

## TITLE 500 – ANIMAL REGULATIONS

### CHAPTER 500 - TITLE

This Ordinance shall be known, cited and referred to as the "CITY OF SPRING GROVE ANIMAL REGULATIONS ORDINANCE" except as referenced to herein, where it shall be known as "this Ordinance."

### CHAPTER 502 – DEFINITIONS

As used in this Ordinance, the following words shall have the following meanings:

1. Animals – Domestic

Animals commonly kept for house pets such as dogs, cats, and similar animals.

2. Animals – Non-domestic

Livestock and poultry commonly kept for productive purposes on a farm, such as cattle, swine, horses, sheep, goats, and other similar animals.

3. Animals – Exotic

Any animal or species prohibited by Minnesota or Federal Law, any animal or species including, but not limited to:

- a. any skunk.
- b. any large cat of the family Felidae, such as lions, tigers, jaguars, leopards, cougars and ocelots, except commonly accepted domesticated house cats.
- c. any member of the family Canidae, such as wolves, foxes, coyotes, dingoes and jackals, except commonly accepted domestic dogs.
- d. any crossbreed, such as the crossbreeds between dogs and coyotes and coyotes or dogs and wolves, not including crossbred domesticated animal.
- e. any poisonous pit viper, such as a rattlesnake, coral snake, water moccasin or cobra.
- f. any raccoon.

- g. any other animal not listed above, but which is not naturally tame or gentle, but is of a wild nature or disposition and which, because of its size, vicious nature or other characteristics would constitute a danger to human life or property.

4. Animal Kennel

Any place where four (4) or more of any single type of domestic animal, over six months of age, are owned, boarded, bred or offered for sale.

5. Animal Shelter

Any premises designated by the City Council for the purpose of impounding and caring for animals held under the authority of this Ordinance.

6. Animal Control Officer

Any person/firm designated by the City to assist in the enforcement of this Ordinance.

7. At Large

A domestic animal that is off the premises of the owner and is:

- a. not on a leash held by a responsible person, or
- b. not accompanied by and under the direct control of a responsible person so as to be effectively restrained by command.

A domestic animal shall not be determined to be at large if:

- a. engaged in wild game, or animal hunting and is under the control of its owner or a responsible person, or
- b. when engaged in obedience training and under the control of its owner or a responsible person, or
- c. running loose on the owner's property, or property under the owner's control and under the control of a responsible party. If the animal is running loose on the owner's property and runs onto adjacent public or

private properties and does not respond to a person, then the animal is considered "at large."

8. Dangerous Dog

Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury, or to otherwise endanger the safety of human beings or animals, or any dog owned or harbored primarily or in part for the purpose of dog fighting, or any dog trained for dog fighting.

9. Dog

Any animal of the canine species

10. Owner

Any person, persons, firm or corporation owning, harboring or keeping animals.

## CHAPTER 504 - DOMESTIC ANIMALS

A. LICENSE REQUIRED. Except as hereinafter provided; all domestic animals regardless of age are required to have a valid license. New residents to the City must license their animals within ten (10) days after moving to the City. Licenses shall be issued upon payment of the license fee and compliance with this section. The fee shall be set by the city council from time to time. All animals must be given a rabies vaccination after reaching 3 months of age and as required thereafter. Proof of the initial or first vaccination shall be forwarded to the City of Spring Grove within 10 days of being administered by a veterinarian or at time of licensing. A veterinarian who vaccinates an animal to be kept, harbored, or maintained in the city shall prepare and deliver to the owner a certificate of vaccination setting forth the name and address of the owner, sufficient information to identify the animal vaccinated, the date of vaccination and the type and lot of vaccine used. Licenses shall be for the whole or unexpired portion of the year for which same is issued and shall expire December 31 of the same year. Failure to provide proof of rabies is a violation of this ordinance.

*EXCEPTION* – No license is required for service dogs which are being used for said purpose.

B. TAG AND COLLAR.

1. Upon receipt of required certificates and payment of the license fee, the City shall provide the owner of the now licensed animal, a tag upon which there shall be stamped or engraved the registered number of the animal the words "Spring Grove, Minnesota," and the year for which the license is issued.
2. Every owner shall be required to provide each animal with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn. In the event a tag is lost or destroyed, a duplicate or new tag will be issued by the City, upon proof that such animal was licensed and upon payment of the appropriate fee for such duplicate, which is established by the city council from time to time.
3. No tags shall be transferable from one animal to another.
4. No refunds shall be made on any animal license fee under any circumstances.
5. No person, except the owner, authorized agent, or animal control officer is to remove a collar from an animal in the city, except under such circumstances where it is necessary to free an animal from an entanglement which threatens its health or life or by a licensed veterinarian to whom the animal has been brought for care and treatment.

C. NUMBER OF DOMESTIC ANIMALS ALLOWED PER HOUSEHOLD. No more than three (3) dogs or three (3) cats over six months of age allowed per household or any combination thereof for a total of three (3) domestic animals.

D. CERTAIN ANIMALS DECLARED NUISANCES. It shall be the obligation and responsibility of the owner or custodian of any domestic animal in the City, whether permanently or temporarily therein, to prevent such animal from committing any act which constitutes a nuisance. Failure on the part of the owner or custodian to prevent its animal from committing an act of nuisance shall be subject to the penalty hereinafter provided. The following animals are hereby declared to be nuisances:

1. Any animal that commits damage to the person or property of anyone other than the owner except as shall be committed in the defense of such owner, or in the defense of their family, or in the defense of their property.
2. Any dog that snarls at persons, bites persons or other animals, or habitually exhibits vicious tendencies.
3. Any dog that chases vehicles or interferes with persons walking, persons horseback riding, or the driving of automobiles, bicycles, motorcycles, motorbikes, snowmobiles, or other vehicles on public grounds, streets or highways.

4. Any dog that barks, bays, cries, howls or makes any other noise continuously for a period of ten minutes, or that barks intermittently for one-half ( ½ ) hour or more, and in so doing disturbs another person.
5. Any animal running at large.

#### E. FEMALE ANIMALS

1. Every female animal in heat shall be confined within a building or secure enclosure and allowed to be out of such confinement only when the owner of the animal remains in the area and assures that no nuisance is created by the animal's presence out of confinement.
2. No breeding of animals shall take place unless said animal is inside a building.

#### F. IMPOUNDING

1. A police officer, city employee or any firm designated by the City Council, shall impound any animal found in violation of this Ordinance in an animal shelter. The animal shall be housed and fed in a humane manner.
2. Impounded animals shall be kept for not less than five regular business days unless reclaimed prior to that time by their owner as provided hereafter. All fees incurred are the responsibility of the owner upon reclamation of said animal.
3. The City shall charge a daily boarding fee to the owner of any animal impounded and held. The fee shall be set from time to time by the city council.
4. The City may file citations and other legal complaints against the violators of this Ordinance.
5. If the owner of said animal be known, written notice of impounding shall be given the owner thereof, either by mail or personal service. The owner shall remain subject to all penalties contained in this Ordinance.

G. UNCLAIMED ANIMALS. Any animal which is not claimed as provided in section F, within the specified number of days as per state statute 347.52 and as amended, may be evaluated, and sold for adoption at the discretion of the City. Any animal which is not claimed by the owner or sold for adoption shall be painlessly and humanely destroyed as provided for in state statute and buried by the City or person or firm retained by the City for such purpose.

H. PERMISSIBLE RETURN OF UNRESTRAINED ANIMALS. If an animal is found unrestrained and its owner can be identified and located, such animal need not be

impounded but may, instead, be taken to the owner. In such cases, however, proceedings may be taken against the owner for violation of this Ordinance.

#### I. DANGEROUS DOGS.

1. No person owning or harboring or having the care or custody of a dangerous dog shall suffer or permit such dog to go unconfined on the premises of such person. A dangerous dog is "unconfined" as the term is used in this section if such dog is: not securely confined indoors or confined in a securely enclosed and locked pen or dog run area upon the premises of said person. Such pen or dog run area must also have either side 6 feet high or a secure top. If the pen or structure has no bottom secured to the sides, the sides must be imbedded into the ground no less than 1 foot.
2. No person owning, harboring, or having the care of a dangerous dog shall suffer or permit such dog to go beyond the premises of such person unless such dog is securely muzzled and restrained with a chain having a minimum tensile strength of 300 pounds and not exceeding 3 feet in length.
3. No person shall possess with intent to sell, or offer for sale, breed, or buy or attempt to buy within the City any dangerous dog.
4. In the event that a police officer or animal warden has probable cause to believe that a dangerous dog is being harbored or cared for in violation of this Ordinance, the police officer or animal warden may seize and impound the dangerous dog pending trial.

J. CERTAIN DOGS EXPRESSLY FORBIDDEN. It is expressly forbidden to keep, own or possess a sporting "pit bull" within the corporate limits of the City, whether said dog is still active or retired from sporting.

K. RABIES VACCINATION. Every owner or keeper of a domestic animal shall cause the same to be vaccinated after reaching 3 months of age and as required thereafter. Additionally, such animal shall receive an annual booster and then vaccinated every three (3) years.

L. FAILURE TO RESTRAIN AN ATTACK BY A DOG. It shall be unlawful for an owner to fail to restrain a dog from inflicting or attempting to inflict bodily injury to any person or other animal. Violation of this section shall be misdemeanor. The Court upon a finding of the defendant's guilt hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:

1. The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an attack without warning, or multiple attacks: or

2. The owner of the animal demonstrated an inability or unwillingness to control the animal in order to prevent injury to persons or other animals. If the Court does not order the destruction of the dog, the Court, as an alternative, may order the defendant to provide, and show proof to the Court of public liability insurance in the minimum amount of \$300,000.00.

## CHAPTER 506 – EXOTIC AND NON-DOMESTIC ANIMALS

A. EXOTIC ANIMALS. Exotic animals as per Chapter 502.3. are expressly not permitted within the corporate limits of the City.

B. NON-DOMESTIC ANIMALS. Non-domestic animals as per Chapter 502.2. are not permitted within any district other than the Agricultural District as established in Ordinance 1100, Chapter 1112 and on those lands that have non-domestic animals at the time of adoption of this Ordinance.

C. EXCEPTION. On those lands that have non-domestic animals at the adoption of this Ordinance that are not in the Agricultural District, non-domestic animals can be continued to be kept at the current intensity and type of animal, unless said property is sold, rented to another or the animals being kept, for any reason, are no longer on the property. In such case(s) non-domestic animals shall no longer be allowed.

## CHAPTER 508 - ANIMAL WELFARE

A. ANIMAL BITE. Whenever any animal owner in the City learns that his animal has bitten any human being, that owner shall immediately notify the City Police Department and such animal shall immediately be quarantined. The quarantine period shall be for a minimum period of ten (10) days.

1. The owner may keep said animal provided he/she:
  - a. Has shown proof that said animal is currently vaccinated against rabies;
  - b. Agrees to keep said animal separate from other animals; and
  - c. Said animal will be kept indoors at all times during the quarantine period.
2. If the animal is not currently vaccinated against rabies, such animal shall be quarantined in a Veterinary Hospital or at the City Animal Shelter for a minimum period of ten (10) days.

3. If the owner cannot be advised of the animal bite within two (2) hours after the bite, or the owner fails to quarantine the animal as required by this section, an animal control officer or police officer shall impound said animal.
4. If the animal cannot be impounded, as per section D of this Chapter, it may be killed immediately.
5. If the animal is found to be rabid, it shall be destroyed.
6. If the animal is not found to be rabid, it shall be returned to its owner after the payment of the impoundment fee.
7. If the owner fails to pay such fee within five (5) days of notification to claim or retrieve the animal, said animal may be disposed of as provided in this section.

B. ABUSE OF ANIMALS. No person shall beat, treat cruelly, torment or otherwise abuse any animal, or cause or permit any dog fight. Abandonment of any animal is prohibited.

C. CARE OF ANIMALS. No owner shall fail to provide any animal with sufficient wholesome food and water, proper shelter and protection from the weather, veterinary care when needed and humane care and treatment.

D. DISPOSITION OF CERTAIN ANIMALS. If any animal in the City is diseased, rabid or exposed to rabies, is vicious or dangerous or believed to be mortally wounded and if such animal cannot be impounded without serious risk to the person attempting to impound such animal, it may immediately be killed by an Animal Control Officer or Police Officer without notice to the owner.

E. DOG ENCLOSURES.

1. As used in this section, the term “dog enclosure” shall mean any enclosure constructed for shutting in or enclosing dogs and having an area less than five-hundred (500) square feet.
2. Enclosures shall be screened from view of adjacent property.
3. No enclosure shall be placed closer than ten feet (10’) from any lot line.
4. No enclosure shall be placed in a front yard, and in no event shall it be placed closer than thirty feet (30’) of any dwelling unit other than the owners, on which property the enclosure is built.
5. No person shall permit feces, urine or food to remain in an enclosure for a period



that is longer than reasonable and consistent with health and sanitation and the prevention of orders.

#### F. BURIED ELECTRONIC FENCES.

1. Buried electronic fences, such as Invisible Fence or buried electronic fences of similar or better quality shall be considered an enclosure for the purposes of this section provided;
  - a. it shall have an eight foot (8') set back from the front yard property lines;
  - b. it shall have five foot (5') set backs from the rear and side property lines.
  - c. it shall be professionally installed and maintained in proper working order.
  - d. the owner is required to contact neighbors of adjacent properties and inform them of the buried electronic fence.
2. A sign, approved by the city (available at city hall), with dimensions of twelve (12) inches wide by twelve (12) inches high shall be placed in the front yard indicating that an operable electronic fence is in place. If the fence is located in the back yard, with an alley, street or sidewalk in close proximity, a sign may be placed in the backyard instead of the front yard. If the fence covers both front and back yard with an alley, street or sidewalk in close proximity a sign shall be placed in both locations.
3. Any buried electronic fence in operable condition at the time of adoption of this Ordinance shall be deemed in compliance.
4. Any current buried electronic fence that falls in disrepair, becomes inoperable or is replaced must comply with section F.1. and F.2. above.

#### CHAPTER 510 – ANIMAL WASTE

It is unlawful for any person who owns, harbors, or has custody of a domestic animal to cause or permit such animal to defecate on any public property or, without the consent of the owner, to defecate on any private property unless such person immediately removes the excrement and properly disposes of it. It is unlawful for such person to cause or permit their domestic animal to urinate on private property without the consent of the property owner.

#### CHAPTER 512 – KENNELS

Kennels, either commercial or private are permissible in the Agricultural District. For all other districts kennels are expressly prohibited.

#### CHAPTER 514 – EXEMPTION FROM PROVISIONS

Any dog under the control of any public law enforcement agency and which is used by such agency in law enforcement activities is exempt from the provisions of this Ordinance.

#### CHAPTER 516 – INTERFERENCE WITH OFFICERS

It shall be a violation of this Ordinance for any unauthorized person to break open an animal shelter or attempt to take from any animal control officer, any animal taken by such officer in compliance with this Ordinance, or in any manner to interfere with or hinder such officer in the discharge of his/her duties.

#### CHAPTER 518 – PENALTY

A violation of any provisions of this Ordinance is a misdemeanor. Violation of this Ordinance three (3) or more times will result in a mandatory court appearance.