

ORDINANCE NO. 214

AN ORDINANCE RELATING TO DOGS AND CATS, ESTABLISHING LICENSING REQUIREMENTS AND REGULATIONS CONCERNING THE KEEPING AND IMPOUNDING OF DOGS AND CATS AND SETTING PENALTIES FOR VIOLATIONS.

THE CITY COUNCIL OF THE CITY OF BIRD ISLAND DOES ORDAIN AS FOLLOWS:

Subdivision 1: Ordinance 69 of the City of Bird Island and its amendments at Ordinance 77, 88, 102, and Ordinance 168 are hereby repealed.

Subdivision 2: The following regulations shall apply to all dogs and cats within the City of Bird Island.

2.1 License Requirements.

- 2.1.1. A license shall be required for every dog and cat over the age of 6 months kept in the City of Bird Island. This shall not apply to any dog or cat temporarily present within the City of Bird Island for less than 30 days.
- 2.1.2. The owner, caretaker or other person in possession of a dog or cat kept within the City of Bird Island shall apply to the City Clerk for a license for such animal. The Clerk shall record the licenses issued and shall furnish the applicant with a tag for each license. The applicant shall attach said tag to a collar or chain around the neck of the animal in a secure manner.
- 2.1.3. Licenses for dogs and cats shall be issued annually and shall expire on the 31st of December in the year following their issuance.
- 2.1.4. The City Clerk shall not issue any license for a dog until the applicant furnishes a certificate from a veterinarian indicating that such animal has been vaccinated for rabies within the preceding 2 years.
- 2.1.5. The annual license fee shall be \$10.00. This fee may be changed from time to time by simple Resolution of the City Council.

2.2 Control of Animal.

- 2.2.1. The owner, caretaker, or other person in possession of a dog or cat shall not permit the animal to run at large within the City of Bird Island at any time. For purposes of this ordinance a dog or cat shall be considered to be running at large when it is present on any property, public or private, other than the property of the owner, caretaker, or other person in possession of the animal, unless it is leashed or in an automobile or similarly confined.

- 2.2.2. The owner, caretaker, or other person in possession of a dog or cat shall not allow the animal to create a nuisance by loud or prolonged barking, crying, or howling, by allowing the animal to scatter rubbish or litter on any property, by failing to clean up excrement on a daily basis or by allowing the animal to dig up or otherwise damage the garden, shrubbery, lawn or other property of another.
- 2.2.3. The owner, caretaker, or other person in possession of a dog or cat shall not chain the animal in any place where the animal shall be able to bite, scratch, molest, chase, or cause alarm in others rightfully walking on a public street, alley or sidewalk.

2.3. Impoundment.

- 2.3.1. The use of the term, “impounding officer”, in this Ordinance shall refer to the Renville County Sheriff’s Department or to any other person so designated, from time to time, by Resolution of the City Council.
- 2.3.2. The impounding officers shall impound any dog or cat running at large and any dog or cat which the impounding officers find to be unlicensed. If the owner of the animal is known, the impounding officers shall give notice to the owner that the animal is impounded. If the owner is not known, the impounding officers shall cause a notice containing a description of the animal to be posted at the City Clerk’s Office.
- 2.3.3. The animal shall be impounded by placing it in a kennel, designated by the City Council of the City of Bird Island by resolution, as the official impounding kennel. Designation of said official impounding kennel may be changed from time to time in the same manner.
- 2.3.4. The impounding officers shall have the right to use a tranquillizer gun to impound any dog or cat under this section.
- 2.3.5. The animal shall be impounded for a period of not less than 5 days after posting of notice for the owner to claim it.
- 2.3.6. If the animal is unclaimed after 5 days, the impounding officers may humanely put the animal to sleep and dispose of the carcass.
- 2.3.7. In addition to the penalties set forth below, any owner claiming a dog or cat shall pay any charges incurred by the designated kennel holding the animal.
- 2.3.8. In the case of any dog or cat which is suspected of being rabid the animal shall be impounded immediately either at the official impounding kennel

or at a pet or veterinary facility. The animal shall be held and observed for a minimum of 14 days to determine whether the animal is rabid. In every case where a diagnosis of rabies is confirmed, the animal shall be destroyed and disposed of immediately.

2.4. Vicious Animals.

2.4.1. No person shall keep a dog or cat within the City of Bird Island when said animal has shown an unprovoked tendency to attack, bite, scratch, claw or otherwise injure or attempt to injure any person.

2.4.2. In addition to the penalties set forth below the owner, caretaker or person in possession of a vicious dog or cat shall either destroy the animal or remove it permanently to a location outside the City of Bird Island.

Subdivision 3:

3.1 Kennels

3.1.1. No person shall harbor more than three dogs and/or three cats over the age of six months at any one family residence unit or place of business.

3.1.2. No kennel will be allowed within the Residential District of the City of Bird Island. Only a structure to house the owner's pets will be allowed, with the structure being 8' x 14' or less in size.

3.1.3. Every dog structure shall be maintained and operated in a neat and sanitary manner. All refuse, garbage and animal waste shall be removed at regular intervals so as to keep the surrounding area free from obnoxious odors. No owner shall permit any of his animals to create any unusual noise from barking, howling, or screeching, nor create any disturbance or nuisance of any kind whatsoever which unduly impairs the quiet and peaceable enjoyment of the surrounding area by other residents.

Subdivision 4:

4.1. Penalties.

4.1.1. It shall be a petty misdemeanor for anyone whether owner, caretaker or person in possession of an animal, to violate any of the provisions contained in Subdivision 2.

4.1.2. It shall be a misdemeanor to harass, abuse, threaten, or in any way interfere with a police officer who is in enforcing or attempting to enforce the terms of this ordinance.

Subdivision 5: This ordinance shall be effective on January 1, 2015 and upon passage and publication.

Passed by the City Council of the City of Bird Island this 13th day of October, 2014.

Mayor Doug Erickson

Administrator Deb Lingl