

House File No. 506.
BY COMMITTEE ON AGRICULTURE.

Passed on file.
March 10, 1919.

A BILL FOR AN ACT

To repeal sections four hundred fifty-seven (457), seven hundred seven 707 (707), eight hundred eighty-nine (889) of the code; also sections four hundred fifty-eight (458), four hundred fifty-eight-a (458-a), four hundred fifty-eight-b (458-b) of the supplement to code 1913; also chapter 50 of the acts of the thirty-seventh general assembly, and to enact a substitute therefor, in relation to the taxation, licensing and controlling of dogs.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. That on or before the
2 15th day of January, 1920, and on or before the
3 15th day of January each year thereafter, the
4 owner of any dog three months old or over shall
5 in written or printed form, supplied by the board
6 of supervisors, apply to the county auditor for
7 a license for each such dog owned by him. Such
8 application shall state the breed, sex, age, color
9 and markings of such dog and the name and address
10 of the owner, and shall be accompanied by a fee
11 of three dollars for each male or spayed female
12 dog, and five dollars for each female dog, and
13 such license shall be the only license or tax
14 required for said dog.
15 Such license shall be issued on a
16 printed form, and shall be dated and numbered

17 serially, and shall bear the name of the county
18 issuing it, and a description of the dog licensed.

19 All licenses shall be void upon
20 the 15th day of January of the following year.
21 The board of supervisors shall furnish and the
22 county auditor shall issue with each license, a
23 metal tag. Such tag shall be affixed to a
24 substantial collar to be furnished by the owner,
25 and with the tag attached, shall at all times
26 be kept on the dog for which the license is
27 issued.

1 Sec. 2. Any person who owns,
2 keeps or harbors a dog shall be considered the
3 owner thereof within the meaning of this section.

1 Sec. 3. Applications for such
2 licenses may be made before any person who is
3 qualified to administer an oath and upon making
4 application before any such person the applicant
5 shall pay to such person the sum of twenty-five
6 cents as a fee for taking the application. Upon
7 the receipt of such application the county auditor
8 shall immediately issue the license and tag and
9 remit the same by mail to the person named as
10 applicant therein.

1 Sec. 4. No license or license
2 tag issued for one dog shall be transferable

3 to another dog. Whenever the ownership of any
4 dog is permanently transferred from one person
5 to another the license may be likewise trans-
6 ferred by notation on the face thereof by the
7 county auditor. Whenever a dog licensed in
8 one county is permanently transferred to an-
9 other county the license may also be trans-
10 ferred by application to the county auditor
11 of the county to which the dog is removed
12 and the payment to him of a fee of twenty-
13 five cents. Upon the payment of the fee above
14 referred to, a new license and tag shall be
15 issued for such dog.

1 Sec. 5. The county auditor shall
2 keep an accurate record of all such fees collected
3 by him or paid over to him by others, and shall
4 turn the same over to the county treasurer, who
5 shall keep the same as a fund to be known as the
6 domestic animal fund.

1 Sec. 6. Each assessor, for
2 taxation purposes, shall annually, at the time
3 of assessing property, as required by law, make
4 diligent inquiry as to the number of dogs owned,
5 harbored or kept by any person so assessed and
6 report the same to the county auditor, and shall
7 be allowed as a fee the sum of ten cents each for

8 all dogs so reported, in addition to any and all
9 other fees or salary permitted to him by law.

1 Sec. 7. On and after the 15th
2 day of January, 1920, it shall be unlawful for
3 any person to own, keep, harbor or have in his
4 possession any dog three months old or over
5 unless such dog is licensed by the auditor of
6 the county, in which the dog is kept, and unless
7 such dog at all times wears the collar and tag
8 provided for by this act.

1 Sec. 8. On and after the 15th
2 day of January, 1920, any dog, which has not been
3 licensed as above provided, shall be deemed a
4 wild dog, and it shall be the duty of each peace
5 officer of the state, including the peace officers
6 of the cities and towns, to kill any dog found
7 within the county without a collar and tag. Any
8 other person may also kill such dog at any time
9 and the peace officer or other citizen shall be
10 paid for so doing, the sum of one dollar for
11 killing any such dog, the same to be paid by
12 the board of supervisors from the county fund,
13 upon proof to the satisfaction of the county
14 auditor that such dog was not licensed and
15 wearing a collar and tag, as required by law.

1 Sec. 9. It shall be unlawful for

2 any person except the owner or authorized agent
3 to remove any license tag from a dog collar, or
4 to remove any collar with a license tag attached
5 thereto from any dog. It shall be unlawful for
6 any person to harbor or permit to remain about his
7 premises any dog not having a license.

1 Sec. 10. Any person violating or
2 failing or refusing to comply with any of the
3 provisions of this act shall be guilty of
4 misdemeanor, and upon conviction shall be
5 fined not exceeding one hundred dollars or
6 confined in the county jail not more than
7 30 days, in the discretion of the court.

1 Sec. 11. The county auditor
2 shall annually on or before May 1st of each
3 year provide the sheriff with a list of dogs
4 reported by the assessors, which have not paid
5 the tax, and it shall be the duty of the sheriff
6 to proceed to collect said tax, and for such
7 service he shall be entitled to collect from
8 such owner, in addition to the tax, a fee of
9 one dollar for each dog, and
10 the sum of ten cents for each mile traveled by
11 him in his effort to secure the payment of such
12 tax.

13 In case the sheriff is not able

14 to collect the tax on said dog he shall report
15 the same to the auditor who shall place said
16 tax, together with all costs and expenses made
17 in the effort to collect the same, upon the tax
18 books of said county, and the same shall stand as
19 any other tax against the owner of said dog. For
20 such attempts to secure said tax, the county shall
21 pay the sheriff the mileage provided for above.

1 Sec. 12. All forms for blanks
2 and tags necessary in carrying out this act shall
3 be prepared by the county auditor and furnished by
4 the county.

1 Sec. 13. All owners of dogs who
2 comply with the provisions of this act by pro-
3 curing license for the same and have the same
4 wearing a collar and tag, as herein provided,
5 shall have a property right in their dog. All
6 dogs not provided with license, tag and collar,
7 as above required, shall be considered wild dogs,
8 and in them no one shall be held to have any
9 property right.

1 Sec. 14. In event that any one
2 or more of the provisions of this act shall be
3 held unconstitutional by any court, the decision
4 holding such provision unconstitutional shall not
5 affect the validity of the remaining provisions

6 of this act, it being the intention of the
7 legislature that the provisions of this act
8 are severable.

1 Sec. 15. That sections four
2 hundred fifty-seven (457) seven hundred seven
3 (707) eight hundred eighty-nine (889) of the
4 code, and sections four hundred fifty-eight
5 (458) four hundred fifty-eight-b (458-b) supplement
6 to the code 1913, and chapter 50 of the acts
7 of the 37th General Assembly, be and the same
8 are hereby repealed.

1 Sec. 16. All acts or parts of
2 acts not in accordance with the terms of this
3 act are hereby repealed.

1 Sec. 17. This act shall take
2 effect and be in force from and after January
3 1st, 1920.