

SECTION 802
DOGS AND CATS

PURPOSE: The City recognizes that pets are an important part of many families. The health, safety, and welfare of the citizens of the City and pets living in the City requires the City to regulate the ownership and keeping of dogs and cats. Additionally, the licensing of pets contained herein is intended to provide a mechanism for the return of lost pets to their rightful owners.

802.100: STATE STATUTES ADOPTED: The provisions of Minnesota Statutes Sections 35.67, 35.68, 35.69, 347.50 through 347.55 and Chapter 343, as amended, are hereby adopted by reference and are incorporated in and made part of this Section as if the same were set out in full herein. The Minnesota Rules specifically pertaining to these statutes are also adopted.

802.200: LICENSE REQUIRED: No person shall keep any dog or cat over 3 months of age within the City without securing a license from the City. The City Manager shall keep a record of all licenses issues.

- (1) **Neutered or Spayed Dogs or Cats.** The license fee for non-neutered or non-spayed dogs or cats will be higher than that for spayed/neutered dogs or cats. In order to be eligible for the lower license fee, the City Manager or the Manager's designee must be presented with a certificate from a veterinarian showing the dog or cat has been spayed/neutered and the date of the procedure.
- (2) **Vaccination Required.** Every dog and cat shall be vaccinated against rabies. Every application for a new or renewal license shall be accompanied by a certificate of vaccination from a veterinarian indicating the dog or cat has been vaccinated to protect it from rabies during the term of the license.

802.300: LICENSE FEES: EXPIRATION: A license is issued for two (2) consecutive years. The bi-annual license fee for male dogs or cats, neutered male dogs or cats, spayed female dogs or cats or unspayed female dogs or cats shall be set annually by resolution of the City Council. All licenses shall expire on December 31st of the second year following its issuance. The City Manager shall publish a notice of the necessity of obtaining a license to be printed in the official newspaper of the City one time each year before October 1st. Failure to publish notice shall not in any way invalidate any provisions of this Chapter. License fees shall not be prorated.

802.400 ISSUE LICENSE: TAG: Upon payment of the license fee and proof of vaccination, the City Manager or designee shall issue both a receipt and a suitable metallic tag to the applicant. The applicant shall affix the tag by a permanent metal fastening to the collar of the dog or cat in such a manner

that the tag may be easily seen.

802.500: LOST, COUNTERFEIT TAGS: Dog or cat tags shall not be transferable and no refunds shall be made of any license fees. Upon presentation of a license receipt for the current year, and payment of a duplicate dog or cat fee, a duplicate dog or cat tag may be issued by the City Manager if the original dog or cat tag is lost. The fee for obtaining a duplicate tag shall be \$5.00. It shall be unlawful to counterfeit or attempt to counterfeit a license tag, or to take a legally placed license tag from any dog or cat and place said tag upon another dog or cat.

802.600: LIMITATION ON NUMBER OF DOGS OR CATS – KENNEL LICENSE REQUIRED: No person shall maintain more than 3 dogs or cats or combination thereof in a dwelling unit, as defined in the Zoning Code, without securing a kennel license from the City Manager. The fee for said license shall be determined by the City Council and adopted by the City Council as part of the annual fee schedule.

802.900: UNLAWFUL ACTS:

802.901 **All Dogs and Cats Must Be Leashed.** It shall be unlawful for any owner or keeper of a dog or cat to walk said dog or cat without the dog or cat being leashed.

802.902 **Running At Large.** No dog or cat shall run at large within the limits of the City. The term "run at large" shall mean going on or about the public streets, alleys, public parks, school grounds or other public places, or on any private premises (except the premises of the owner or keeper of said dog or cat), without the owner's permission, unless said dog or cat is effectively restrained by a chain or leash.

802.903 **Waste Removal.** It shall be unlawful for any owner or keeper of a dog or cat to permit solid wastes of the dog or cat to accumulate on the owner's or keeper's premises or more than 24 hours. Solid wastes from the dog or cat must be immediately removed from public property or private property of another and disposed of in a trash container.

802.1000: NUISANCE:

- 802.1001 **Owner Responsibility.** It shall be the responsibility of the owner or keeper of any dog or cat in the City, whether permanently or temporarily therein, to prevent such dog or cat from committing any act which constitutes a nuisance. It shall be considered a nuisance for any owner or keeper of a dog or cat to allow a dog or cat to habitually or frequently bark, cry, meow or whimper; to frequent school grounds, parks or other public areas while unrestrained; to chase vehicles; to fight with other dogs or cats; to chase and kill birds; to molest, defile, destroy any public or private property; or to leave excrement on any property, public or private. Except that, excrement that is immediately removed and disposed of in a trash container shall not constitute a public nuisance.
- 802.1002 **Impoundment For Nuisance.** The Animal Control Officer or a City Police Officer may issue a citation to the property owner and the owner of any dog or cat which has been permitted to habitually bark, cry, meow, whimper, howl, whine or emit any other loud or unusual noise. Whenever the owner of such dog or cat cannot be immediately located or who has failed, upon order by the Animal Control Officer or City Police Officer, to prevent such dog or cat from making such noises, the Animal Control Officer or Police Officer may seize, impound or restrain the dog or cat.
- 802.1003 **Interference With Animal Control Officer.** It is unlawful for the owner or keeper of a dog or cat to interfere with any Police Officer, Animal Control Officer or other authorized City employee in the performance of his/her duty to enforce this Section.
- 802.1004 **Common Law Nuisance.** Nothing in this Section is intended to limit the City or any individual from proceeding under any common law nuisance theory.

To answer one of the most commonly asked question, chickens would not be allowed in a residential neighborhood based on the code below. You would need to be in an agricultural zoned area and have at least 2 1/2 acres.

801.100: KEEPING ANIMALS WITHIN CITY RESTRICTED:

801.101 **Definitions:**

Animal: Cattle, horses, ponies, mules, sheep, goats, swine, ducks, geese, turkeys, chickens and other domesticated birds, reptiles and animals. The term "animal" does include dogs or domesticated cats (which are regulated in Section 802) or other small animals which are regarded as traditional household pets, as defined herein.

801.102 **Keeping Animals Within City Restricted:**

- (1) **Urban Service Area:** No person shall keep or maintain any animal other than traditional household pets within the urban service area. The urban service area is delineated on the map in City Hall, and may be redelineated from time to time by the City Council.
- (2) **Rural Service Area:** The keeping and maintaining of animals in the rural service area shall be regulated according to the following schedule and formula. The rural service area is delineated on a map in City Hall and may be redelineated from time to time by the City Council.

Provided, further, however, in no event shall the minimum number of contiguous acres exclusive of the one-half (1/2) acre homestead be less than two (2) acres as determined by the preceding formula in arriving at the maximum animal density.