

CITY OF DANUBE

ORDINANCE # 74

AN ORDINANCE RELATING TO DOGS, ESTABLISHING LICENSING REQUIREMENTS AND REGULATIONS CONCERNING THE KEEPING AND IMPOUNDING OF DOGS, AND SETTING PENALTIES FOR VIOLATIONS.

THE CITY COUNCIL OF THE CITY OF DANUBE DOES ORDAIN AS FOLLOWS:

Subdivision 1: Chapter XI, Sections 1 through 4 of the 1971 Code of Ordinances of the Village of Danube and Ordinance No. 69 of the City of Danube are hereby repealed.

Subdivision 2: The following regulations shall apply to all dogs within the City of Danube.

2.1 License Requirements

- 2.1.1 A license shall be required for every dog over the age of 6 months kept in the City of Danube. This shall not apply to any dog temporarily present with the City of Danube for a period of less than 30 days.
- 2.1.2 The owner, caretaker or other person in possession of a dog kept within the City of Danube shall apply to the City Clerk for a license for such animal. The Clerk shall furnish the applicant with a tag for each license. The applicant shall attach said tag to a collar or chain around the neck of the animal in a secure manner.
- 2.1.3 Licenses for dogs shall be issued on an annual basis and shall expire on the 15th day of May in the year following their issuance.
- 2.1.4 The City Clerk shall not issue any license for a dog until the applicant furnishes a certificate from a veterinarian indicating that such animal has been vaccinated for rabies within the preceding 2 years.
- 2.1.5 License fees shall be set by the City Council of the City of Danube by resolution and may be changed from time to time in the same manner.

2.2 Control of Animal

- 2.2.1 The owner, caretaker, or other person in possession of a dog shall not permit the animal to run at large within the City of Danube at any time. For purposes of this ordinance, a dog shall be considered to be running at large when it is present on any property, public or private, other than the property of the owner, caretaker, or other person in possession of the animal, unless it is leashed or in an automobile or similarly confined.

- 2.2.2 The owner, caretaker, or other person in possession of a dog shall not allow the animal to create a nuisance by loud or prolonged barking, crying, or howling, by allowing the animal to scatter rubbish or litter on any property, by failing to clean up excrement on a daily basis or by allowing the animal to dig up or otherwise damage the garden, shrubbery, lawn or other property of another.
- 2.2.3 The owner, caretaker, or other person in possession of a dog shall not chain the animal in any place where the animal shall be able to bite, scratch, molest, chase, or cause alarm in others rightfully walking on a public street, alley or sidewalk.

2.3 Impoundment

- 2.3.1 The Danube police officers shall impound any dog running at large and any dog which the officers find to be unlicensed. If the owner of the animal is known, the Danube Police Department shall give notice to the owner that the animal is in the city pound. If the owner is not known, the Police Department shall cause a notice containing a description of the animal to be posted at the City Clerk's office.
- 2.3.2 The animal will be held for a period of not less than 5 days after posting of notice for the owner to claim it. During this time the police officers shall treat the animal in a humane manner and provide it with food and fresh water daily.
- 2.3.3 If the animal is unclaimed after 5 days, the Police Department may kill the animal and dispose of the carcass. In the alternative, the animal may be turned over to the Renville County Humane Society or similar agency for placement in a home.
- 2.3.4 In addition to the penalties set forth below, any owner claiming a dog shall pay an impounding fee of \$25 as well as a daily charge of \$20 for the care and feeding of the animal. Example: dog in kennel for 1 day will cost \$45 to retrieve; dog in kennel for 5 days will cost \$125 to retrieve. The impounding fee and daily charge shall be set by resolution of the City Council and may be amended from time to time in the same manner.
- 2.3.5 In the case of any dog which is suspected of being rabid, the animal shall be impounded immediately either at the city pound or at a pet or veterinary facility. The animal shall be held and observed for a minimum of 14 days to determine whether the animal is rabid. In every case where a diagnosis of rabies is confirmed, the animal shall be destroyed and disposed of immediately.

2.4 Vicious Animals

- 2.4.1 No person shall keep a dog within the City of Danube when said animals has shown an unprovoked tendency to attack, bite, scratch, claw or otherwise injure or attempt to injure any person, dog or animal.
- 2.4.2 In addition to the penalties set forth below, the owner, caretaker or person in possession of a vicious dog shall either destroy the animal or remove it

permanently to a location outside of the City of Danube. If the owner fails to comply with destroying or removal of the dog, the City of Danube may dispose of the dog at their own discretion.

Subdivision 3:

3.1 Kennels

- 3.1.1 No person shall harbor more than two dogs over the age of six months at any one family residence unit or place of business.
- 3.1.2 No kennel will be allowed within the City of Danube, commercial or private. Only a structure to house the owner's pets will be allowed, with the structure being 8' x 14' or less in size.
- 3.1.3 Every dog structure shall be maintained and operated in a neat and sanitary manner. All refuse, garbage and animal waste shall be removed at regular intervals so as to keep the surrounding area free from obnoxious odors. No owner shall permit any of his animals to create any unusual noise from barking, howling or screeching, nor create any disturbance or nuisance of any kind whatsoever which unduly impairs the quiet and peaceable enjoyment of the surrounding area by other residents.

Subdivision 4:

4.1 Penalties

- 4.1.1 It shall be a petty misdemeanor for anyone, whether owner, caretaker or person in possession of an animal, to violate the regulations set forth in Subdivision 2.
- 4.1.2 It shall be a misdemeanor to harass, abuse, threaten, or in any way interfere with a police officer who is enforcing or attempting to enforce the terms of this ordinance.

4.2 Fines and Fees

- 4.1.1 Said person shall pay a fine of \$50 for the first offense, \$100 for the second offense, \$250 for the third offense. On the fourth offense the City of Danube will destroy the dog or the owner can permanently remove the dog from the City of Danube within 5 days.

Subdivision 5: This ordinance shall be effective upon passage and publication.

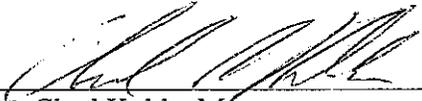
Passed by the City Council of the City of Danube this 25 day of JUNE, 2008.

ATTEST:

CITY OF DANUBE



Sara Wilson, City Clerk

BY: 

Chad Kohls, Mayor