.

B. Application: Application for such license shall be made by the owner on a form to be provided by the city within ten (10) days after acquiring any dog over six (6) months of
 age or within ten (10) days after a dog becomes six (6)
 months of age; provided, that any owner moving to the city
 for the purposes of establishing residence or becoming a
 resident as a result of any annexation, and otherwise
 required to obtain a license, shall have until thirty (30)
 days after establishing residence to obtain such license.

C. Proof Of Rabies Vaccination Required: All owners applying for a license must show to the satisfaction of the
 licensing authority that the animal for which the license
 is being obtained has been inoculated against rabies within
 the last two (2) years.

D. Proof Of Sterilization: Any owner claiming that his dog has been spayed or neutered must show to the satisfaction of
 the licensing authority that the operation has been
 performed.

E. Payment Of License Fee: A license fee shall be paid at the time of making application. The license fee for dogs shall be established by the city council by resolution. Such fee may be different depending upon the altered status or other relevant characteristics of the animal.

F. Exemption From License Fee: License fees shall not be required for seeing eye dogs, dogs prescribed by a doctor for medical reasons, government police dogs or dogs belonging to a nonresident of the city (which are licensed elsewhere) and kept within the boundaries of the city for not longer than thirty (30) days; provided, that all dogs not subject to payment of the license fee shall, at the
 time of entry into the city, be properly vaccinated against rabies, and while kept within the city, meet all other requirements of this chapter. Any owner claiming any of these exemptions has the burden of proving to the satisfaction of the licensing authority that the dog in question is entitled to such an exemption.

G. Penalties: Any owner of a dog over the age of six (6)
 months who fails to obtain a license within the time period specified in this chapter shall be subject to a fee set by the city council by resolution and/or shall be subject to prosecution for violation of this chapter as otherwise provided herein. (2025 Code)

5-2-26: **LICENSE TAGS; IDENTIFICATION:**

A. Issuance of Tag; Term: Upon payment and acceptance of the license fee, the city shall issue a durable license tag, stamped with an identification number for the animal for which the license has been obtained. Any license issued for the keeping of a dog shall take effect on the date of issuance and shall be valid for the period paid for and
 shown on the receipt issued by the licensing authority. Every dog for which the owner is required to obtain a license must wear a valid license tag at all times when the animal is off the premises of its owner.

B. Use on Another Animal Prohibited; Altering License Tag Prohibited: No person may use a license for any animal
 other than the animal for which the license was issued. It
 shall be unlawful for any person to alter such license tag
 in any manner.

C. False or Inaccurate Information: Any dog license issued in reliance of false or inaccurate information may be revoked. Anyone who knowingly submits false information to obtain a license or to obtain a license without paying the appropriate fee shall be deemed to have violated this chapter and shall be subject to all potential penalties therefor. (2025 Code)

5-2-27: **IMPOUNDMENT:**

A. Power To Seize, Impound and Confine: In addition to any other remedies provided in this chapter, an animal control officer or a law enforcement officer may seize, impound and humanely confine to an animal shelter or hospital any of
 the following animals:

 1. Any dog without a valid license tag;

 2. Any animal at large;

 3. Any animal constituting a public nuisance or considered a danger to the public;

 4. Any animal that is in violation of any quarantine or confinement order of the local health district, animal control officer or any standing quarantine or confinement order of any public officer;

 5. Any unattended animal that is ill, injured or otherwise in need of care;

 6. Any animal that is reasonably believed to have been abused or neglected;

 7. Any animal that is reasonably suspected of having
 rabies;

 8. Any animal that is charged with being potentially dangerous, or dangerous where the city council or animal control officer determines that there is a threat to public health and safety; including illegal exotic and wild animals;

 9. Any animal that a court of competent jurisdiction has ordered impounded or destroyed;

 10. Any animal that is considered unattended or abandoned, as in situations where the owner is deceased, has been arrested or has been evicted from his regular place of residence;

 11. Any animal that has been declared vicious and the owner or harborer fails to adhere to the established guidelines set forth in the vicious animal guidelines as set forth in
 this chapter;

 12. Any animal, or owner thereof, that causes fouling of
 the air by noxious or offensive odors and thereby creates unreasonable annoyance or discomfort to neighbors or others in close proximity to the premises where the animal is kept or harbored inclusive of conduct which neglects to
 maintain, clean or otherwise eliminate the waste which
 results from the containment of an animal.

B. Issuance Of Citation: An animal control officer or law enforcement officer may also, or in lieu of impoundment of an animal running at large, issue to the owner a notice of violation which calls for payment of an animal control fee or, in the alternative, may issue a uniform citation charging the owner with a criminal violation of this chapter. Any animal owner issued a notice of violation
 shall pay any animal control fee established by resolution
 to the city council within thirty (30) days of the date the
 notice of violation is issued. Such fee may be paid at the
 location noted on the notice of violation. In the event
 that such fee is not paid within the time period
 prescribed, the animal control or law enforcement officer
 may issue a uniform citation or refer the matter to the
 city prosecutor in order to initiate misdemeanor criminal
 proceedings for the underlying violation of this chapter.
 Such citation or complaint shall be punishable as a
 criminal misdemeanor as otherwise provided by this code.
 (2025 Code)

5-2-28: **NOTICE TO OWNER AND REDEMPTION:**

A. Notice Of Impoundment: Upon impoundment of an animal, the animal control officer may attempt to notify the owner by telephone or mail. If the owner is unknown or cannot be contacted, the animal control officer shall post written notice for three (3) working days at the Ririe city hall, describing the animal and the time and place of taking. Any notice to the owner may also include the location of the shelter or hospital where the animal is confined, hours during which the animal can be reclaimed, and the fees to
 be charged to the owner. The owner may also be advised that
 the failure to claim the animal within three (3) working
 days may result in the destruction or other disposition of
 the animal.

B. Impound Fees: An owner reclaiming an impounded animal shall pay impound fees as established by resolution of the city council. The rates charged for any subsequent impoundment may likewise be established by resolution of the city council.

C. Unclaimed Animals: Any animal not reclaimed by its owner within three (3) working days shall be subject to placement for adoption in a suitable home or euthanized in a manner prescribed by the city. (2025 Code)

5-2-29: **MINIATURE POTBELLIED PIG:**

A. Harboring Or Possessing: No person shall possess, own, or harbor a "miniature potbellied pig" as defined in this chapter unless and until obtaining a license from the
 mayor, animal control officer or other designated officer
 for such animal in accordance with this chapter. Only one
 miniature potbellied pig may be maintained or licensed at
 any single address or premises. Said license may be issued
 upon payment of the license fee established by the city
 council by resolution and upon proving compliance with the
 standards established by this code. Any such potbellied pig
 shall be subject to the care and control requirements
 established for dogs by this chapter.

B. Certification Of Health And Qualification From
 Veterinarian: Each person desiring to license a miniature
 potbellied pig for keeping in the city shall first obtain a
 certificate from a licensed veterinarian certifying that
 the animal in question is a miniature potbellied pig,
 measuring no more than twenty three inches (23") in height
 at the shoulders when in a normal stance, weighing no more
 than one hundred twenty-five (125) pounds and kept solely
 for human companionship. Further, said veterinarian shall
 certify, in writing, that the animal in question has been
 inoculated against and/or been blood tested, with negative
 results, for pseudorabies and brucellosis, or any other
 disease or animal malady which the USDA or the Idaho
 department of agriculture deems necessary to prevent
 health, safety or general welfare concerns.

C. Yard Plan: Prior to the issuance of a license to possess a miniature potbellied pig, the license applicant shall
 submit plans showing the size and location of the yard in
 which the miniature potbellied pig will be allowed to
 exercise when not in the home where it lives. Said plans
 shall include sufficient detail to indicate that fencing
 materials and installation methods are sufficient to
 protect neighboring land uses from intrusion. No miniature
 potbellied pig, nor the maintenance practices affecting
 care of such animal, shall be allowed to interfere with the
 peaceful enjoyment of adjoining land uses by reason of
 noise, odor or otherwise. Violation of these requirements
 shall be deemed a violation of the requirements of this
 code.

D. Inspection: Any person seeking to license a miniature potbellied pig shall allow reasonable opportunity for inspection of the animal and of the premises where it will be housed, prior to action by the mayor.

E. Denial Of License; Appeal: Any person denied a license by the mayor may appeal said denial by filing a written notice of appeal with the mayor setting forth the basis of the appeal and stating concisely why the appeal should be granted. The mayor may investigate the appeal as appropriate, including meeting with the applicant or any objectors and render a written decision concerning the requested license denial. (2025 Code)

5-2-30: **ENFORCEMENT; INTERFERENCE PROHIBITED; AUTHORITY GRANTED:** Animal control officers and law enforcement officers of the city shall be the enforcement officials for this chapter. These officials shall have the authority to act on behalf of the city in investigating complaints, impounding and destroying animals, issuing citations, and taking other lawful actions as required to enforce the provisions of this chapter. It shall be a violation of this chapter to interfere with an animal control officer or other enforcement official in the performance of his duties. Animal control officers are hereby authorized to take such actions as they deem appropriate to protect the health, safety and welfare of the public, whether expressly authorized by this chapter, or not. (2025 Code)

5-2-31: **VIOLATIONS AND PENALTIES:**

A. Violations: It shall be a violation of this chapter to:

 1. Fail to comply with any provision of this chapter, that is, to do that which is described as unlawful or to violate the requirements established by this chapter;

 2. Fail to comply with any lawful order of the animal control officer or law enforcement officer, unless such order is lawfully stayed or reversed; or

 B. Misdemeanor: Any person who violates any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to penalty as provided in section 1-4-1 of this code. Should any person
 be found guilty in any court of competent jurisdiction, the court may order the animal involved to be destroyed by the animal control officer.

 C. Civil Action: The city may undertake civil legal action in a court of competent jurisdiction to seek to enjoin conduct which violates the provisions of this chapter
 and/or to recover the reasonable costs of actions deemed
 necessary to bring about compliance herewith. (2025 Code)