

## AN ORDINANCE RELATING TO DOGS AND CATS

### Section One. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Animal* means a dog, a cat or both.

*At large* means not under restraint.

*Owner* means any person who owns, harbors, keeps or feeds a dog or cat or the owner of the premises to which it returns.

*Restrained* means within the limits of the owner's property or while confined within a vehicle being driven or parked on the streets or on a leash, one end of which is attached to a collar worn by the animal and the other end of which is firmly held by a person of suitable age and discretion. Any animal not restrained is unrestrained and at large.

*Sterilized* means any spayed female or neutered male animal.

### Section Two. Animal control officer.

The city counsel is authorized to employ animal control officers for enforcement of this article and to have them deputized with police powers for such enforcement, including authority to issue complaints for the violation of this article. The city maintenance man shall serve as the city animal control officer. The city shall establish an animal shelter for enforcement of this ordinance.

### Section Three. Exemptions.

(a) Hospitals and clinics operated by licensed veterinarians exclusively for the care and treatment of animals are exempt from this article except where such duties are expressly stated.

(b) Seeing Eye, hearing ear and guide dogs, properly trained as such and under the control of a blind or deaf person are exempt from this article.

### Section Four. Limitation on ownership.

(a) *Single-family residences*. It shall be a petty misdemeanor for any person to own, keep, care for, have custody of or knowingly permit at any time more than two dogs and one cat in or about a single-family residence of the animal owner. Any single-family residence may contain both two dogs and one cat; provided, however, this section shall not apply to the following:

(1) One litter of pups or kittens under 60 days of age born to a licensed dog or cat owner; or

(2) Residents of newly annexed areas, provided that the owners have the animals licensed within 90 days after annexation occurs, and until such time as one or more of the illegal animals dies or for some other reason is not owned or possessed by the resident.

(b) *Multifamily residences*. A multifamily residence may have no more than one dog and one cat.

### Section Five. License.

(a) It is a petty misdemeanor for any animal owner to keep an animal more than six months old without a license from the city. It is the duty of each owner to pay the license fee imposed and obtain the license prior to February 1 in each licensing period or upon acquiring ownership or possession of any unlicensed animal or upon establishing residence in the city. Licenses shall be issued for a one-year period.

(b) Any animal owner, upon first becoming a resident of the city or upon acquiring an animal over six months old, shall be allowed 30 days from such time within which to obtain the animal license.

(c) No license shall be issued for an animal that has not been vaccinated against rabies. The vaccine used for the vaccination shall be only that type approved for use by the state. The vaccination shall be performed only by an individual licensed to practice veterinary medicine in the state in which the dog or cat is vaccinated. A certificate of vaccination from the veterinarian administering the vaccination shall be required, as part of the license application, and the certificate shall state that the vaccination will be effective during the term for which the license is issued.

(d) The fee for the license required under this section shall be set by resolution of the council for each sterilized animal and for each unsterilized animal. An applicant for a license for a sterilized dog or cat shall present a statement from a qualified veterinarian that the animal has been sterilized.

(e) Upon payment of the license fee, the city clerk shall issue a receipt to the owner and a license tag to be fastened to the collar of the animal. The owner shall see that the license tag is constantly worn by such animal unless the animal is in actual training or performance classes for obedience or confirmation. If any license tag is lost, a substitute tag may be issued by the city clerk upon presentation of the owner's receipt for the current year and payment of a fee set by the council. Cats shall be exempt from wearing such a collar tag.

(f) Dog and cat licenses are not transferable, and no refund will be made because of the death of dog or cat or a change of residence.

(g) The licensing requirements of this section shall not apply to any animal belonging to a nonresident of the city and kept within the city for not longer than 30 days, provided that all dogs shall at all times while within the city be kept under restraint.

(h) Dog and cat licenses shall be obtained through the city at the State Bank of Clarks Grove.

#### **Section Six. Dogs running at large.**

It is a petty misdemeanor for any owner to permit a dog to be unrestrained at any time. For purposes of this section, every dog at large is deemed at large and unrestrained with the permission and at the sufferance of its owner. If a violation of this section occurs, it shall be no defense that the offending dog escaped or is otherwise at large without the permission or sufferance of its owner.

#### **Section Seven. Prohibited in public places.**

No animal shall be allowed in city parks and picnic areas unless restrained and attended by an adult. No animal shall be permitted in the city stabilization pond.

#### **Section Eight. Impoundment.**

(a) Any animal found in the city without a license tag, running at large or otherwise in need of impoundment under this article 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 regular business days. A regular business day is one during which the shelter is open for business to the public for at least four 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 licensed educational or scientific institution under authority of 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) If an animal is diseased, vicious, dangerous, rabid or exposed to rabies and such animal cannot be impounded after a reasonable effort or cannot be impounded without serious risk to the person attempting to impound, such animal may be destroyed in a humane manner.

(d) Except as otherwise provided in this article, any animal may be redeemed from the shelter by the owner or his representative by the payment of the license fee if not licensed and the payment of an impounding fee and daily maintenance costs set by resolution of the council.

(e) 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 article or to in any manner interfere or hinder such enforcement officer in the discharge of duties under this article.

(f) 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 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.

### **Section Nine. Nuisances prohibited.**

It is unlawful for any owner to keep a nuisance animal. For the purpose of this section, a nuisance animal is one which:

- (1) Habitually barks, cries or howls;
- (2) At any time has attacked or bitten a person off the owner's premises;
- (3) At any time has destroyed property or habitually trespasses in a damaging manner on property of a person other than the owner; or
- (4) Is vicious or shows vicious habits or molests pedestrians or bicyclists, or interferes with the driving of automobiles on public streets.

### **Section Ten. Sanitation.**

(a) Owners of animals are at all times responsible for the sanitation of their animals, whether on their own property, on the property of other persons or on public property.

(b) It is a petty misdemeanor for any owner of a dog or other person in charge of a dog to be upon a park or other public property with a dog and not have in his immediate possession equipment for cleaning up any defecation which may emit from such dog or to fail to clean up the defecation immediately and dispose of it in a sanitary manner.

(c) It is a petty misdemeanor for any owner of an animal to permit animal waste to accumulate on his premises for more than 24 hours.

### **Section Eleven. Care.**

It is unlawful for any owner to fail to provide his dog or cat with sufficient wholesome food and water, proper shelter and protection from the weather; veterinary care when needed to prevent suffering; and with humane care and treatment.

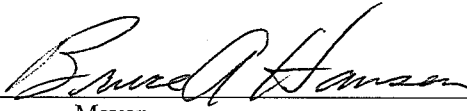
### **Section Twelve. Rabies.**


Whenever the prevalence of rabies renders such action necessary to protect the public health and safety, the city health officer shall issue a proclamation ordering every person owning or keeping an animal to confine it securely on his premises. It is unlawful to violate such proclamation, and any animal running at large during the time fixed in the proclamation may be killed by any enforcement officer without notice to the owner.

### **Section Thirteen. Exotic Animals.**

It shall be a petty misdemeanor for any person to have in his or her possession exotic pets such as snakes, lizards, iguanas, alligators, spiders, or the like.

Passed by the City Council on June 11, 2001.

  
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Mayor

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Attest  
  
Clerk