

ORDINANCE NO 88

AN ORDINANCE RELATING THE KEEPING OF DOGS AND CATS IN THE CITY OF GREENBUSH

THE CITY COUNCIL OF THE CITY OF GREENBUSH, ROSEAU COUNTY, MINNESOTA, DOES HEREBY ORDAIN:

Section I. Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section:

Animal means dog or cat.

Owner means any person who owns, harbors or keeps or has custody of any dog or cat, or the parents or guardians of a person under eighteen (18) years of age who owns, harbors, keeps or has custody of a dog or cat.

Section II. Exemption.

This article does not apply to hospitals, clinics and other premises operated by licensed veterinarians exclusively for the care and treatment of domesticated or undomesticated animals.

Section III. License Required.

No person shall own, keep or harbor any animal without securing a license therefore from the City Clerk, who shall keep a record of all licenses, issued and shall issue a durable identification tags for each license. Upon receipt of the name and address of the owner, the address where the domestic animal will be kept, and the sex, breed, age, color and markings of the domestic animal for which a license is sought, and upon payment of a license fee established by Council Resolution from time to time, the Clerk shall issue a license in the form of a metal identification tag for such animal. The term of such license shall be for the term of the inoculation period for rabies. No license shall be issued without the Certificate of inoculation for rabies being presented at the time of application for said license. The City Council may, from time to time, review and may amend any and all costs fees related to license issuance.

Section IV. Restraint of Animals.

No person owning, keeping or harboring any animal shall allow said animal to run at large within the City. It is hereby made the duty of every owner or possessor of any animal to keep same on his or her premises, unless restrained by chain or leash while off the owner's premises or within a vehicle being driven or parked on a public street. The term "at large" shall mean off the premises of the owner and not under control of the owner of his agent by leash or chain.

Section V. Appointment of Animal Control Officer.

Law enforcement officials are hereby appointed Animal Control Officers.

Section VI. Animal Nuisances.

The owner or custodian of any animal shall prevent the animal from committing in the City any act, which constitutes a nuisance. It is a nuisance for any animal to frequently or habitually bark or cry between the hours of 10:00 PM. and 6:00 A.M., to damage any lawn, garden, or other property or habitually worry, chase or molest people or other animals or habitually chase automobiles. Failure of the owner or custodian of an animal to prevent the animal from committing such a nuisance is a violation of this ordinance.

Section VII. Animal Bite.

Any animal, which bites a person, shall be quarantined according to state law.

Section VIII. Constitutionality.

If any portion of this ordinance is for any reason held invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section IX. Sanitation.

Any person owning, keeping or harboring any domestic animal will be responsible to keep his property clean of all fresh matter from said domestic animal.

A. It is unlawful for any person to cause or permit a domestic animal to be on any property, public or private, not owned or possessed by such person, unless such person has in his/her immediate possession a device for the removal of excrement to a proper receptacle located upon property owned or possessed by such person.

B. It is unlawful for any person in control of, causing or permitting any domestic animal to be on any property, public or private, not owned or possess by such person, to fail to remove excrement left by such domestic animal to a proper receptacle located on property owned or possessed by such person.

C. The provisions of this Section shall not apply to the ownership or use of Seeing Eye dog by blind persons, dogs when used in police activities by the City, or County Sheriff's Department or tracking dogs when used by or with the permission of the City.

Section X. Fee for Ordinance Violations.

An offense for any animal will be a complaint on said animal, said animal to be found running at large, failure to license said animal or said animal violating any section of this ordinance..

Fees: 1st offense- Verbal Warning

2nd offense or any offense thereafter is a \$60.00 administrative fine per offense.

Section X. Penalty.

Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor.

Section XI. Repeal.

Ordinance No. 79 and all ordinances and/or portions of Ordinances inconsistent with this Ordinance are hereby repealed.

Section XII. Effective Date.

This ordinance shall be in full force and effect from and after its passage and publication, according to law.

Whereupon said ordinance was declared passed and adopted this 20th day of September, 2010.

Scott Waage, Mayor

Attest:

Anita Locken, Clerk-Treasurer