

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

Chapter 6 ANIMALS [11](#)

ARTICLE I. - IN GENERAL

ARTICLE II. - ADMINISTRATION AND ENFORCEMENT

FOOTNOTE(S):

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State Law reference— General authority relative to animals, Minn. Stats. § 412.221, subd. 21; animal health, Minn. Stats. ch. 35; dogs and cats, Minn. Stats. ch. 347; cruelty to animals, Minn. Stats. § 343.20 et seq.; stray animals and companion animals, Minn. Stats. ch. 346 [\(Back\)](#)

ARTICLE I. IN GENERAL

[Sec. 6-1. Definitions.](#)

[Sec. 6-2. Violations and penalties; petty misdemeanor.](#)

[Sec. 6-3. Interference with officers.](#)

[Sec. 6-4. Breeding moratorium.](#)

[Sec. 6-5. Dogs and cats.](#)

[Sec. 6-6. Nondomestic animals.](#)

[Sec. 6-7. Farm animals.](#)

[Sec. 6-8. Kennels.](#)

[Sec. 6-9. Nuisances.](#)

[Sec. 6-10. Seizure of animals.](#)

[Sec. 6-11. Animals presenting a danger to health and safety of city.](#)

[Sec. 6-12. Diseased animals.](#)

[Sec. 6-13. Dangerous animals.](#)

[Sec. 6-14. Dangerous animal requirements.](#)

[Sec. 6-15. Basic care.](#)

[Sec. 6-16. Interference with officers.](#)

[Sec. 6-17. Animal violations.](#)

[Sec. 6-18. Administrative fees, fines, or penalties.](#)

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

Sec. 6-1. Definitions.

As used in this section, unless the context otherwise indicates, the following words shall be defined to mean:

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) *Domestic animals* means those animals commonly accepted as domesticated household pets. Unless otherwise defined, the term "domestic animals" includes dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, nonpoisonous, nonvenomous and nonconstricting reptiles or amphibians, and other similar animals.
- (2) *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, the term "nondomestic animals" includes:
 - 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, dingoes, 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 in this definition but which can be reasonably defined by the terms of this subsection, including but not limited to bears, deer, monkeys and game fish.

Animal control officer means the chief of police or the chief of police's designee.

At large means off the premises of the owner and not under the custody and control of the owner or other person, either by leash, cord, chain, or otherwise restrained or confined.

Cat means both the male and female of the *felidae* species commonly accepted as domesticated household pets.

Dog means both the male and female of the canine species, commonly accepted as domesticated household pets, and other domesticated animals of a dog kind.

Owner means any person owning, keeping, or harboring an animal.

Release permit means a permit issued by the police department for the release of any animal that has been taken to the pound. A release permit may be obtained upon payment of a fee in accordance with the regular license requirement if the animal is unlicensed, payment of a release fee, and any maintenance costs incurred in capturing and impounding the animal. The release fee shall be as established in the city's adopted fee schedule. For the purpose of a release permit, any change in the registered ownership of an animal subsequent to the impoundment and release shall reset that animal's impoundment count to the beginning of the fee scale.

(Ord. No. 905, § 905.01, 1-31-2000)

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

Sec. 6-2. Violations and penalties; petty misdemeanor.

Except as otherwise stated, violation of this section shall constitute a petty misdemeanor.

(Ord. No. 905, § 905.18, 1-31-2000)

Sec. 6-3. Interference with officers.

No person shall in any manner molest, hinder, or interfere with any person authorized by the council to capture dogs, cats or other animals and convey them to the pound while engaged in such operation. Nor shall any unauthorized person break open the pound, or attempt to do so, or take or attempt to take from any agent any animal taken up by him in compliance with this section, or in any other manner to interfere with or hinder such officer in the discharge of his duties under this section.

(Ord. No. 905, § 905.17, 1-31-2000)

Sec. 6-4. Breeding moratorium.

Every female dog or female cat in heat shall be confined in a building or other enclosure in such manner that it cannot come in contact with another dog or cat, except for planned breeding. Upon capture and failure to reclaim the animal, every dog or cat shall be neutered or spayed prior to being transferred to a new owner.

(Ord. No. 905, § 905.14, 1-31-2000)

Sec. 6-5. Dogs and cats.

(a) *Running at large prohibited.* No dog or cat shall run at large and should any dog or cat run at large, it shall be a violation of this chapter for the person who owns, harbors, or keeps such dog or cat, or the parents or the guardian of any such person under the age of 18 years. Dogs or cats on a leash and accompanied by a responsible person or accompanied by and under the control and direction of a responsible person so as to be effectively restrained by command as by leash, shall be permitted in streets or on public land unless the city has posted an area with signs reading: "Dogs or Cats Prohibited."

(b) *License required.*

(1) All dogs over the age of six months kept, harbored, or maintained by their owners in the city shall be licensed and registered with the city. Dog licenses shall be issued by the city administrator/clerk upon payment of the license fee. The license shall be valid for one year. The owner shall state, at the time application is made for the license and upon forms provided for such purpose, his name and address and the name, breed, color, and sex of each dog owned or kept by him. No license shall be granted for a dog which has not been vaccinated against distemper and rabies, as provided in this section. Vaccination shall be performed only by a doctor qualified to practice veterinary medicine in the state in which the dog is vaccinated. A veterinarian who vaccinates a dog to be licensed in the city shall complete a certificate of vaccination. One copy shall be issued to the dog owner for affixing to the license application.

(2) It shall be the duty of each owner of a dog subject to this section to pay to the city administrator/clerk the license fee as imposed by the city's adopted fee schedule.

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

- (3) Upon payment of the license fee, the city administrator/clerk shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the year for which it is issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate shall be issued by the clerk/treasurer. A charge as specified in the fee schedule shall be made for each duplicate tag. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the city before the expiration of the license period.
 - (4) The licensing provisions of subsection (b) of this section shall not apply to dogs whose owners are nonresidents temporarily within the city or dogs brought into the city for the purpose of participating in any dog show, nor shall this provision apply to seeing eye dogs properly trained to assist blind persons for the purpose of aiding them in going from place to place.
 - (5) The funds received by the city administrator/clerk from all dog licenses and metallic tag fees shall first be used to defray any costs incidental to the enforcement of this chapter; including, but not restricted to, the costs of licenses, metallic tags, and impounding and maintenance of the dogs.
- (c) *Cats.* Cats shall be included as controlled by this subsection insofar as running at large, pickup, impounding, boarding, licensing and proof of anti-rabies vaccine is concerned. The provisions regarding licenses contained in subsection (b) of this section, shall not apply to cats.
- (d) *Vaccination.*
- (1) All dogs and cats kept, harbored, maintained, or transported within the city shall be vaccinated at least once every three years by a licensed veterinarian for:
 - a. Rabies, with a live modified vaccine; and
 - b. Distemper.
 - (2) A certificate of vaccination must be kept on which is stated the date of vaccination, owner's name and address, the animal's name (if applicable), sex, description and weight, the type of vaccine, and the veterinarian's signature. Upon demand made by the city administrator/clerk or a police officer, the owner shall present for examination the required certificate of vaccination for the animal. In cases where certificates are not presented, the owner or keeper of the animal shall have seven days in which to present the certificate to the city administrator/clerk or police officer. failure to do so shall be deemed a violation of this section.

(Ord. No. 905, § 905.02, 1-31-2000; Ord. No. 2017-103, § 1, 12-6-2017)

Sec. 6-6. Nondomestic animals.

It shall be illegal for any person to own, possess, harbor, or offer for sale, any nondomestic animal within the city limits. Any owner of such an animal on January 31, 2000 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 section. 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.

(Ord. No. 905, § 905.03, 1-31-2000)

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

Sec. 6-7. Farm animals.

Farm animals shall only be kept in an agricultural district of the city, or on a residential lot of at least ten acres in size provided that no animal shelter shall be within 300 feet of an adjoining piece of property. 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.

(Ord. No. 905, § 905.04, 1-31-2000)

Sec. 6-8. Kennels.

- (a) *Definition of kennel.* The keeping of three or more dogs on the same premises, whether owned by the same person or not and for whatever purpose kept, shall constitute a kennel; except that a fresh litter of pups may be kept for a period of three months before such keeping shall be deemed to be a kennel.
- (b) *Kennel as a nuisance.* Because the keeping of three or more dogs on the same premises is subject to great abuse, causing discomfort to persons in the area by way of smell, noise, hazard, and general aesthetic depreciation, the keeping of three or more dogs on the premises is hereby declared to be a nuisance and no person shall keep or maintain a kennel within the city.

(Ord. No. 905, § 905.06, 1-31-2000)

Sec. 6-9. Nuisances.

- (a) *Habitual barking.* It shall be unlawful for any person to keep or harbor a dog which habitually barks or cries. Habitual barking shall be defined as barking for repeated intervals of at least five minutes with less than one minute interruption. Such barking must also be audible off of the owner's or caretaker's premises.
- (b) *Damage to property.* Its shall be unlawful for any owner to permit his dog or other animal to damage any lawn, garden, or other property. Any animal covered by this section may be impounded as provided in this chapter or a complaint may be issued by anyone aggrieved by an animal under this section, against the owner of the animal for prosecution under this section.
- (c) *Cleaning up litter.* The owner of any animal or person having custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner whether on their own property, on the property of others or on public property.
- (d) *Other.* Any animals kept contrary to this section are hereby declared a public nuisance and may be abated according to the law.

(Ord. No. 905, § 905.07, 1-31-2000; Ord. No. 2017-103, § 1, 12-6-2017)

Sec. 6-10. Seizure of animals.

Any police officer or animal control officer may enter upon private property and seize any animal provided that the following exist:

- (1) There is an identified complainant other than the police officer or animal control officer making a contemporaneous complaint about the animal;

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

- (2) The officer reasonably believes that the animal meets either the barking dog criteria set out in section 6-9(a); the criteria for cruelty set out in section 6-15; or the criteria for an at-large animal set out in section 6-1;
- (3) The officer can demonstrate that there has been at least one previous complaint of a barking dog; inhumane treatment of the animal; or that the animal was at large at that address on a prior date;
- (4) The officer has made a reasonable attempt to contact the owner of the property and those attempts have either failed or have been ignored;
- (5) The seizure will not involve the forced entry into a private residence. Use of a pass key obtained from a property manager, landlord, innkeeper, or other authorized person to have such key shall not be considered unauthorized entry;
- (6) No other less intrusive means is available to stop either the barking dog, the inhumane treatment of the animal; or the at-large animal; and
- (7) Written notice of the seizure is left in a conspicuous place if personal contact with the owner of the dog is not possible.

(Ord. No. 905, § 905.08, 1-31-2000)

Sec. 6-11. Animals presenting a danger to health and safety of city.

If, in the reasonable belief of any person or police officer an animal presents an immediate danger to the health and safety of any person, the officer may painlessly kill the animal. Otherwise the person or officer may apprehend the animal and deliver it to the pound for confinement. In such a case, the owner or keeper of the animal shall be liable for the cost of maintenance provided, and if the animal is destroyed, a charge fixed in the city's adopted fee schedule to dispose of the animal. If the animal is found not to be a danger to the health and safety of the city, it may be released to the owner or keeper in accordance with this section. The animal may be released to other persons in accordance with this section.

(Ord. No. 905, § 905.09, 1-31-2000)

Sec. 6-12. Diseased animals.

- (a) *Running at large.* No person shall keep or allow to be kept on his premises, or on premises occupied by them, nor permit to run at large in the city, any animal which is diseased so as to be a danger to the health and safety of the city, even though the animal is properly licensed under this section.
- (b) *Confinement.* Any animal reasonably suspected of being diseased and presenting a threat to the health and safety of the public, may be apprehended and confined in the pound by any person or police officer. The police officer shall have a qualified veterinarian examine the animal. If the animal is found to be diseased in such a manner so as to be a danger to the health and safety of the city, the officer shall cause such animal to be painlessly killed and shall properly dispose of the remains. The owner or keeper of the animal killed under this section shall be liable for a charge of \$75.00 to cover the cost of maintaining and disposing of the animal, plus the costs of any veterinarian examinations.
- (c) *Release.* If the animal, upon examination, is not found to be diseased within the meaning of this section, the animal shall be released to the owner or keeper free of charge.

(Ord. No. 905, § 905.10, 1-31-2000)

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

Sec. 6-13. Dangerous animals.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Dangerous animal means an animal which has:

- (1) Caused bodily injury or disfigurement to any person on public or private property;
- (2) Engaged in any attack on any person under circumstances which would indicate danger to personal safety;
- (3) Exhibited unusually aggressive behavior, such as an attack on another animal;
- (4) Bitten one or more persons on two or more occasions; or
- (5) Been found to be potentially dangerous or the owner has personal knowledge of the same, the animal aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Potentially dangerous animal means an animal which has:

- (1) Bitten a human or a domestic animal on public or private property;
- (2) When unprovoked, chased or approached a person upon the streets, sidewalks, or any public property in an apparent attitude of attack; or
- (3) Has the known history of propensity, tendency or disposition to attack while unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Proper enclosure means securely confined indoors or in a securely locked pen or structure suitable to prevent the animal from escaping and to provide protection for the animal from the elements. The term "proper enclosure" does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only barriers which prevent the animal from existing. Such enclosure shall not allow the egress of the animal in any manner without human assistance. A pen or kennel shall meet the following minimum specifications:

- (1) Have a minimum overall floor size of 32 square feet.
- (2) Sidewalls shall have a minimum height of five feet and be constructed of 11-gauge or heavier wire. Openings in the wire shall not exceed two inches, support posts shall be 1¼ inch or larger steel pipe buried in the ground 18 inches or more. When a concrete floor is not provided, the sidewalls shall be buried a minimum of 18 inches in the ground.
- (3) A cover over the entire pen or kennel shall be provided. The cover shall be constructed of the same gauge wire or heavier as the sidewalls and shall also have no openings in the wire greater than two inches.
- (4) An entrance/exit gate shall be provided and be constructed of the same material as the sidewalls and shall also have no openings in the wire greater than two inches. The gate shall be equipped with a device capable of being locked and shall be locked at all times when the animal is in the pen or kennel.

Unprovoked means the condition in which the animal is not purposely excited, stimulated, agitated or disturbed.

- (b) *Attack by an animal.* It shall be unlawful for an owner to fail to restrain an animal from inflicting or attempting to inflict bodily injury to any person or other animal whether or not the owner is present. Violation of this section shall be a petty misdemeanor punishable by a fine as established in state statutes. This section shall not apply to an attack by a dog under the control of an on-duty law

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

enforcement officer or to an attack upon an uninvited intruder who has entered the owner's home with criminal intent.

- (c) *Destruction of dangerous animal.* The animal control officer shall have the authority to order the destruction of dangerous animals in accordance with the terms established by this chapter.
- (d) *Designation as potentially dangerous animal.* The court or animal control officer shall designate any animal as a potentially dangerous animal upon receiving such evidence that such potentially dangerous animal has, when unprovoked, then bitten, attacked, or threatened the safety of a person or a domestic animal as stated in subsection (a) of this section. When an animal is declared potentially dangerous, the animal control officer shall cause one owner of the potentially dangerous animal to be notified in writing that such animal is potentially dangerous.
- (e) *Evidence justifying designation.* The court or animal control officer shall have the authority to designate any animal as a dangerous animal upon receiving evidence of the following:
 - (1) That such animal has, when unprovoked, bitten, attacked, or threatened the safety of a person or domestic animal as stated in subsection (a) of this section.
 - (2) That such animal has been declared potentially dangerous and such animal has then bitten, attacked, or threatened the safety of a person or domestic animal as stated in subsection (a) of this section.
- (f) *Authority to order destruction.* The court or animal control officer, upon finding that an animal is dangerous hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:
 - (1) The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an attack without warning or multiple attacks; or
 - (2) The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent injury to persons or other animals.
- (g) *Procedure.* The court or animal control officer, after having determined that an animal is dangerous, may proceed in the following manner:
 - (1) The animal control officer shall cause one owner of the animal to be notified in writing or in person that the animal is dangerous and may order the animal seized or make such orders as deemed proper. The owner shall be notified as to dates, times, places, and parties bitten, and shall be given 14 days to appeal this order by requesting a hearing before the animal control officer for a review of his determination.
 - (2) If no appeal is filed, the orders issued will stand or the animal control officer may order the animal destroyed.
 - (3) If an owner requests a hearing for determination as to the dangerous nature of the animal, the hearing shall be held before the animal control officer, who shall set a date for hearing not more than three weeks after the demand for said hearing. The records of the animal control officer or city administrator/clerk's office shall be admissible for consideration by the animal control officer without further foundation. After considering all evidence pertaining to the temperament of the animal, the animal control officer shall make such order as he deems proper. The animal control officer may order that the animal be taken into custody for destruction, if such animal is not currently in custody. If the animal is ordered into custody for destruction, the owner shall immediately make the animal available to the animal control supervisor and failure to do so shall be a misdemeanor.
 - (4) Any person who harbors an animal after it has been found by the animal control officer to be dangerous and ordered into custody for destruction shall be guilty of a misdemeanor.

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

- (h) *Stopping an attack.* If any police officer or animal control officer is witness to an attack by an animal upon a person or another animal, the officer may take whatever means the officer deems appropriate to bring the attack to an end and prevent further injury to the victim.
- (i) *Notification of new address.* The owner of an animal which has been identified as dangerous or potentially dangerous must notify the animal control officer in writing if the animal is to be relocated from its current address or given or sold to another person. The notification must be given in writing at least 14 days prior to the relocation or transfer of ownership. The notification must include the current owner's name and address, the relocation address, and the name of the new owner, if any.

(Ord. No. 905, § 905.11, 1-31-2000)

Sec. 6-14. Dangerous animal requirements.

- (a) *Requirements.* If the court or animal control officer does not order the destruction of an animal that has been declared dangerous, the court or animal control officer shall, as an alternative, order any or all of the following:
 - (1) That the owner provide and maintain a proper enclosure for the dangerous animal as specified in section 6-13(a);
 - (2) Post the front and the rear of the premises with clearly visible warning signs, including a warning symbol to inform children, that there is a dangerous animal on the property as specified in Minn. Stats. § 347.51;
 - (3) Provide and show proof annually of public liability insurance in the minimum amount of \$300,000.00;
 - (4) If the animal is a dog and is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash (not to exceed six feet in length) and under the physical restraint of a person 16 years of age or older. The muzzle must be of such design as to prevent the dog from biting any person or animal, but will not cause injury to the dog or interfere with its vision or respiration;
 - (5) If the animal is a dog, it must have an easily identifiable, standardized tag identifying the dog as dangerous affixed to its collar at all times as specified in Minn. Stats. § 347.51;
 - (6) Provides and shows proof of microchip identification;
 - (7) All animals deemed dangerous by the animal control officer shall be registered with the county within 14 days after the date the animal was so deemed and provide satisfactory proof thereof to the animal control officer;
 - (8) If the animal is a dog, the dog must be licensed and up to date on rabies vaccination. If the animal is a cat or ferret, it must be up to date with rabies vaccination.
- (b) *Seizure.* The animal control officer shall immediately seize any dangerous animal if the owner does not meet each of the requirements of subsection (a) of this section within 14 days after the date the notice is sent to the owner that the animal is dangerous. Seizure may be appealed to district court.
- (c) *Reclaiming animals.* A dangerous animal seized under subsection (b) of this section may be reclaimed by the owner of the animal upon payment of impounding and boarding fees, and presenting proof to the animal control officer that each of the requirements under subsection (a) of this section is fulfilled. An animal not reclaimed under this section within 14 days may be disposed of as provided under section 6-13(f), and the owner is liable to animal control for costs incurred in confining the animal.
- (d) *Subsequent offenses.* If an owner of an animal has subsequently violated the provisions under section 6-13 with the same animal, the animal must be seized by animal control. The owner may request a hearing as defined in section 6-13(g). If the owner is found to have violated the provisions for which

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

the animal was seized, the animal control officer shall order the animal destroyed in a proper and humane manner and the owner shall pay the costs of confining the animal. If the person is found not to have violated the provisions for which the animal was seized, the owner may reclaim the animal under the provisions of subsection (c) of this section. If the animal is not yet reclaimed by the owner within 14 days after the date the owner is notified that the animal may be reclaimed, the animal may be disposed of as provided under section 6-13(f) and the owner is liable to the animal control for the costs incurred in confining, impounding and disposing of the animal.

(Ord. No. 905, § 905.12, 1-31-2000)

State Law reference— Dangerous dogs, Minn. Stats. § 347.51 et seq.

Sec. 6-15. 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 such a humane manner will be subject to the penalties provided in this chapter.

(Ord. No. 905, § 905.13, 1-31-2000)

Sec. 6-16. Interference with officers.

No person shall in any manner molest, hinder, or interfere with any person authorized by the council to capture dogs, cats or other animals and convey them to the pound while engaged in such operation. Nor shall any unauthorized person break open the pound, or attempt to do so, or take or attempt to take from any agent any animal taken up by him in compliance with this section, or in any other manner to interfere with or hinder such officer in the discharge of his duties under this section.

(Ord. No. 905, § 905.17, 1-31-2000)

Sec. 6-17. Animal violations.

- (a) Barking dog.
 - (1) First offense.
 - (2) Second offense.
 - (3) Three or more offenses.
- (b) At large.
- (c) Unlicensed.
- (d) Unvaccinated.
- (e) Failure to clean up pet litter.
 - (1) First offense.
 - (2) Second offense.
- (f) Other animal violation.

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

(Ord. No. 2017-103, § 2, 12-6-2017)

Sec. 6-18. Administrative fees, fines, or penalties.

The fees, fines, or penalties for chapter 6 are set by the city's adopted fee schedule, and are subject to change with proper notice to the public or by [the] beginning of each year.

(Ord. No. 2017-103, § 3, 12-6-2017)

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

DIVISION 1. - GENERALLY

DIVISION 2. - IMPOUNDMENT

DIVISION 1. GENERALLY

[Secs. 6-19—6-70. Reserved.](#)

Secs. 6-19—6-70. Reserved.

DIVISION 2. IMPOUNDMENT

[Sec. 6-71. Pound.](#)

[Sec. 6-72. Impounding.](#)

Sec. 6-71. Pound.

Every year the council shall designate an official pound to which animals found in violation of this chapter shall be taken for safe treatment, and if necessary, for destruction.

(Ord. No. 905, § 905.16, 1-31-2000)

Sec. 6-72. Impounding.

- (a) *Running at large.* Any unlicensed animal running at large is hereby declared a public nuisance. Any police officer may impound any dog or other animal found running at large and shall give notice of the impounding to the owner of such dog or other animal, if known. In case the owner is unknown, the officer shall post notice at the city office that if the dog or other animal is not claimed within five regular business days of the posting of the notice, it will be sold or otherwise disposed of; except as otherwise provided in this section, it shall be unlawful to kill, destroy, or otherwise cause injury to any animal, including dogs and cats running at large.
- (b) *Biting animals.* Any animal that has not been inoculated by a live modified rabies vaccine and which has bitten any person, wherein the skin has been punctured or the services of a doctor are required

PART I - CODE OF ORDINANCES

Chapter 6 ANIMALS

shall be confined in the city pound for a period of not less than ten days, at the expense of the owner. The animal may be released at the end of such time if healthy and free from symptoms of rabies, and by the payment of all costs by the owner. However, if the owner of the animal shall elect immediately upon receipt of notice of need for such confinement by the officer to voluntarily and immediately confine the animal for the required period of time in a veterinary hospital of the owner's choosing, not outside of the county, and provide immediate proof of such confinement in such manner as may be required, the owner may do so. If, however, the animal has been inoculated with a live modified rabies vaccine and the owner has proof of the vaccination by a certificate from a licensed veterinarian, the owner may confine the dog or other animal to the owner's property.

- (c) *Reclaiming.* All animals conveyed to the pound shall be kept, with humane treatment and sufficient food and water for their comfort, at least ten regular business days, unless sooner reclaimed by their owners or keepers as provided by this section. In case the owner or keeper shall desire to reclaim the animal from the pound, the following shall be required, unless otherwise provided for in this Code:
- (1) Payment of a release fee as set in the city's adopted fee schedule and receipt of a release permit from the police;
 - (2) Payment of maintenance costs, as provided by the pound, per day or any part of day while the animal is in said pound; and
 - (3) If a dog is unlicensed, payment of a regular license fee and valid certificate of vaccination for rabies and distemper shots is required.
- (d) *Unclaimed animals.* At the expiration of ten regular business days from the time any animal is impounded, if the animal has not been reclaimed in accordance with the provisions of this section, the officer appointed to enforce this section may let any person claim the animal by complying with all provisions in this section, or the officer may sell the animal to the University of Minnesota, or cause the animal to be painlessly killed and shall properly dispose of the remains thereof. Any monies collected under this section shall be payable to the city administrator/clerk.

(Ord. No. 905, § 905.05, 1-31-2000)