

AN ORDINANCE LICENSING AND REGULATING THE KEEPING OF DOGS AND CATS WITHIN THE CITY OF NICOLLET

The City Council of the City of Nicollet, County of Nicollet, State of Minnesota do hereby ordain:

SECTION 1. Regulation. The City Council of Nicollet, Minnesota does hereby determine that is in the best interests of the citizenry and in the interests of the public safety, health, and welfare, that the keeping of dogs and cats within the city limits be regulated and the same shall further be licensed pursuant to certain restrictions.

SECTION 2. LICENSING. No person shall own or keep any dog or cat over six months of age within the City without securing a license for it from the City Clerk or other official designated by resolution by the City Council, who shall keep a record of all licenses issued and shall issue a metal or plastic tag for each license. Application for a dog or cat license shall be on a form supplied by the licensing official. Every application for a license or renewal license shall be accompanied by a certificate from a veterinarian duly licensed to practice veterinary medicine within the State of Minnesota, which certificate shall state that the dog or cat for which application for a license is made has been inoculated against rabies for at least the period for which a license is applied.

All dogs and cats required to be licensed hereunder shall wear a collar and have a tag firmly affixed thereto evidencing such license for the current period. A duplicate for a lost tag may be issued by the City Clerk or other licensing official upon presentation of the receipt showing the payment of the license fee and upon payment of a fee as set by the council for issuance of a duplicate. License tags shall not be transferable, and no refund shall be made on any dog or cat license fee because of leaving the City or death of the dog or cat before expiration of the license. It is unlawful for any person who is the owner, or other person in possession, of a dog or cat to permit such dog or cat to be in the City without the license tag or collar required herein.

The person owning or keeping the dog or cat shall permanently affix the license tag to the collar of the dog or cat in such a manner so that the tag may be easily seen. Furthermore, such person is required to see that the tag is constantly worn by the dog or cat.

All licenses will expire on May 30. New licenses may be applied for no earlier than April 1 prior to expiration and will then be valid until May 30 of the succeeding year.

The fee for each dog or cat license shall be adopted by resolution of the City Council.

The issuing official shall obtain such necessary information as is deemed appropriate to properly monitor the ownership, address, and physical description of each licensed dog or cat.

SECTION 3. Running at Large Prohibited. It is unlawful for any person who is the owner, or other person in possession, of a dog to permit such dog to run at large. For the purpose of this section the term "at large" means off the premises of the owner and either not under the direct and complete control of the owner or not on a leash, cord, or chain of not more than ten (10) feet in length and also under the control of the accompanying person.

SECTION 4. Nuisances. The owner or person keeping a dog or cat shall prevent the dog or cat from committing in the City any act which

constitutes a nuisance. Such acts shall include, but shall not necessarily be limited to the following:

- A. Running at large, which means that the dog or cat is off the premises of the owner or person keeping it. This restriction shall not prohibit the appearance of a dog off such premises when on a leash no longer than ten feet in length and while under the control of an accompanying person.
- B. Habitually and frequently barking, howling, or crying.
- C. Attacking, molesting, or annoying any person or other animal.
- D. Damaging, defiling or destroying public or private property.

SECTION 5. Notice. Any notice to the owner or individual who applied for a license for the dog or cat may be given either by personal notice verified by Affidavit of Service or by written notice forwarded via the United States mail to the address noted on the application for such license maintained by the licensing official. Should the address of the owner or applicant for the license change while the license is in effect, it shall be the obligation of the that person to keep the licensing official informed of such change.

SECTION 6. Exceptions. The licensing fees required by this ordinance shall not apply to dogs certified and trained to assist the visually or other handicapped individuals.

SECTION 7. Dangerous animals. The owner or person in control of any dog or cat, that does not have a current rabies vaccination and that has bitten or scratched a person, shall immediately cause such animal to be impounded for a period of not less than 14 days. Such dog or cat shall be impounded with a licensed veterinarian at the expenses of the owner or person in control thereof. The owner or person in control thereof shall cause such dog or cat to be destroyed if (1) it is determined that such animal is rabid, or (2) said animal has previously been impounded for biting a person. No such animal shall be released unless vaccinated against rabies. For the purpose of this subdivision, a dog or cat which cannot be impounded with safety to the impounding authority shall be deemed dangerous and may be summarily destroyed.

SECTION 8. Sanitation. The dog or cat owner shall be responsible for the sanitation of his dog or cat whether on his own property, private property of others, or public property. No person shall permit any dog or cat under their care to defecate upon any park, another person's private property, or other public ground, unless said person shall promptly clean up such feces and deposit the same in an appropriately maintained trash receptacle on the premises of the owner. All dog or cat waste shall be removed daily so as to keep the surrounding area free from obnoxious odors.

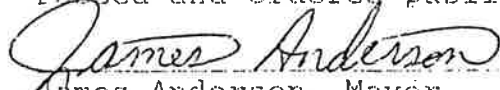
SECTION 9. Minnesota Statutes. The City of Nicollet does hereby adopt the provisions of Minnesota Statutes #346 and #347 as they presently exist and as they may be hereafter amended or revised. To the extent that other provisions of this ordinance are more restrictive than said statutes, the more restrictive provisions of this ordinance shall apply.

SECTION 10. Revocation of Prior Ordinances. All prior ordinances not expressly mentioned herein but which conflict with any of the provisions of this ordinance are hereby repealed to the extent of the inconsistency.

SECTION 11. Penalty. Any person, firm, or corporation found guilty of violating any provision of this ordinance shall be punished by a fine not to exceed one hundred dollars (\$100).

SECTION 12. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed and ordered published this 16th day of April, 1991.


James Anderson, Mayor

Attest:


Claus Feukert, City Clerk