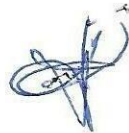


CITY OF ROSE CREEK

ROSE CREEK, MINN. 55970

ORDINANCE # 60-1979



AN ORDINANCE RELATING TO THE KEEPING, CONTROL OF AND LICENSING OF DOGS WITHIN THE LIMITS OF THE CITY OF ROSE CREEK, MN.

The City Council of Rose Creek, Minnesota, ordains:

SECTION I. Definitions.

For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(a) At large. Any dog shall be deemed to be at large when it is off the property of its owner and not under the restraint of a competent person.

(b) Animal pound. Any premises designated by action of the city for the purpose of impounding and caring for all animals found running at large in violation of this article.

(c) Dog. Both male and female and includes any animal of the dog kind.

(d) Owner. Any person, firm, association or corporation owning, keeping or harboring a dog.

(e) Poundmaster. The person employed by the city as its enforcement officer.

(f) Restraint. A dog is under restraint within the meaning of this article if he is within the property limits of its owner or keeper, or on or within a vehicle being driven or parked or controlled by a leash in any other place.

SECTION II. Enforcement of article.

The provisions of this article shall be enforced by the poundmaster and by such employees of the city as may be designated by the mayor and council.

SECTION III. Running at large.

No person owning or harboring a dog shall permit the same to run at large in the city at any time.

SECTION IV. Impoundment - Generally.

* (a) Dogs found running at large in violation of this article shall be impounded by the poundmaster, or by any person on whose premises the dog may be at large. Dogs found so running at large shall be so impounded regardless of whether they are licensed or not. If, after exercising reasonable efforts, the poundmaster is unable to capture a vicious dog whether or not the vicious dog wears a license, the person then in charge of the department shall have the authority to order such dog destroyed.

(b) It shall be lawful for any person to seize and impound a dog found running at large. Any person seizing any dog so found running at large shall within six hours thereafter notify the poundmaster of such seizure. It shall be the duty of the poundmaster to place such dog in the city pound. If the name of the owner of such dog so seized is known to the person who first takes such dog into custody, he or she shall inform the poundmaster of the name of the owner, and the address if known.

SECTION V. Same - Redemption.

All dogs conveyed to the dog pound shall be kept with kind treatment and sufficient food and water for their comfort, at least five days, unless sooner reclaimed by their owners as herein provided.

In case the owner of any dog shall desire to reclaim him from the dog pound, such dog may be released from the dog pound upon payment by such owner of the sums required by this article. Such payments shall be made to the city hall in return for which the owner shall receive a receipt showing that the fees have been paid. Any unlicensed dog shall be properly licensed before return to the rightful owner.

SECTION VI. Same - Notice to owner.

The dog catcher shall upon taking a dog, notify the owner personally or through the U.S. mail, if such owner be known to the officer or can be ascertained with reasonable effort. If the owner be unknown or cannot be ascertained, the officer shall publish a notice in city hall describing the dog and stating where impounded.

SECTION VII. Same - Disposition of unclaimed, diseased etc. dogs.

After a dog has been impounded for five days and five days have elapsed from notice being given as above provided for in this article, and if such dog has not been reclaimed in accordance with the provisions hereof, it shall be the duty of the poundmaster to cause such dog to be destroyed in a humane manner, or otherwise disposed of, as directed by the city council. Any hopelessly injured, crippled or diseased dog or any vicious dog which will not permit itself to be cared for in a humane manner may be immediately destroyed without waiting the five days.

SECTION VIII - Same - Authority; fees.

It shall be the duty of the poundmaster to promptly seize, take up and impound all dogs which may be found running at large contrary to the provisions of this article. The poundmaster shall hold such dogs until they are claimed by their owners or until disposed of in accordance with this article. For every dog so impounded, the owner if he can be found, shall pay such poundmaster the sum of five dollars for impounding fees plus two dollars per day for each day or fraction thereof while the dog is held pending delivery to the owner, as full compensation for the keeping of such dog, whether such dog is reclaimed by the owner or not.

SECTION IX. Licenses generally.

No person shall own, keep or possess or harbor a dog, over six months old, within the city without securing a license therefor from the city clerk, who shall keep a record of all licenses issued and shall issue a tag for each license. All regular dog licenses shall be without limitation as to time but shall not be transferable from dog to dog. The permanent license fee for a regular dog license shall be three dollars for a female and two dollars for a male. A duplicate license shall be one dollar.

The holder of regular dog license shall not own, keep, possess or harbor more than two dogs over six months of age.

SECTION X. All provisions of pre-existing ordinances, that are inconsistent with the provisions of this ordinance are hereby repealed. All pre-existing ordinances, except as herein modified or repealed, are confirmed and ratified.

SECTION XI. Any person, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than Three Hundred Dollars, or imprisonment in the County Jail for not more than ninety days.

SECTION XII. This ordinance shall take effect and be in force from and after the date of its publication.

Adopted this 3rd day of April, 1979.

(SEAL)

Approved.

ATTEST:

Mayer