

**SAC AND FOX NATION TRIBAL CODE  
TITLE 6A ARTICLE 5**

**TITLE 6A  
CIVIL INFRACTIONS**

**ARTICLE 5  
ANIMAL ORDINANCE**

**Section 501. Number and Type of Pets Allowed; Dog Breeders**

(a) Definition:

(1) Domesticated animals shall mean any animal that is sufficiently tame to live with a family, such as a dog, or a cat, or other animal that can be used to contribute to the family's support, such as a cow, a chicken or a horse.

(2) Dog breeder shall mean any dog owner who possesses more than three (dogs) in the same household, for purposes of breeding and selling dogs or otherwise.

(b) Domesticated animals are permitted in the Sac and Fox Nation pursuant to the following conditions:

(3) Households are limited to a maximum of three (3) dogs, except as provided by subsection (c).

(4) All pets are to be maintained in a clean and sanitary manner and vaccinated for rabies; and

(5) The pets are maintained constantly either by penning or leashing, pursuant to Section 503; and

(6) The pets cause no disturbance to neighbors in their peaceful enjoyment of their own homes and property; and

(7) Examples of animals allowed as pets include, but not limited to: domesticated breeds of dogs and cats, rabbits, caged birds, ferrets, hamsters, gerbils, fish in tanks or aquariums, and small turtles or lizards, or native, non-venomous snakes.

(c) Nothing in this Section prevents the Sac and Fox Nation Housing Authority from determining its own rules and regulations for pets on Sac and Fox Nation Housing Authority properties.

(d) Any individual with more than three (3) dogs will be considered a Dog Breeder and is required to obtain a dog breeding permit from the Sac and Fox Nation Police Department.

(e) Violations: Any individual in violation of this Section shall be fined as follows:

(1) For having more than (3) dogs without a dog breeding permit—a fine of fifty dollars (\$50.00) per dog over three, plus court costs.

(2) For not maintaining the pets in a clean and sanitary manner, or for failure to vaccinate for rabies—a fine of fifty dollars (\$50.00), plus court costs.

(3) For causing a disturbance to neighbors in their peaceful enjoyment of their own homes—a fine of fifty dollars (\$50.00), plus court costs.

(4) For housing animals that are not considered domesticated animals—a fine of fifty dollars (\$50.00), plus court costs and other costs.

[History: 1998, January 22; R-03-98: Amend. 2020, Jun. 16; R37-20:  
PUBLIC LAW # T 6 § 501]

**Section 502. Animal Nuisances.**

- (a) Barking Dogs:
  - (1) Barking dogs will be declared a public nuisance pursuant to Section 504 if the owner/keeper of the dog or dogs allows the animal(s) habitually to bark, howl, or yelp frequently enough, or at hours which, disturb any person or neighborhood.
  - (2) Barking dogs declared a public nuisance are subject to the civil fine set forth in Section 504.
- (b) Biting Animals:
  - (1) Biting animals will be declared a nuisance pursuant to Section 504 if the owner/keeper of the animal allows the animal to bite an individual or other animal.
  - (2) Biting animals declared a nuisance are subject to the civil fine set forth in Section 504.

[History: 1998, January 22; R-03-98: Amend. 2020, Jun. 30; R43-20:  
PUBLIC LAW # T 6 § 502]

**Section 503. No Animals at Large.**

- (a) No owner/keeper shall permit animals to run at large at any time and all animals shall be confined to the owner's/keeper's property by fence or leash and shall be on a leash when off the owner's/keeper's property. Animals shall be kept on a leash while at all public parks or tribal common areas, parking lots, and schools.
- (b) It shall be lawful for anyone authorized by Law Enforcement to pursue and capture an animal at large and isolate the same by taking the animal to an authorized animal shelter or veterinary clinic.
- (c) No animal shall be considered to be at large while in attendance at a scheduled obedience class or show: provided, that the animal is being trained to participate in obedience trials, or authorized sporting events within the City or Tribal boundaries or reservation. Such animals must nonetheless be under direct visual and voice control of a competent handler while participating in the event.
- (d) Animals used for hunting may be off leash only if they are registered with the Police Department as hunting animals participating in a hunting activity.
- (e) Any owner/keeper who permits his/her animal to be off leash except as provided for in subsections (c) or (d) of this Section shall be subject to a fine of one hundred dollars (\$100.00), plus court costs and other costs.

[History: 1998, January 22; R-03-98: Amend. 2020, Jun. 16; R37-20:  
PUBLIC LAW # T 6 § 503]

**Section 504. Complaints.**

(a) Complaints concerning animal nuisances shall be made directly to the Sac and Fox Housing Authority or, if outside business hours, to the Sac and Fox Police Department.

(b) A complaint does not have to be received from a member of the public for the Housing Authority to authorize the Tribal Police to act upon a violation of this ordinance.

(c) Complaints concerning animal nuisances are subject to a fine not to exceed five hundred dollars (\$500.00) and may include restitution.

[History: 1998, January 22; R-03-98: Amend. 2020, Jun. 30; R43-20:  
PUBLIC LAW # T 6 § 504]

### **Section 505. Action to be Taken Upon Violation of This Ordinance.**

When an officer of the Tribal Police department receives a complaint or observes a violation of this ordinance, the following procedure shall be followed:

(a) If an owner/keeper can be identified and contacted, the officer will notify them of the problem and require that they contain and secure the animal.

(b) If the owner/keeper cannot be identified and/or contacted within a reasonable time under the circumstances, the animal shall be caught and taken to the nearest animal shelter or authorized veterinary clinic where it will be kept for three (3) business days, after which it may be euthanized.

(c) If the animal cannot be caught and the officer has made reasonable and good faith attempts to both detain the animal and notify the owner/keeper, the officer will cease his attempts to capture the animal and prepare a written report to the Tribal Council for evaluation and any further action deemed necessary.

(d) In all cases, the officer will complete an incident report with narrative, animal owner/keeper information, a description of the animal and any complainant information.

(e) The owner/keeper will be issued a citation with the date and time of the violation, disposition of the matter and notice of the fine and/or costs assessed for violation of this ordinance.

(f) If the animal is impounded or placed in a veterinary clinic the necessary and required immunizations will be administered and assessed to the owner/keeper, the animal owner/keeper will be notified of the ordinance infraction and the animal's whereabouts. Unclaimed animals may be placed for adoption and if not adopted within a reasonable time, at the sole discretion of the animal shelter or veterinary clinic, may be euthanized.

[History: 1998, January 22; R-03-98: Amend. 2020, Jun. 16; R37-20:  
PUBLIC LAW # T 6 § 505]

### **Section 506. Fines and Costs.**

(a) Fines: Owners/keepers of animals found to be in violation of this ordinance are subject to civil citation and fines as identified herein.

(b) Costs: All costs incurred in capturing, keeping, feeding, boarding, treating and otherwise caring for the animal during custody and confinement shall be assessed to and become the responsibility of the owner/keeper.

(1) Costs of care, custody and confinement of the animal will be assessed to the owner/keeper and will be paid to the Tribal Court during regular business hours within thirty (30) days of the court order, unless otherwise specified in the court order.

(2) Owners/keepers of animals found in violation of this ordinance shall be assessed the actual costs associated with boarding, caring for, disposing of, and euthanizing the animal.

[History: 1998, January 22; R-03-98: Amend. 2020, Jun. 16; R37-20:  
PUBLIC LAW # T 6 § 506]

**Section 507. Animal Neglect or Abuse.**

(a) A person commits the infraction of animal neglect or abuse when he/she  
(3) maliciously kills, injures, maims, tortures, burns or mutilates any animal;

(4) abandons any animal in any place without making provisions for its proper care;

(5) has physical custody of any animal and fails to provide such food, water, protection from the elements, opportunity for exercise, and other care as is needed for the health and well-being of such animal;

(6) causes any animal to fight against another animal for sport, or hosts an event, or owns a property wherein such animal fighting is known to the property owner to be held.

(b) The provisions of subsection (a) shall not apply to the following:

(3) Normal and accepted veterinary practices;

(4) Bona fide experiments carried on by commonly recognized research facilities;

(5) Hunting in accordance with common tribal rules and practices;

(c) A person who commits the infraction of animal neglect or abuse is subject to a fine of no less than five hundred dollars (\$500.00), court costs, and other costs.

[History: 2020, June 16; R-37-20:  
PUBLIC LAW # T 6 § 507]