

## ORDINANCE 46

### AN ORDINANCE LICENSING AND REGULATING THE KEEPING OF DOGS, PROVIDING FOR THE IMPOUNDMENT OF CERTAIN DOGS, AND PROVIDING A PENALTY FOR VIOLATION.

The Council of the City of Minnesota City ordains:

#### Section 1. Definitions.

- (a) Owner: Any person, firm, partnership or corporation owning, harboring, or keeping a dog or dogs.
- (b) Kennel: Any person, firm, partnership or corporation responsible for more than three (3) dogs over the age of six (6) months for commercial or domestic purposes,
- (c) Animal Shelter: Any premises designated by the City Council for the purpose of impounding and caring for dogs held under the authority of this ordinance.
- (d) Officer: Any law enforcement Officer of the City, and persons designated by the City, to assist in the enforcement of this ordinance.
- (e) Restraint: A dog shall be deemed to be under restraint if it is on the premises of its owner or custodian, or on leash accompanied by a responsible person and under that person's effective control.

#### Section 2. License required.

- (a) No person shall own, keep, harbor or have custody of any dog over six (6) months of age without first obtaining a license therefore from the city clerk or his agent.
- (b) License becomes due on or before the first day of January of each year, or upon acquiring ownership or possession of any unlicensed dog, or a dog owner upon establishing residence within this City,
- (c) License fees apply as follows: For each neutered male dog or spayed female dog. \$3; For each male dog or unspayed female dog. \$5  
After the thirty-first (31<sup>st</sup>) day of January a penalty of \$.50 per month shall be assessed in addition to regular license fee.
- (d) After the first (1<sup>st</sup>) day of April of the then current year, any owner or custodian failing to procure license/s, Council institutes legal proceedings against owner or custodian of such unlicensed dog/s.
- (e) License fees shall be pro-rated on a quarterly basis for newly acquired dog/s or newly established residents with dog/s.
- (f) Upon receipt of license fee, Clerk shall issue a license on a printed form stating to whom issued, time in effect, name, age, color, weight and breed of dog, and furnish a numbered metal tag to be affixed to collar of said dog/s. Licensee to be responsible for constant wearing of tag by dog/s. In the event of accidental loss a duplicate tag may be obtained for a fee of \$1.00 and presentation of current printed license form.

#### Section 3. Health and Safety

- (a) Every application for a license shall be accompanied by a certificate from a qualified veterinarian showing that the dog to be licensed has been given a vaccination against rabies within the time hereinafter specified.
- (b) No license shall be granted for a dog which has not been vaccinated against rabies as provided in this section on such a date that not more than two years will have elapsed from the date of such vaccination to the time of expiration of the license to be issued. Vaccination shall be performed only by a Doctor qualified to practice veterinary medicine in the state in which the dog is vaccinated.
- (c) No license shall be issued for a neutered male or spayed female dog unless there shall be filed with the application for a license a written statement of a licensed veterinarian to the effect that such dogs have been rendered sterile.
- (d) No owner shall fail to provide any animal with sufficient good and wholesome food and

water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment. No person shall beat, treat cruelly, torment or otherwise abuse any animal, or cause or permit any dog fight. No owner of a dog shall abandon such animal.

#### Section 4. Dogs under restraint.

All dogs shall be kept under restraint and under no circumstances shall dogs be allowed to run at large.

#### Section 5. Obligation to prevent nuisances.

It shall be the obligation and responsibility of the owner or custodian of any animal from committing any act which constitutes a nuisance. It shall be considered a nuisance for any animal to habitually or frequently bark or cry at night, to molest or annoy any person if such person is not on the property of the owner or custodian of such animal, or to molest, defile or destroy any property, public or private.

#### Section 6. Quarantine of certain dogs.

Any dog which bites a person shall be quarantined for such time as may be directed by the City Health Officer. During quarantine the animal shall be securely confined and kept from contact with any other animal. At the discretion of the Health Officer the quarantine may be on the premises of the owner; however, if the Health Officer requires other confinement, the owner shall surrender the animal for the quarantine to an animal shelter or, at his own expense, place it in a veterinary hospital.

#### Section 7. Muzzling proclamation.

Whenever the prevalence of rabies renders such action necessary to protect the public health and safety, the Council shall issue a proclamation ordering every person owning or keeping a dog to muzzle it securely so it cannot bite. No person shall violate such proclamation and any unmuzzled dog unrestrained during the time fixed in the proclamation shall be subject to impoundment, and the owner of such dog shall be liable for such costs incurred by City.

#### Section 8. Impounding, Redemption, Disposal.

Unlicensed and unrestrained dogs may be taken by any police officer or officer designated by City and impounded in an authorized animal shelter and therein confined according to contract terms with such shelter. Any dog may be reclaimed from such shelter by its owner within time specified, by payment to the Clerk for license and penalty (if not paid for current year) and costs of impoundment as assessed by such animal shelter. Also said dog owner shall remain subject to any other violation penalties as contained in this ordinance. Clerk shall then issue the necessary license and written notice authorizing release of dog to owner. If such impounded dog is not reclaimed within five (5) days from date of impoundment, such dog shall be deemed the property of confining facility for disposal at its own discretion.

#### Section 9. Appointment of Officers.

The City Council may appoint person or persons to act as police officers, or call upon authorized County Officers in the enforcement of this ordinance. Such Officers are empowered and instructed to enter upon any private or public premises where there is reasonable cause to believe there is an unlicensed or dangerous dog, and no person shall interfere with, hinder or molest them in the exercise of such powers. A dog shall be considered dangerous if it known to have:

- (a) Attacked or bitten a person outside the owner's or custodian's premises.
- (b) That any dog shows vicious habits or molests pedestrians, or interferes with vehicles on public streets or highways.
- (c) That any dog has destroyed property or habitually trespasses in a damaging manner on the property of persons other than the owner or custodian.

If after a reasonable attempt is made to capture and impound such dog, the officer involved is threatened with bodily harm, may, in defense of himself, summarily destroy such dog.

Section 10. Kennels.

No person shall maintain or operate a kennel without obtaining permission and agreement scheduling fees and terms of operation from City Council.

Section 11. Penalties.

Any person, firm, partnership or corporation found guilty of violation of any provision of this ordinance shall be punished by a fine not to exceed one hundred dollars (\$100.00).

Section 12. Repeal.

All ordinances and amendments inconsistent herewith are hereby repealed.

Section 13. Effective date.

This ordinance shall be in full force and effect from and after its passage and publication according to law.

(Seal)  
Attest:

James J. King Mayor

Passed and adopted this 6 day of June 1978

J. A. Kaslo  
Clerk

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