

**TOWN OF THOMSON
AMENDMENT
OF
ORDINANCE NO. 15**

AN ORDINANCE PROVIDING FOR THE LICENSING OF ALL DOGS/CATS WITHIN THE LIMITS OF THE TOWN OF THOMSON; PROHIBITING DOGS/CATS AND OTHER ANIMALS FROM RUNNING AT LARGE WITHIN THE TOWNSHIP; LICENSING; IMPOUNDING AND DESTRUCTION OF DOGS/CATS AND OTHER ANIMALS; PROVIDING A PENALTY; AND REGULATING THE KEEPING OF DOGS/CATS AND OTHER ANIMALS IN THE TOWN OF THOMSON, COUNTY OF CARLTON, STATE OF MINNESOTA.

AMENDING ORDINANCE NO. 15 IN ITS ENTIRETY AS FOLLOWS:

The Board of Supervisors of the Town of Thomson ordains:

SECTION 1. AMENDMENT AND REPEAL OF CONFLICTING ORDINANCES.

The Ordinance relating to the licensing of all dogs within the limits of the Town of Thomson; Prohibiting dogs from running at large within the Township; Licensing; Impounding and Destruction of dogs and Providing a Penalty, passed and approved February 1, 1980, as amended, is hereby amended to read as follows, and all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed. In all other respects all other Ordinances shall remain in full force and effect.

SECTION 2. DEFINITIONS. for the purpose of this Ordinance, the terms defined herein shall have the following meaning ascribed to them.

1. "Animal Control Officer" refers to the person or persons employed by the Town Board as its enforcement officer.
2. "Dog" and "Cat" shall be intended to mean both male and female.
3. "Owner" and "Person" shall be intended to mean person or persons, firm, association or corporation owning, keeping, or harboring an animal.
4. "Premises" means any building, structure, shelter, or land wherein or whereon dogs or cats are kept or confined.
5. "Poundmaster" refers to person designated by the Town Board for the purpose of impounding and caring for all animals found running at large in violation of this Ordinance.
6. "Regular Business Day" for purposes herein, shall mean days during which the Pound is open and available for redemption of dogs/cats.
7. "Running At Large" shall be intended to mean any domestic animal which is not effectively restrained within the owner's property, and not under control of the owner or a member of his/her immediate family, either by leash, cord, chain, or otherwise.

SECTION 3. VACCINATION REQUIRED. Every dog/cat over six (6) months of age shall be vaccinated against rabies. Unvaccinated dogs or cats acquired or moved into the Town must be vaccinated within thirty (30) days of acquisition or arrival, respectively. A metal tag, serially numbered, issued by the rabies control authority, shall be securely attached to the collar of the dog/cat and worn at all times whether on or off owner's premises.

SECTION 4. LICENSING. All dogs/cats kept, harbored or maintained by their owner in the Town of Thomson shall be licensed and registered if over six (6) months of age. Every dog/cat over six (6) months of age acquired or moved into the Town must be licensed within

thirty (30) days of acquisition or arrival, respectively. Licenses shall be issued by the Town Clerk upon payment of the license fee. The license fee shall be established from time to time by the Board of Supervisors of the Town of Thomson and shall be paid by the owner at the time of making application. The license application shall state the name and address of the owner and the name, breed, color, age and sex of the dog or cat owned or kept by him/her. A current certificate from a qualified licensed Veterinarian certifying that the dog/cat has been vaccinated against rabies must also accompany the application.

SECTION 5. TAG AND COLLAR. Upon complying with the provision of Section 4 of this Ordinance, the Town Clerk shall issue to the owner a receipt and a metallic tag for each dog/cat so licensed. The shape of the tag may be changed from year to year and shall have the corresponding number of the receipt stamped on it. Every owner is required to see that the tag shall be securely attached to the collar of the dog/cat and worn at all times whether on or off owner's premises. In the event that a tag is lost or destroyed, a duplicate will be issued by the Clerk upon payment of the duplicate tag fee and presentation of receipt showing the payment of the license fee for the current year. Tags are not transferable from one animal to the other and no refunds shall be made on any license fee because of death of the animal or in the event the owner leaves the Township before the expiration of the license period.

SECTION 6. RUNNING AT LARGE. An owner of a dog/cat or other animal shall not permit said animal to roam or run at large beyond the boundaries of the owner's property. Animals other than dogs or cats shall be impounded when found running at large within the Town limits and disposed of in accordance with the law. In the event that an animal is found running at large and their ownership is known, the agents of the Town Board, at their discretion, may cite the owners of such animals to appear in court to answer to charges of violation of this Ordinance rather than impounding the animal.

SECTION 7. PUBLIC NUISANCE. Dogs and cats will be declared a public nuisance if any of the following apply:

- 1) Any dog/cat that habitually and loudly barks or meows so as to offend and annoy reasonable people in the vicinity of the owner's premises. The standard to be applied is not of a person who is hyper-sensitive or overly sensitive to noise, but that of a reasonably tolerant person.
- 2) Any dog/cat that interferes with persons walking, horseback riding, driving automobiles, bicycling, snowmobiling, or motorcycling or any other vehicles on public grounds, streets or highways will be declared a public nuisance.

In the event a complaint is filed with the Town Board for any of the above reasons, the owner will be notified of the complaint, of the terms of the ordinance, and of the date, time, and nature of the hearing. The complaining party and owners of said animal shall come to the hearing before the Town Board and present any testimony or witnesses they wish. In the event the Town Board finds said animal to be a nuisance, no penalty will result at this time but the owner will be put on notice. Subsequent violations of this Ordinance will result in a fine as prescribed from time to time by the Board of Supervisors of the Town of Thomson

SECTION 8. IMPOUNDMENT. A law enforcement officer, dog catcher, or anyone designated by the Town Board of Supervisors as Animal Control Officer, shall impound any animal found in violation of this Ordinance. Immediately upon impounding the animals, the agents of the Town Board shall make reasonable effort to notify the owners of such animals so impounded and inform owners of the conditions whereby they may regain custody of such animals. When the owner of impounded animals cannot be identified, written notice shall be posted in three public places in the Township, describing the animal and the time and place of taking.

All animals so seized shall be held for redemption by the owner for a period of not less than five regular business days. At the end of the five day period, all animals which remain unredeemed by their owners or any other person entitled to do so shall be made available to any institution licensed under Section 35.71 of Minnesota Statutes which has submitted a prior request for the numbers which the institution request. Animals not made available to institutions as hereinbefore designated and not redeemed shall become the property of the Town and be disposed of at the discretion of the Town Board, subject to Minnesota Statutes.

SECTION 9. REDEMPTION. Upon notice to the owner or posting of a notice, animals impounded under the provisions of this Ordinance may be reclaimed by the owner upon payment of fees associated with the impoundment of such animal. Any animal impounded under the provisions of this Ordinance and not reclaimed by its owner within five business days may, subject to the provisions of the Minnesota Statutes, be humanely destroyed, sold, or placed in the custody of some person deemed to be a responsible and suitable owner who will agree to comply with the provisions of this Ordinance. When in the judgment of the Town Board or its agents, an animal should be destroyed for humane reasons, such animal may not be redeemed.

SECTION 10. IMPOUNDMENT AND OTHER FEES. Any animal impounded hereunder may be reclaimed as herein provided upon the payment by the owner to the Town Clerk of the sums for impoundment and daily care as established from time to time by the Board of Supervisors of the Town of Thomson; provided, however, that no dog/cat shall be released to its owner until the owner has established to the satisfaction of the Town Clerk that all fees, fines and/or penalties imposed by the Town Board have been paid in full. Impoundment and boarding fees shall be collected to help defray the cost of keeping such animals, and shall be retained by the Town Clerk.

Other fees such as the initial dog/cat license fee, the license fee for dogs/cats caught in violation that are unlicensed, and the amount of the fines for the first and subsequent violations of this Ordinance shall be as prescribed from time to time by the Board of Supervisors of the Town of Thomson.

SECTION 11. RABIES CONTROL. The Minnesota State Health Laws and Regulations pertaining thereto shall apply in cases of rabid animals, animals which have bitten any person or animals suspected of being rabid.

SECTION 12. DISPOSITION OF UNCLAIMED OR INFECTED DOGS/CATS. It shall be the duty of the Poundmaster to keep all dogs/cats so impounded for a period of five regular business days. If on the expiration of five regular business days from the date of notice to the owner or the posting of the notice such dog/cat shall not have been redeemed, it may be destroyed. Any unlicensed dog/cat required by law to be licensed, or any dog/cat which, in the opinion of a licensed veterinarian, appears to be suffering from rabies or affected with hydrophobia, mange or other infectious or dangerous disease shall not be released but may be forthwith destroyed.

SECTION 13. ENFORCEMENT. The provision of this Ordinance shall be enforced by such persons as the Town Board shall from time to time designate.

SECTION 14. PENALTIES. Any person convicted of violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and shall be punished by up to 90 days in jail and/or a fine of up to \$300.00.

SECTION 15. SEVERABILITY. Should any section, clause, sentence or provision of this Ordinance be declared to be invalid by any court of competent jurisdiction the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be invalid.

SECTION 16. FUND. There is hereby established and the Town Clerk shall maintain a fund to be known as the "Dog Fund", a record of which shall be kept by him/her, into which shall

be paid all monies received from penalties and the sale of license and from which all disbursements shall be paid.

SECTION 17. EFFECTIVE DATE. This Amended Ordinance shall take effect and be in force from and after is passage and publication.

TOWN OF THOMSON
Marvin Bodie, Chairman

ATTEST:
Rhonda Peleski, Clerk
July 3, 1999; July 7, 1999

~~PLEASE RUN AS A LEGAL AD ON SAT. JULY 3 AND WED. JULY 7.~~

~~THANKS,~~

~~RHONDA PELESKI~~