

ORDINANCE NO. 62

AN ORDINANCE LICENSING AND REGULATING THE KEEPING OF DOGS

THE CITY COUNCIL OF THE CITY OF SHELLY, MINNESOTA, DOES ORDAIN:

Section 1. No dog shall be permitted to run at large within the limits of the City. This restriction does not prohibit the appearance of any dog upon streets or public property when the dog is on a leash and is kept under the control of the person charged with its care. Nor does this restriction prohibit the appearance of any dog on private property, if such private property is owned by or under the control of the person charged with the care of such dog.

Section 2. LICENSES.

Subdivision 1. License Required. No person shall keep any dog within the city without securing an annual license therefor from the City Clerk, who shall keep a record of all licenses issued and shall issue a metal tag for each license.

Subdivision 2. License Fees; Expiration. The annual license fee shall be 5.00 for each male dog or spayed female dog and 5.00 for each unspayed female dog so licensed. Every license shall expire on the 31st day of December next following its issuance.

Subdivision 3. Affixing Tag; Rabies Vaccination. The owner shall permanently affix the tag to the collar of the dog so licensed in such a manner that the tag may be easily seen. The owner shall see that the tag is constantly worn by the dog. Every application for a license shall be accompanied by a certificate from a qualified veterinarian showing that the dog had been vaccinated for rabies within two (2) years prior to the expiration of the license applied for, if such a dog is of an age where it may be vaccinated for rabies.

Section 3. DOG NUISANCES. The owner or custodian of any dog shall prevent such dog from committing in the City any act which constitutes a nuisance. It is a nuisance for any dog to habitually or frequently bark, cry, howl, to frequent schoolgrounds or parks, to chase vehicles, to molest or annoy any person away from the property of his owner or custodian, or to damage, defile, or destroy public or private property. Failure of the owner or custodian of a dog or cat to prevent such dog or cat from committing such a nuisance is a violation of this ordinance.

Section 4. 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 period to an animal shelter or shall, at his own expense, place it in a Veterinary Hospital.

Section 5. 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 that 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 as hereinafter provided, and the owner of such dog shall be subject to the penalty hereinafter provided.

Section 6. IMPOUNDING.

Subdivision 1. Police to Impound. Any dog found unlicensed or running at large contrary to the provisions of this Ordinance may be impounded by the Poundmaster or any Police Officer, who shall give notice of the impounding to the owner of such dog or cat if known. If the owner is unknown, the Officer or Poundmaster shall post notice at the City Hall that if the dog is not claimed within ten (10) days of the posting of the notice, it will be disposed of in accordance with the terms of this Ordinance.

Subdivision 2. Redemption. Any dog may be redeemed from the pound by the owner within the time stated in the notice by the payment to the City Clerk of the license fee for the current year, if unpaid, together with an impounding fee of 25.⁰⁰, and a charge of 5.⁰⁰ per day for feeding the dog for each day the dog is impounded.

Subdivision 3. Disposition of Unclaimed Dogs. Any dog which is not redeemed within the time specified in Subdivision 2 of this Section may be sold for not less than the redemption fee as provided in Subdivision 2 of this section to anyone desiring to purchase such dog if it is not requested by a licensed educational or scientific institution under Minnesota Statutes, Section 35.71. All sums received in excess of the redemption fee fixed by Subdivision 2 of this Section shall be paid to the owner of such dog if he makes a claim within one (1) year of the sale and furnishes satisfactory proof of ownership. Any dog which is not claimed by the owner within the redemption period or sold as provided in this Section shall be painlessly killed and buried by the Poundmaster or City Police Officer.

Subdivision 4. Poundmaster. The Poundmaster shall be appointed by the Mayor, and he shall maintain the City Pound and perform other duties imposed upon him by this Ordinance.

Section 7. PENALTY. Any person keeping a dog without a license or allowing a dog under his control to run at large, contrary to this Ordinance, is guilty of Petty Misdemeanor.

Any person convicted of a violation of this Ordinance within one (1) year of a previous violation of this Ordinance shall pay a fine of not less than \$50.00.

Section 8. REPEAL. This ordinance repeals all prior inconsistent ordinances.

Enacted by the City Council of the City of Shelly this 6th
day of July, 1987.

C. Peter Mauritsen
Mayor

ATTEST:

Nancy Nelson
City Clerk

