

CHAPTER 10
Animals

10.1 *Definitions.* The following words shall be defined, unless the context clearly indicates otherwise, to mean:

- (A) "Animal" shall mean any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom.
- (B) "Domestic animal" shall mean those animals commonly accepted as domesticated household pets. Unless otherwise defined, such animals shall include dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, non-poisonous, non-venomous and non-constricting reptiles or amphibians. For purposes of this Chapter, a pigeon shall be deemed a domestic animal.
- (C) "Non-Domestic animals" shall mean 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, such animals shall include: any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats; any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs; any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet; any member or relative of the rodent family including any skunk (whether or not descended), raccoon, squirrel, or weasel, but excluding those members otherwise defined or commonly accepted as domesticated pets; any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators; and, any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this subpart, including but not limited to bears, deer, monkeys and game fish.
- (D) "Farm animals" shall mean those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, such 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.

- (E) "Cat" shall be intended to mean both the male and female of the felidae species commonly accepted as domesticated household pets.
- (F) "Dog" shall be intended to mean both the male and female of the canine species, commonly accepted as domesticated household pets, and other domesticated animals of a dog kind.
- (G) "Owner" shall be intended to mean any person or persons, firm, association or corporation owning, keeping, or harboring an animal.
- (H) It is unlawful for the owner of any animal to permit such animal to run at large. Any dog shall be deemed to be running at large with the permission of the owner unless it is on a durable leash secured to an object which it cannot move and on the premises of the owner, or on a leash or under the control of an accompanying person of suitable age and discretion, or effectively confined within a motor vehicle, building, or enclosure.
- (I) "Kennel" shall mean a place where more than four (4) dogs over six (6) months of age are kept and where the business of selling, breeding, training or grooming is conducted.
- (J) "Dangerous animal" is an animal which has caused bodily injury or disfigurement to any person; bitten one (1) or more persons on two (2) or more occasions; or been found to be potentially dangerous and/or the owner has personal knowledge of the same, the animal aggressively bites, attacks, or endangers the safety of humans or domestic animals.

10.2 *Dogs - License Required.* All dogs found within the City shall be licensed and registered with the City. Dog licenses shall be issued by the Administrator upon payment of a license fee and compliance with this ordinance.

Subd. 1. The owner shall identify at the time application is made for the license the following information: name and address of owner; and, name, breed, color and sex of dog.

Subd. 2. A license fee shall be imposed by the Council by resolution in an amount not less than five dollars (\$5.00) per year. Licenses may be prorated for the first year. No refund shall be made on any dog license fee or tag because of death of a dog or the owner leaving the City before expiration of the license period.

Subd. 3. All dog licenses shall be issued for a period of one (1) year beginning with the first day of January and ending on the 31st day of December. Application for a license may be made thirty (30)

days prior to the first day of January each year. The license fee shall be paid at the time of making the application. A license will become delinquent if not obtained or paid before the first day of May each year provided, however, that any person moving into the city after the 30th day of April shall have thirty (30) days from the date the animal is brought into the city to license such animal. If purchased after May, a delinquent charge will be added.

Subd. 4. The Administrator shall issue to the owner a receipt 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. The 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 Administrator at a fee set by resolution. Dog tags are not transferable from one dog to another.

Subd. 5. The licensing provisions of this section shall not apply to dogs whose owners are non-residents temporarily within the City, to dogs brought into the City for the purpose of participating in any dog show, to dogs specifically trained for and actually providing assistance to the handicapped or disabled, nor to dogs found within a veterinary hospital or humane society.

10.3 *Vaccination.* All dogs and cats kept harbored, maintained, or transported within the City shall be vaccinated for rabies according to State regulations. Upon demand made by the Administrator or a police officer, the owner shall present for examination the required certificate(s) of vaccination for the animal(s).

10.4 *Animal in Heat.* 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.

10.5 *Prohibitions.* The following matters are hereby declared unlawful.

Subd. 1. To allow any dog to run at large.

Subd. 2. For any person to own, possess, or harbor any non-domestic animal or farm animal within the City limits, except as the City may permit by resolution.

Subd. 3. No kennels shall be permitted within the City. This section does not apply to licensed veterinary clinics nor to currently licensed individuals who are providing temporary foster care to a domestic

animal. This section shall specifically prohibit the use of kennels to facilitate the breeding and selling of domestic animals.

Subd. 4. For any person to keep or harbor a dog which habitually barks or cries. Such barking must also be audible off of the owner's or caretaker's premises.

Subd. 5. For any dog or other animal to damage any lawn, garden, or other property, whether or not the owner has knowledge of the damage.

Subd. 6. For any owner of a domestic animal or person having the custody or control of a domestic animal to fail to clean up any animal feces and dispose of such feces in a sanitary manner. For purposes of this subdivision, a domestic animal shall include a horse or other farm animal.

Subd. 7. For any person to keep or maintain any animal which is diseased so as to be a danger to the health and safety of the public, even though the animal is properly licensed.

Subd. 8. For any person's animal to inflict or attempt to inflict bodily injury to any person or other animal whether or not the owner is present. This section shall not apply to an attack by a dog under the control of an on-duty law enforcement officer or to an attack upon an uninvited intruder who has entered upon the owner's property with criminal intent.

Subd. 9. For any person to keep or maintain a dangerous animal.

Subd. 10. For any person to own, possess or harbor more than two (2) dogs and/or two (2) cats per household.

10.6 *Impound.* Any unlicensed animal, animal running at large, or animal otherwise in violation of this ordinance, may be impounded. Notice of impoundment shall be given to the owner of such dog or other animal, if known; or, if unknown, notice shall be posted at the City office.

Subd. 1. Any animal not inoculated by a rabies vaccine and which has bitten a person, wherein the skin has been punctured or the services of a doctor are required, shall be confined 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 payment of all costs by the owner.

Subd. 2. Unless otherwise provided in this ordinance, all impounded animals shall be kept at least five (5) regular business days, unless a longer impoundment period is otherwise specified in this ordinance. An owner may reclaim the animal by doing the following:

- (1) Pay a release fee as set by resolution;
- (2) Pay maintenance costs; and
- (3) Provide proof of compliance with this ordinance including payment of a license fee and valid certificate of vaccination.

Subd. 3. At the expiration of the impoundment time, if the animal has not been reclaimed by an owner, the City may let any person claim the animal by complying with all provisions of this ordinance or cause the animal to be destroyed in a proper and humane manner.

Subd. 4. All diseased animals or dangerous animals shall be destroyed in a proper and humane manner.

10.7 *Animal Attack.* Any person witnessing an attack by an animal upon a person may take whatever means necessary to bring the attack to an end and prevent further injury to the victim.

10.8 *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.

10.9 *Enforcing Officer.* The Council hereby authorizes the locally authorized law enforcement and/or Public Works staff to enforce the provisions of this ordinance. The Council may, by resolution, appoint other persons to enforce the provisions of this ordinance.

Subd. 1. No person shall molest, hinder, or interfere with any person authorized by the Council to interfere with or hinder such person in the discharge of his or her duties under this ordinance.

10.10 *Penalties.*

Subd. 1. Each day a violation of this ordinance is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

Subd. 2. Unless otherwise provided, a violation of this ordinance shall be a misdemeanor.