

CITY OF GLYNDON
ORDINANCE NO. 146

WHEREAS, the City Council recognizes a need to reorganize and add to the existing Ordinances regarding animal control;

NOW, THEREFORE, be it ordained by the City Council of the City of Glyndon as follows:

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Section 1: DEFINITIONS

Terms used in this Chapter have the following meanings:

AT LARGE: Off the premises of the owner, and not under the control of the owner or a member of his immediate family, either by leash, cord, chain or otherwise.

OWNER: Any person or persons, firm, association or corporation owning, keeping or harboring an animal.

Section 2: LICENSE AND REGISTRATION REQUIREMENTS

- A License and Registration:** All dogs and cats over six (6) months of age kept, harbored, owned, or in any way possessed by any person within the City shall be annually licensed and registered by no later than February 15 of each year, or within 30 days after acquiring possession or ownership of the animal.

- B. Fees: Dog and cat licenses shall be issued by the City Clerk upon application and payment of a license fee as established by resolution of the City Council. In the event payment of the license fee should be made after the 15th of February, a penalty of 50% of the annual fee shall be imposed and collected. The same penalty shall apply if the animal is not licensed within 30 days after acquiring possession or ownership of the animal.
- C. Application: The owner shall state at the time application is made for such license, upon printed forms provided for such purposes, their name and address and the breed, color and sex of the animal, and whether or not the animal is neutered, spayed or desexed. Further, the owner must provide written proof of rabies inoculation.
- D. Rabies Inoculation Required:
1. No license shall be issued for any dog or cat unless a written confirmation is received by the City showing that the animal described in the application has been inoculated against rabies sometime within the eighteen (18) month period immediately preceding the date of the license application. A rabies inoculation shall be required at least every two (2) years for any dog or every twelve (12) months for any cat.
 2. Each dog and cat license shall be canceled at the appropriate time during the license year unless the records of the City Clerk contain written evidence that the animal concerned has been inoculated against rabies at least once in the last two (2) years for any dog or at least once in the last twelve (12) months for any cat.
- E. No license for a neutered, spayed or desexed dog or cat shall be issued unless satisfactory evidence of neutering, spaying, or desexing is confirmed by a qualified veterinarian in writing.
- F. Exemptions: The licensing provisions of this Section shall not apply where the owners are nonresidents temporarily within the City, nor where dogs or cats are brought into the City for the purpose of participation in any dog or cat show, nor to dogs properly trained to assist blind or deaf persons when such dogs are actually being used by blind or deaf persons for the purpose of aiding them in going from place to place not to dogs being used in law enforcement except any of the above animals shall be required to have their rabies inoculation.
- G. Term of License: The license herein provided for shall be in force from the date thereof until January 1 thereafter.
- H. Presumption of Ownership of Dogs or Cats: Licensing and registration of a dog or cat with the City shall establish a presumption that, at the time the dog or cat is licensed and registered, the owner of the dog or cat is the person receiving the license and listed on the registration.

Section 3: COLLAR AND TAGS

Upon payment of the license fee, the City Clerk or designee shall issue a metallic tag for each dog and cat so licensed. Each owner shall provide each dog and cat 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 tag is lost or destroyed, a duplicate will be issued by the City Clerk upon presentation of a receipt showing the payment of the license fee for the current year and the payment of a one dollar (\$1.00) fee for such duplicate. Tags shall not be transferable from one animal to another and no refunds shall be made on any license fee because of the death of the animal or the owner leaving the City before expiration of the license period. The metal rabies inoculation tag shall also be kept affixed to the animal's collar at all times.

Section 4: LIMITATION ON NUMBER DOGS AND/OR CATS

It shall be unlawful to keep, harbor, own, or in any way possess three (3) or more dogs or cats over six (6) months of age upon or about the premises of any dwelling or dwelling unit within the limits of the City.

Section 5: RUNNING AT LARGE

- A. No person having the custody or control of any dog or cat shall permit the same to be off the property limits of its owner or keeper or on any street, public park, school grounds or public place in the City without being effectively restrained by chain, leash or cord, or within a vehicle being driven or parked on the streets.
- B. Every female dog or cat in heat shall be kept confined in a building or secure enclosure or in veterinary hospital or boarding kennel, in such manner that such animal cannot come in contact with another animal, except for breeding purposes.
- C. Any dog or cat found running at large, whose ownership is known to the City need not be impounded but the City at its discretion may order the owner to keep the animal in strict restraint as herein defined or the City may cite the owner of such animal to appear in court to answer charges of violation of this Ordinance.
- D. If such dog or cat is found running at large or otherwise in violation of this Section, it may be taken up and impounded and shall not be released except after payment of the fees or due hearing before a court of law as to why the owner should not be required to pay the fees; provided, however, that if any dangerous, fierce or vicious dog so found at large cannot be safely taken up and impounded, such dog may be slain by any police officer or other authorized person.

Section 6: IMPOUNDING DOGS, CATS, AND OTHER ANIMALS AT LARGE

- A. Authority to Impound; Records: The City Council may designate such persons as the City deems necessary to apprehend any dog, cat, or other animal found running at large contrary to the provisions of this Ordinance and to impound such dog, cat, or other animal in the City pound, if one is maintained, or any other suitable place for the impounding of animals as may be directed by the City.

Licensed animals shall be separated from unlicensed animals. A complete registry shall be made upon impounding any dog, cat, or other animal including, with relation to the dog, cat, or other animal entering:

1. Its description by species, breed, sex, approximate age, and other distinguishing traits.
 2. The location at which it was seized.
 3. The date of its seizure.
 4. The name and address of the person from whom any dog, cat, or other animal three (3) months of age or over was received.
 5. The name and address of the person to whom any dog, cat, or other animal three (3) months of age or older was transferred.
 6. Whether the dog, cat, or other animal is licensed for the current year.
 7. If the dog, cat, or other animal is licensed, the name and address of its owner and the number of its tag.
- B. Notice to Owner and Redemption: Not later than two (2) days after the impounding of any dog, cat, or other animal, the City shall attempt to notify the owner, if the owner is known to the City.
- C. Impound and Redemption Fees:
1. The owner of any animal so impounded may reclaim such animal upon payment of an impound fee of twenty-five dollars (\$25.00) for the first impound each year, thirty dollars (\$30.00) for the second impound and forty-five dollars (\$45.00) for the third impound, and increasing thereafter fifteen dollars (\$15.00) for each additional impound.
 2. Additional charges for maintenance and keeping of said dog or cat and the cost of any needed rabies inoculation, if any, shall be assessed in addition to the license fee and impound fee. Further, the owner shall pay the city the actual costs for the officer's fee and actual expense.
 3. The owner of any dog or cat six (6) months of age or older impounded by the City which is not licensed for the current year shall be assessed a twenty five dollar (\$25.00) impound fee in addition to the fees hereinbefore prescribed.
- D. Disposition of Unclaimed or Infected Dogs, Cats, and Other Animals: All animals shall be impounded for a period of at least ten (10) regular business days. In the event the impound animal should be unclaimed, after notice to the owner, if known, the animal may be put to sleep in accordance with applicable state statutes and regulations or otherwise disposed of in accordance with the same.

The animal control officer must consider alternatives to having the animal put to sleep before destroying the animal. Notwithstanding any provisions within this Section, any animals which appears to be suffering from rabies or affected with hydrophobia, mange or other infectious or dangerous disease, as shall be determined by a qualified veterinarian, shall not be released but may be forthwith destroyed.

Section 7: RABIES

Whenever it becomes necessary to safeguard the public from the dangers of rabies, the Mayor may order all dogs to be muzzled. If a dog has been exposed to rabies and, at its discretion, the Police Department or Humane Officer is empowered to have such animal removed from the owner's premises to a veterinary hospital and placed under observation for a period of ten (10) days at the expense of the owner.

It shall be unlawful for any persons knowing or suspecting that a dog or cat has rabies to allow such dog or cat to be taken off their premises or beyond the limits of the City without the written permission of the Police Department. Every owner or other person, who suspects a dog or cat is rabid, shall immediately notify the Police Department who shall either remove the animal to the pound or destroy it.

Upon request of any person who has been bitten by a dog or cat within the City limits, or upon request of the guardian of said person, the Police Department or other designated officer, shall impound said animal and shall deliver said animal to a veterinarian to be placed under observation of a veterinarian, at the expense of the owner of said animal, for a period of ten (10) days thereafter. Owners wishing to appeal the impounding of their animal may request the Chief of Police to review the impound or may seek redress in the courts.

Section 8: PROHIBITED ACTS AND CONDITIONS

- A. Premises Kept Clean: Any person operating or maintaining a kennel for any number of dogs or cats, either commercially or privately, or maintaining a dog or cat on a leash, or chained in a back yard or elsewhere, or allowed to roam in a fenced-in yard of any size, shall clean waste material daily. All waste material shall be stored in steel containers, covered, fly and water-tight and to prevent any noxious odor therefrom.
- B. Animal Wastes on Public and Private Property: No person shall allow a dog or cat owned by them or in their possession to deposit animal waste in City parks, on public property or on the property of other citizens or residents of the City. Any person charged and convicted of a violation of this subsection shall be subject to a fine not to exceed ten dollars (\$10.00) for the first offense and thereafter not to exceed fifty dollars (\$50.00) for further offenses.
- C. Animals Disturbing the Peace: No person shall keep or harbor any dog or cat which habitually barks, cries or howls. Any such animals which habitually bark, cry or howl are hereby declared to be a public nuisance and, upon complaint made to the Police Department, the Police Department is hereby

authorized and empowered to impound any such animals from any place within the City, to cite the person keeping or harboring the dog or cat with violating this Ordinance subjecting the person to a penalty in accordance with the provisions of this Ordinance and to order the person keeping or harboring the dog or cat to keep the dog or cat quiet or remove the dog or cat from the City limits.

- D. Animal neglect or abuse: No person shall torture, beat, neglect or injure an animal or pet.
- E. Animals destroying property: No owner shall allow his or her animal to damage any lawn, garden or property of another.

Section 9: ANIMALS PROHIBITED IN CITY

It shall be unlawful for an owner to keep chickens, ducks, geese, turkeys, pigeons or other domestic fowl, cattle, horses, pigs, sheep, goats or other domestic livestock and any wildlife or exotic animals, including by way of example but not limitation, lions, tigers, wolves and bears, within the limits of the City or 300 feet of any platted area of the City, except for existing farms or more than 40 acres in area. Licensed veterinarians may keep such animals for the purposes of care and treatment necessary in the practice of their profession and except for temporary presence in connection with livestock or wildlife shows, exhibitions, zoos, circuses or auctions within the City. Any animals present in such a temporary livestock or wildlife event shall be caged, tethered or otherwise safely restrained to protect the public.

Section 10: WHITE CANE LAW

Nothing set forth in this Ordinance shall be construed or enforced so as to violate the provisions of any "white cane law" of the State of Minnesota or regulations enacted thereunder.

Section 11: KENNELS

No person, firm or corporation shall keep a kennel where animals are raised or kept for sale within the City, without securing a license from the City Clerk. The license fee shall be twenty (\$20.00) dollars per year. This fee shall be in addition to the license fees imposed in the preceding sections for each dog kept in the kennel.

Section 12: REPEAL

All ordinances regulating the keeping of animals are hereby replaced.

Section 13: CRIMINAL PENALTIES


- A. Separate Offenses: Each day a violation of this Ordinance is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under this Ordinance.
- B. Misdemeanor: Violation of this Ordinance shall constitute a misdemeanor.

Section 14: EFFECTIVE DATE

This ordinance shall take effect on the date of publication.

PASSED by the City Council of the City of Glyndon this 14th day of October, 1998.

APPROVED:



Mayor Lori DeJong



Dave Pederson, City Clerk