

ORDINANCE NO. 140

AN ORDINANCE AMENDING SECTIONS NO. 2, 4, AND 11 OF ORDINANCE NO. 85 RELATING TO LICENSING AND REGULATING THE KEEPING OF DOGS AND CATS WITHIN THE CITY OF NICOLLET AND THE RUNNING AT LARGE OF SAID ANIMALS

The City Council of the City of Nicollet, does hereby ordain:

**SECTION 2. LICENSING.**

No person shall own, keep, or harbor a dog or cat unless such dog or cat is licensed as provided herein, and must be accompanied by a certificate of vaccination from a qualified source certifying that the dog or cat has been vaccinated against rabies and distemper, or has received a booster shot therefore, within the 24-month period immediately preceding the application. For each pet to be licensed, the owner shall provide proof of certification of a recent rabies vaccination before a pet license shall be issued.

- A) License Fee. The annual license fee shall be \$5.00 for altered animals (spayed or neutered) and \$6.00 for non-altered animals. The fee shall be \$8.00 if not purchased by January 31. The license fee shall be paid at the time of making the application.
- B) Term of License. All dog or cat licenses shall be issued for one year beginning with the first day of January each year. Application for license may be made 30 days prior to the first day of January each year.
- C) Licensing Exception. A licensing exception will be made for dogs and cats under 6 months, animals brought into the City for a limited time as part of an operating zoo, veterinarian clinic, scientific research laboratory, a licensed show or exhibit, or by temporary visitors to the city.
- D) License Application Site. The Nicollet Vet Clinic is the designated facility for pet licensing.
- E) Affixing tag. The owner shall permanently affix a tag to the collar of the pet (dog or cat) so that the pet license tag may be easily seen. The owner shall see that the tag is constantly by the pet. A duplicate tag shall be issued if the tag is lost.

**SECTION 4. NUISANCES**

- B) A pet 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 pet which can be heard by any person, including law enforcement officers, from the premises of any neighboring property, or in any case more than 100 feet from the building or premises where the pet is being kept and such noise occurs repeatedly over at least a five-minute period of time within one minute or less lapse of time between each pet noise during the five-minute period.
- C) Has attacked or bitten a person outside of its owner's premises or has shown dangerous animal tendencies.
- D) Has destroyed or damaged any lawn, garden, shrubbery, foliage or property or habitually trespasses in a damaging manner on property of persons other than its owner. The owner shall be responsible for the actions of his/her pet and shall be responsible for the cleanup of any defecation on any public or private property, city street, sidewalk or park.

**SECTION 11. PENALTY**

Any person keeping a pet without a license as defined in Section 2 of this Ordinance or allowing a pet under his/her control to run at large is in violation of this Ordinance. Any person failing to prevent a pet from committing a public nuisance is in violation of this Ordinance.

Fines applicable listed below:

- 1. Pet picked up on first occurrence, \$25 fine
- 2. Second or more pickup within 12 months, \$50 fine
- 3. Violation of public nuisance (Section 4), first occurrence \$25
- 4. Second or more occurrence within 12 months, \$50
- 5. If pet is caught and has no license - fines for #1-4 above will be multiplied by 1-1/2

Any person violating any other provision of this Ordinance after receiving written notice that such violation has occurred, or at the Council's discretion depending on the severity of the violation of a public nuisance, shall be guilty of a petty misdemeanor and is subject to a maximum \$250 fine and/or an applicable jail sentence as defined by Minnesota Statute.

The City of Nicollet so designates Nicollet County Sheriff's Department as an enforcing agent along with the City and/or its staff and representatives.

Adopted by the City Council of the City of Nicollet this 9<sup>th</sup> day of June, 2010.

Signed:

  
Glenn Thompson, Mayor

Attested:

  
Vanessa Drill, City Clerk