

Section 2017 – Animal Control**2017.02. Animal Control.**

Subd. 1. Definitions. For the purpose of this Section, the following Definitions shall apply unless the context clearly indicates or requires a different meaning:

- A. “Animal” means any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom. “Animals” shall be classified as follows:
1. “Farm animals” mean those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, “farm animals” shall include members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees and other animals associated with a farm, ranch or stable;
 2. “Domestic animals” means those animals commonly accepted as domesticated household pets. Unless otherwise defined, “Domestic animals” shall include dogs; cats; caged birds; gerbils; hamsters; guinea pigs; domesticated rabbits; fish; non-poisonous, non-venomous, and non-constricting reptiles, or amphibians; and other similar animals;
 3. “Nondomestic animals” means those animals commonly considered to be naturally wild and not naturally trained or domesticated or which are commonly considered to be inherently dangerous to the health, safety and welfare of people. Unless otherwise defined, “nondomestic animals” shall include:
 - (a) Any member of the large cat family (family Felidae), including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats;
 - (b) Any naturally wild member of the canine family (family Canidae), including wolves, foxes, coyotes, dingos and jackals, but excluding commonly accepted domesticated dogs;
 - (c) Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet;
 - (d) Any member or relative of the rodent family, including any skunk (whether or not descended), raccoon, squirrel or ferret,

but excluding those members otherwise defined or commonly accepted as domesticated pets;

- (e) Any poisonous, venomous, constricting or inherently dangerous member of the reptile or amphibian families, including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators;
- (f) Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this Section, including but not limited to bears, deer, monkeys and game fish.

B. "Owner" means any person or persons, firm, association or corporation owning, keeping or harboring an animal.

Subd. 2. Nondomestic Animals. It shall be illegal for any person to own, possess, harbor or offer for sale any nondomestic animal within the city. Any owner of a nondomestic animal at the time of adoption of this code shall have 30 days in which to remove the animal from the city, after which time the city may impound the animal as provided for in this chapter. An exception shall be made to this prohibition for animals specifically trained for and actually providing assistance to the handicapped or disabled and for those animals brought into the city as part of an operating zoo, veterinarian clinic, scientific research laboratory or a licensed show or exhibition.

Subd. 3. Farm Animals. Farm animals shall only be kept in an agricultural district of the city. An exception shall be made to this Section for those animals brought into the city as part of an operating zoo, veterinarian clinic, scientific research laboratory or a licensed show or exhibition.

Subd. 4. Animals Presenting a Danger to Health and Safety of City. If, in the reasonable belief of any person or the Animal Control Officer or police officer, an animal presents an immediate danger to the health and safety of any person, the animal is threatening imminent harm to any person or the animal is in the process of attacking any person, the person or officer may destroy the animal in a proper and humane manner. If the animal is destroyed, the owner or keeper of the animal destroyed shall be liable to the city for the cost of maintaining and disposing of the animal, plus the costs of any veterinarian examination.

Subd. 5. Basic Care. All animals shall receive from their owners or keepers kind treatment, housing in the winter and sufficient food and water for their comfort. Any person not treating their pet in a humane manner will be subject to the penalties provided in this chapter.

Subd. 6. Enforcing Officer. The Council is hereby authorized to appoint an animal control officer(s) to enforce the provisions of this Section. In the officer's duty of enforcing the provisions of this chapter, he or she may from time to time, with the consent of the City Council, designate assistants.

or other animals and convey them to the pound while engaged in that operation; nor shall any unauthorized person break open the pound, attempt to do so or take or attempt to take from any agent any animal taken up by him or her in compliance with this chapter or in any other manner to interfere with or hinder the officer in the discharge of his or her duties under this chapter.

Subd. 8. Penalty.

- A. **Separate offenses.** Each day a violation of this chapter is committed or permitted to continue shall constitute a separate offense and shall be punishable under this Section.
- B. **Misdemeanor.** Unless otherwise provided, violation of this chapter shall constitute a misdemeanor.
- C. **Petty misdemeanor.** Violations of subd. 5 is a petty misdemeanor.

Subd. 9. Impoundment.


- A. Any Animal found in the city without a license tag, if required, running at large or otherwise in need of impoundment under this chapter shall be placed in the animal shelter, and an accurate record of the time of such placement shall be kept on each Animal. Every Animal so placed in the animal shelter shall be held for redemption by the owner for a period of not less than five (5) regular business days. A regular business day is one during which the shelter is open for business to the public for at least four (4 hours between 8:00 a.m. and 7:00 p.m. Impoundment records shall be preserved for a minimum of six months and shall show the following:
 - 1. The description of the Animal by species, breed, sex, approximate age, and other distinguishing traits;
 - 2. The location at which the Animal was seized;
 - 3. The date of seizure;
 - 4. The name and address of the person from whom any Animal three months of age or over was received; and
 - 5. The name and address of the person to whom any Animal three months of age or over was transferred.
- B. If the impounded Animal is unclaimed, such Animal shall be humanely destroyed and the carcass disposed of, unless it is requested by a humane society or licensed educational or scientific institution under authority M.S.A. 35.71. However,

if a tag is affixed to the Animal or a statement by its owner after seizure specifies that the Animal should not be used for research, such Animal shall not be made available to any such institution but may be destroyed after the expiration of the five-day period.

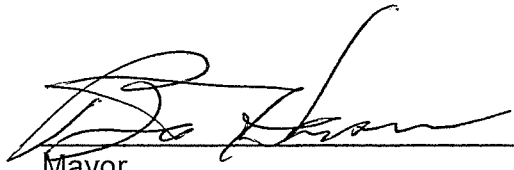
- C. Except as otherwise provided in this article, any Animal may be redeemed from the shelter by the owner or representative by the payment of the license fee—if not licensed—the payment of an impounding fee, and daily maintenance costs set by resolution of the council.
- D. It is unlawful for any person to take or attempt to take from any enforcement officer or the shelter any Animal taken in the enforcement of this chapter or to in any manner interfere or hinder such enforcement officer in the discharge or duties under this article.
- E. Any Animal that has bitten a person shall immediately be impounded for at least 14 days and kept apart from other Animals until it is determined whether the Animal has rabies. Such impounding may be by the owner if the Animal has a current rabies vaccination at the time of the bite occurs. If the Animal does not have a current rabies vaccination at the time the bite occurs, the Animal must be impounded at the shelter or with a licensed veterinarian.

Subd. 10. Preemption. This definition is not intended to preempt, replace, or modify Clarks Grove Ordinance 02-2001, adopted on June 11, 2001, and titled, "AN ORDINANCE RELATING TO DOGS AND CATS" except as required by Subd. 11 herein.

Subd. 11. Repeal of Inconsistent Provisions. Section 13 of Ordinance No. 02-2001, adopted on June 11, 2001, and titled "AN ORDINANCE RELATING TO DOGS AND CATS" shall be repealed and replaced by the terms within this Animal Control Ordinance.



Attested by City Clerk



Mayor