

City of Cuyuna, Minnesota

ORDINANCE NO. 42

Regulation of Dogs

April 14, 1995

ORDINANCE NO. 42

AN ORDINANCE REGULATING DOGS, REPEALING PRIOR ORDINANCE
AND PROVIDING A PENALTY FOR VIOLATION

The Council of the City of Cuyuna, Minnesota, ordains:

SECTION 1. Disturbances by Dogs: Offense. No person shall keep or harbor a dog which habitually barks, yelps, howls, cries or whimpers so as to unreasonably disturb the peace and quiet of any person in the vicinity. The phrase "unreasonably disturb the peace and quiet" shall include but is not limited to, the creation of any noise by a dog which can be heard by any person, including a law enforcement officer or Animal Control Officer, from a location at least 100 feet from the building or premises where the dog is being kept and such noise occurs repeatedly over at least a five (5) minute period of time with one (1) minute or less time between each dog noise during the said five (5) minute period.

SECTION 2. Removal Device and Removal of Excrement: Offense.

Subd. a. Offense: Removal Device. It is unlawful for any person to cause or permit a dog to be on any property, public or private not owned or possessed by such person, unless such person has in their immediate possession a device for the removal of excrement and depository for the transmission of excrement to a proper receptacle located upon property owned or possessed by such person.

Subd. b. Offense: Removal of Excrement. It is unlawful for any person in control of, causing or permitting any dog to be on any property, public or private, not owned or possessed by such person, to fail to remove excrement left by such dog to a proper receptacle located on property owned or possessed by such person.

SECTION 3. Vaccination required.

Subd. a. Rabies vaccination shall be required for all cats and dogs, over six weeks of age, and current rabies tags shall be considered a current City license. Dogs require vaccination every two (2) years; cats each year.

Subd. b. The owner shall be allowed to obtain rabies vaccination and license within ten (10) days of release from the pound. Fees would be collected at the pound, and the veterinarian would be reimbursed after compliance. New residents in the city of Cuyuna would have thirty (30) days to obtain rabies vaccination and license.

SECTION 4. No dog shall be permitted to run at large, and the owner of all dogs shall keep and maintain them on the owner's premises except that when under the control of the owner, members of his family, servants or agents such dog may be permitted off the owner's premises. If not under the absolute control of said owner, the members of his family, servants or agents, all dogs shall be controlled with a leash.

SECTION 5. Impoundment. All dogs licensed or unlicensed found running at large shall be impounded by the Sheriff's Department, Police or City Animal Control Officer at such places as the City of Cuyuna may from time to time determine.

- Subd. a. When so impounded, said dog shall be kept for a period of five days during which time the owner of such dog may reclaim the dog by the payment of all pound fees and vaccination deposit, said total to include the City impounding penalty.
- Subd. b. However, it is provided that if any dog so impounded shall be not reclaimed in the manner before mentioned during said five-day period, then such dog shall be destroyed either by the police or the person in charge of said pound.
- Subd. c. Where the owner of the dog or cat is known, said owner shall be notified by telephone of such dog or cat.

SECTION 6. Redemption of Impounded Animals.

- Subd. a. Pound fees shall consist of all costs as determined by the person in charge of the dog pound including the impounding penalty.
- Subd. b. The impounding penalty shall be as set forth by the City Council, which at the time of the passage of this ordinance shall be \$15.00 for the first offense, \$25.00 for the second offense, and \$50.00 for the third and all subsequent offenses.

SECTION 7. Records. It shall be the duty of the Animal Control Officer to keep the following records, subject to inspection by the Cuyuna City Council or their designated agents as set forth in the following paragraphs:

- Subd. a. Accurate and detailed records of the impoundment and disposition of all animals coming into custody.
- Subd. b. Accurate and detailed records of all reported bite cases and investigations for a period of Three (3) years.
- Subd. c. Accurate records of all citations issued for violations of this ordinance.

Subd. d. Accurate and detailed records of all money collected and expended in the operation of the functions of his office.

SECTION 8. Abandonment of Animals. It shall be unlawful to abandon any dog or other animal within this City.

SECTION 9. Penalty. Any person violating any provision of this ordinance is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$700 or imprisonment in the county jail for not more than 90 days, or both, plus the cost of prosecution in any case.

SECTION 10. Repeal. Ordinance No. 42 passed May 12, 1976, is hereby repealed.

SECTION 11. Effective Date. This ordinance becomes effective upon its passage and publication according to law.

Passed by the council this 12th day of April, 1995.

Steven Endrizzi, Mayor

ATTEST:

William Bedard, Clerk

Published in the Cuyuna-Ironton Courier on _____, 19__.

1995 Cuyuna Dog Ordinance / Final April 14, 1995 8:23 am
042 Regulation of Dogs 002 04-14-1995.doc