

HARDIN COUNTY
ORDINANCE 2022-
AN ORDINANCE REGULATING LIVESTOCK AT LARGE

Purpose A regulation relating to livestock running at large, establishing consequences for livestock and owner, and providing reasonable rights of notice and hearing before the imposition of penalties.

The Hardin County Board of Supervisors hereby adopts the following ordinance to wit:

1.1 Definitions

1.1 (01) “Livestock” means an animal belonging to the bovine, caprine, equine, ovine, or porcine species; ostriches, rheas, or emus; farm deer or poultry.

1.1 (02) “At Large” means off the premises of the owner and not under the control of a competent person, restrained within a trailer, or housed in a veterinary hospital or kennel.

1.1 (03) “Owner” means the person who holds title to livestock or who is primarily responsible for the care and feeding of the livestock as provided by the titleholder.

2.1 Violations

2.1 (01) At Large Prohibited. It is unlawful **for any owner to allow** livestock to run at large within Hardin County.

2.1 (02) Damage or Interference. It is unlawful for **the owner of** livestock **to allow or permit such livestock** to pass upon the premises of another thereby causing damage to, or interference with the premises, property or livestock of another.

3.1 Penalties

3.1 (01) After receiving two prior warnings of violations of this Ordinance from any law enforcement official, any owner violating this Ordinance or any amendment or supplement thereto, may be found guilty of a simple misdemeanor which is punishable by a fine of not more than six hundred twenty-five dollars (\$625) or by imprisonment of not more than thirty (30) days.

3.1 (02) After receiving two prior warnings of violations of this Ordinance from any law enforcement official, the owner may, in the alternative, be found guilty of a county infraction punishable by a civil penalty of not more than seven hundred and fifty dollars (\$750), of if there has been a prior conviction for a violation of this Ordinance, then by a civil penalty not to exceed one thousand dollars (\$1,000).

3.1 (03) Nothing in this Ordinance shall be construed to prevent a landowner or local authority from taking custody of livestock as provided by Chapter 169C of the Iowa Code.

4.1 Applicability

4.1 (01) Provisions contained herein are applicable to all unincorporated areas of Hardin County.

5.1 Severability of Provisions

5.1 (01) If any section, paragraph, clause or provision of this ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

6.1 Regulation Effective Upon Publication

6.1 (01) This ordinance being deemed essential and imperative for the preservation of the public health, shall be in force and effect from and after its passage and publication as provided by law.

1st reading _____

2nd reading _____

3rd reading _____

Passed and approved this _____ day of _____, 2022.

HARDIN COUNTY BOARD OF SUPERVISORS

BJ Hoffman, Chair

Attest: _____
Jolene Pieters, Auditor

Renee McClellan

Lance Granzow