

ORDINANCE 45

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF GREY CLOUD ISLAND
ORDAINS:

SECTION 1. DEFINITIONS. For the purpose of this Ordinance, the terms defined herein shall have the following meaning ascribed to them.

a. ANIMAL CONTROL AUTHORITY. The provisions of this Ordinance shall be enforced by the Town Board of Supervisors hereinafter referred to as the "Town Board".

b. ANIMAL CONTROL OFFICER. The person or persons employed by or contracted with the Town Board as its enforcement officer.

c. ANIMAL SHELTER. Any premises designated by action of the Town for the purpose of impounding and caring for all animals found running at large in violation of this Ordinance.

d. EXPOSED TO RABIES. A dog or cat has been exposed to Rabies within the meaning of this Ordinance if it has been bitten by or been exposed to any animal known to have been infected with Rabies.

e. KENNEL. Any person, group of persons, or corporation engaged in the hobby or business of breeding, buying, selling or boarding dogs.

f. OWNER. Any person, group of persons, or corporation owning, keeping or harboring a dog or other domestic animal for three (3) or more consecutive days.

g. RESTRAINT. A dog is under restraint within the meaning of this Ordinance if it is controlled by a leash, on or within a vehicle being driven or parked on the streets or within the property of its owner or keeper.

h. RUNNING AT LARGE. Any domestic animal which is not effectively restrained within the owner's property or any domestic animal which is permitted to be on any public park, public place or upon any other private land without being effectively restrained or controlled.

i. SPAYED FEMALE. Any animal which has been operated upon to prevent conception.

j. CONTROL. An animal under precise voice control of its owner or handler or confined by an electronic invisible fence.

SECTION 2. RUNNING AT LARGE.

2-1. An owner of a dog shall keep said dog(s) under control or restraint at all times and shall not permit such dog(s) to be at large.

2-2. An owner of cat(s) shall not permit said cat(s) to roam or run at large beyond the boundaries of the owner's property.

SECTION 3. OBLIGATION TO PREVENT NUISANCES. It shall be the

obligation and responsibility of the owner or custodian of any animal in the Town, whether permanently or temporarily therein, to prevent such 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; to frequent parks or public beaches while unrestrained; to chase vehicles; to molest or annoy any person if such person is not on the property of the owner or custodian of the animal; to molest, defile, destroy property, public or private. Failure on the part of the owner or custodian to prevent his animals from committing an act of nuisance shall be subject to the penalty hereinafter provided.

SECTION 4. ANIMAL HOUSING AND KEEPING.

- 4-1. A person in charge or control of any dog or other animal which is kept outdoors or in an unheated enclosure shall provide the dog or other animal with shelter and bedding as prescribed in this Section.
- 4-2. The shelter shall include a moisture proof and wind proof structure of suitable size to accommodate the dog or other animal and allow retention of body heat. It shall be made of durable material with a solid floor raised at least four (4) inches from the ground. The structure shall be provided with a sufficient quality of suitable bedding material consisting of hay, straw, cedar shavings, blankets, or the equivalent to provide insulation and protection against cold and dampness and promote retention of body heat.

SECTION 5. IMPOUNDMENT.

- 5-1. Unlicensed dogs or dogs and cats and other animals found running at large, shall be taken up by the Animal Control Officer and impounded in the shelter designated as the Town Animal Shelter. All animals so seized shall be held for redemption by the owner for a period of not less than five regular business days of the impounding shelter.
- 5-2. At the end of the five day period, all animals which remain unclaimed by their owners or any other person entitled to do so shall become the property of the impounding shelter.
- 5-3. When dogs or cats are found running at large and their ownership is known to the agents of the Town Board, such dogs or cats need not be impounded but the agent may at his discretion, cite the owners of such dogs or cats to appear in court to answer to charges of violation of this Ordinance.
- 5-4. Immediately upon impounding dogs or other animals, the agents of the Town Board shall make a reasonable effort to notify the owners of such dogs or other animals so impounded and inform such owners of the conditions whereby they may regain custody of such animals. When the owner of impounded dogs, cats or other animals cannot be identified, such dogs, cats or other animals shall be deemed to be a stray.
- 5-5. Animals other than dogs and cats shall be impounded when found running at large within the Town limits and disposed of in accordance with law.

SECTION 6. REDEMPTION OF IMPOUNDED ANIMALS.

- 6-1. The owner, or other person entitled to do so, shall have the right to resume possession of any impounded animal except as hereinafter provided in the cases of certain animals

upon compliance with the provision in Sections 2 and 3 of this Ordinance and the payment of impoundment fees set forth herein.

- 6-2. Any animal impounded under the provisions of this Ordinance may be reclaimed by the owner upon the payment of impoundment fees set forth herein.
- 6-3. Notwithstanding this section, the owner shall remain subject to penalties for violation of this Ordinance.

SECTION 7. IMPOUNDMENT FEES. Any animal impounded hereunder may be reclaimed as herein provided upon the payment by owner to the Animal Control Officer or to the impounding shelter the sums for impoundment as established from time-to-time by the Town Board and care, veterinarian and boarding fees charged by the impounding shelter. The shelter shall retain their portion of such fees collected and each month forward the township's portion to the Town Clerk. The animal control officer shall deliver monthly to the town clerk any such fees collected. The township shall pay the shelter all charges incurred by its agreement with them.

SECTION 8. CONFINEMENT OF CERTAIN DOGS AND OTHER ANIMALS.

- 8-1. The owner shall confine within a building or secure enclosure, every fierce, dangerous or vicious dog and not take such dog out of such building or secure enclosure unless such dog is securely muzzled and leashed.
- 8-2. No wild animal may be kept within the Town Limits, except under such conditions as shall be fixed by the Town Board.
- 8-3. Any animal described in the foregoing subsections of Section 8 of this Ordinance found at large, shall be impounded by the Animal Control Officer and may not be redeemed by owners, unless such redemption be authorized by the town board or any court having jurisdiction.
- 8-4. Any dog, cat or other animal, impounded for being a public nuisance may not be redeemed unless such redemption is authorized by the town board or any court having jurisdiction.
- 8-5. When in the judgment of the Town Board or it's agents, an animal should be destroyed for humane reasons, such animal may not be redeemed.

SECTION 9. 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 10. EXEMPTIONS.

- 10-1. Hospitals, clinics and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this Ordinance except where such duties are expressly stated.
- 10-2. The licensing and vaccination requirements of this Ordinance shall not apply to any dog or cat belonging to a non-resident of the Town and kept within the Town for less than thirty days, provided all such dogs or cats shall at all times while in the Town, be

kept within a building enclosure or vehicle or be under restraint or control by the owner or keeper.

SECTION 11. INVESTIGATION. For the purpose of discharging the duties imposed by this Ordinance and to enforce its provisions, the animal control officer or any police officer is empowered to enter upon any premises upon which a domestic animal is kept or harbored. It is further provided that the animal control officer may enter the premises where any animal, is kept in a reportedly cruel or inhumane manner and demand to examine such animal and to take possession of such animal when, in his opinion, it requires humane treatment.

SECTION 12. INTERFERENCE. No person shall interfere with, hinder, or molest any agent of the Town Board in the performance of any duty of such agent or seek to release any animal in the custody of the Town Board or its agents except as herein provided.

SECTION 13. RECORDS.

13-1. It shall be the duty of the Animal Control Officer to keep or cause to be kept accurate and detailed records of the impoundment and disposition of all animals coming into his custody.

13-2. It shall be the duty of the Animal Control Officer to keep or cause to be kept accurate and detailed records of all bite cases reported to him and his investigation reports of these cases.

SECTION 14. ENFORCEMENT. The provision of this Ordinance shall be enforced by such persons as the Town Board shall from time-to-time designate.

SECTION 15. PENALTY. Any person who shall commit or violate any of the provisions of this ordinance shall be punished by a fine of not more than \$100.00 or by imprisonment for not more than 90 days or both. Each day that a violation continues shall constitute a separate violation subject to the maximum penalty set forth herein.

SECTION 16. SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part held to be invalid.

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

Passed by the Town Board of Supervisors of the Town of Grey Cloud Island Township, Washington County, Minnesota, this 10th day of February, 1997.

ATTEST:
Richard E. Mullen
Clerk

APPROVED:
Elisabeth Mc Eathron
Chair