504.00 ANIMAL CONTROL.

504.01 Running at large prohibited. No cat shall be permitted to run at large within the limits of this City.

504.02 Cats on leash. All cats within the City shall be on a leash unless under supervision on the owner’s property.

504.03 Cat license required. No person shall keep any cat within the City without securing a license therefore from the City Clerk, who shall keep a record of all licenses issued and shall issue a metal tag for each license. The annual license fee shall be $10.00. Licenses shall expire on the 31st day of December next following their issuance. To obtain a license, the owner must show proof of a rabies shot. The license must be obtained by March 1. If not obtained by March 1, there will be a penalty of $5.00.

504.04 Impounding. The pound-master and every police officer shall impound any cat found unlicensed or running at large and shall give notice of the impounding to the owner of such cat if known. In the case the owner is unknown, such officer shall post notice at the pound and Community Center that if the cat is not claimed within three (3) regular business/working days of the posting of the notice, it will be disposed of. The pound-master shall house and feed in a humane manner any cat held at the pound. An impounding fee will be determined by the council. The address and telephone number of the pound-master may be obtained from the City Clerk. The owner shall remain subject to other penalties contained in this section.

504.05 Persons in possession. Any person who feeds or houses a cat temporarily or permanently shall have all of the duties and bear the responsibilities under provisions of this section.

504.06 Owning and Keeping of dogs. Definitions.

1. Owner. Any person, firm partnership, or corporation owning, harboring or keeping a dog or dogs.

2. Kennel. Any person, partnership, or corporation engaged in the business of breeding, buying, selling or boarding dogs; provided that such person, partnership or corporation customarily owns or boards more than three (3) dogs over six (6) months of age. Multiple Animal Permit required. (See Section 504.20).

3. Pound. Any premises designated by the City Council for the purpose of impounding and caring for dogs held under the authority of this Section.

4. Officer. The City Dogcatcher, any police officer of the City or persons designated by the City Council to assist in the enforcement of this Section. Such persons shall have police powers insofar as it is necessary to enforce this Section, and no person shall interfere with, hinder or molest them in exercise of such powers.

5. Restraint. A dog shall be deemed to be under restraint if it is on the premises of its owner, or if accompanied by a responsible person, leashed and under that person’s effective control.
6. **Vicious Dog.**

A. Any dog with a propensity, tendency or disposition to attack, cause injury or otherwise endanger the safety of people or other domestic animals as evidenced by its habitual or repeated chasing, snapping or barking.

B. Any dog which attacks a human being or other domestic animal without provocation.

C. Any dog owned or harbored primarily or in part for the purpose of dog fighting or any dog trained for dog fighting.

7. **Animal Limit.** No more than three (3) animals, which are required to be licensed, may be kept, harbored or possessed per residence within the City.

   A **Grandfather Clause.** Any residence keeping, harboring or possessing more than three (3) licensed animals at the time of the effective date (10/18/2007) of this ordinance may continue to do so, provided such animals are otherwise duly licensed, until such time as the animal ceases, for any reason, to be kept harbored or possessed at the residence; at which time, no animal may be brought in until the number of animals at the residence is under three (3).

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504.07 **License required.** No person shall own, keep, harbor or have custody of any dog over three (3) months of age without first obtaining a license therefore from the City Clerk, who shall keep a record of all licenses issued and shall issue a metal tag for each license. The annual license fee shall be $10.00. Licenses shall expire on the 31st day of December next following their issuance. To obtain a license, the owner must show proof of a rabies shot from a qualified veterinarian. The license must be obtained by March 1. If not obtained by March 1, there will be a penalty of $5.00. The owner shall affix the metal license tag by a permanent metal fastening to the collar of the dog so licensed in such a manner that the tag may be easily seen by the officers of the City. The owner shall see that the tag is constantly worn by such dog.

504.08 **Owner obligation for proper care.** No owner shall fail to provide any animal with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment. No person shall beat, treat cruelly, torment or otherwise abuse any animal, or cause or permit any dogfight. No owner shall abandon such animal.

504.09 **Dogs under restraint.** All dogs within the City limits of Sacred Heart shall be kept under restraint.

504.10 **Obligation to prevent nuisances.** It shall be the obligation and responsibility of the owner or custodian of any animal in the City, whether permanently or temporarily therein, to prevent such animal from committing any act which constitutes a nuisance. It shall be considered a nuisance for any animal habitually or frequently: bark or cry; to frequent school grounds, parks; to chase vehicles; to worry, chase or molest any persons, if such person is not on the property of the owner or custodian of such animal; to worry, chase or molest any persons traveling peaceably on the public road; or to molest defile or destroy any property public or private. Failure on the part of the owner or custodian to prevent his animals from committing an act of nuisance shall be subject to the penalty hereinafter provided.
504.11 **Animal waste.** The owner of every animal shall be responsible for the removal of any excreta deposited by his animal(s) on public walks, recreation areas, or private property.

504.12 **Impoundment.** Unrestrained dogs may be taken by any officer and impounded in an animal shelter and there confined in a humane manner. Impounded dogs shall be kept for five (5) days unless reclaimed prior to that time by their owner as provided hereafter.

1. **Notice of impoundment.** Upon taking up and impounding any dog, the Dogcatcher shall, within one day thereafter, post in three (3) or more conspicuous places in the City, a notice of impounding and mail a copy of these to the owner if the name and address of the owner is known.

2. **Redemption.** Any dog may be reclaimed from the dog pound by its owner within the time specified in the notice by the payment to the City Clerk of the license fee, if applicable, and a $50.00 impounding fee (determined by the Council on an annual basis). Notwithstanding this Section, the owner shall remain subject to other penalties contained in this Section.

3. **Disposition of unclaimed dogs.** Any dog which is not claimed, as provided in Subdivision 2 of this Section, within five (5) days after impounding, shall be taken to the Human Society to be adopted or disposed of.

504.13 **Permissible return of unrestrained dogs.** Notwithstanding the provisions of 504.12, 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 upon payment of fees as set by the City Council on an annual basis. In such case, however, proceedings may be taken against the owner for violation of this Section.

504.14 **Female dogs.** Every female dog in heat within the City of Sacred Heart shall be confined in a building or other secure enclosure, in such manner that such female animal cannot come in contact with another dog, except for planned breeding.

504.15 **Quarantine of certain dogs.** All dog bites shall be reported to the City Clerk and County Health Officer as being diseased or ferocious or vicious. Any dog that bites a person shall be quarantined for such time as may be directed by the County Health Officer. During quarantine the animal shall be securely confined and kept from contact with any other animal. At the discretion of the Officer the quarantine may be on the premises of the owner; however, if the Officer requires other confinement, the owner shall surrender the animal for the quarantine period, directed by the Health Officer, to an animal shelter, or shall, at his own expense, place it in a veterinary hospital or the Office is authorized to take said dog to the pound.

504.16 **Muzzling.**

1. **Council authority.** The City Council may, at any time, with just cause require any or all dogs within said City to be muzzled in a manner and for such length of time as the order may subscribe.

2. **Vicious dog.**
A. No person owning, harboring or having the care of a vicious dog may suffer or permit such dog to go outside its kennel or pen unless the dog is securely leashed with a leash no longer than four (4) feet in length. No person may permit a vicious dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. The dog may not be leashed to inanimate objects such as trees, posts and building. A vicious dog on a leash outside the dog's kennel shall be muzzled by a muzzling device sufficient to prevent the dog from biting persons or other animals. A vicious dog shall not be required to be muzzled when shown either in a sanctioned American Kennel Club Show or upon prior approval of the Health Department.

B. All vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled as provided in Subdivision 2A of this Section. The pen, kennel or structure shall have secure sides and a secure top attached to all sides. A structure used to confine a vicious dog shall be locked with a key or combination lock when the dog is within the structure. The structure shall have a secure bottom or floor attached to the sides of the pen or the sides of the pen must be embedded in the ground no less than two (2) feet. All structures erected to house vicious dogs shall comply with all zoning and building regulations of the City. All structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.

C. No vicious dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit the building on its own volition. No vicious dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacles preventing the dog from exiting the structure.

D. No vicious dog may be kept within any portion of any multiple dwelling.

E. All owners, keepers or those harboring vicious dogs shall, within fifteen (15) days of the effective date of this Section, display in a prominent place on their premises a sign readable by the public using the words “Beware of Dog”. A similar sign is required to be posted on the kennel or pen of the dog.

504.17 Insurance. All owners, keepers or those harboring vicious dogs shall, within thirty (30) days of the effective date of this Section, provide proof to the City Clerk of public liability insurance in a single incident amount of $50,000.00 for bodily injury to or death of any person or for the damage to property owned by any person which may result from the ownership, keeping or maintenance of vicious dogs. The insurance policy shall provide that no cancellation of the policy will be made unless a ten (10) day written notice is first given to the City Clerk. The owner or custodian of the dog shall produce evidence of the required insurance upon request of a law enforcement officer, animal control officer or public health officer. This Sub-section does not apply to dogs kept by law enforcement agencies.

504.18 Destruction of certain dogs. A dog may be destroyed by an officer if he has taken the dog into custody, given at least five (5) days prior written notice to the owner and one of the following facts exist:
1. **Attack.** A vicious dog attacks a human being or domestic animal or represents a continuing threat of serious harm to human beings or domestic animals or has destroyed property.

2. **Trespass.** A dog trespasses in a damaging manner on the property of persons other than the owner more than three (3) times; or is otherwise in repeated violation of this Section.

3. **Failure to confine or muzzle.** A dog has not been confined or muzzled as required by this Section.

### 504.19 Summary destruction of certain dogs.
Whenever an officer or a person designated by the City Council has reasonable cause to believe that a particular dog presents a clear and immediate danger to residents of the City because it is infected with rabies (encephalomyelitis) or because of a clearly demonstrated vicious nature, the officer, after unsuccess fully attempting to catch such dog, may summarily destroy the dog.

### 504.20 Multiple Animal Permit Procedure (Kennel).
No person, firm or corporation shall maintain a kennel in this City without first securing a permit thereof from the City Clerk. Application for a Multiple Animal Permit must be made to the City accompanied by the required license fees for each animal, or proof that license fees are current. There is no separate fee for the Multiple Animal Permit. The City Clerk shall notify all properties within 350 feet of the proposed kennel, who shall then each have fifteen (15) days from the date of such notification to file any comments in writing that they may desire. Notwithstanding the filing or not filing of such comments, the City shall retain sole discretion as to the issuance of a Multiple Animal Permit. The City will consider enclosure, nourishment, shelter, past complaints and any other measure deemed necessary for each situation in determining qualifications for a Multiple Animal Permit. Within thirty (30) days after the application has been submitted, the City shall issue its determination to either authorize a Multiple Animal Permit or deny the same. Any such permit issued shall be valid for one (1) calendar year beginning January 1st and ending December 31st and must be reviewed annually thereafter upon proper request being made to the City. If a permit holder fails to comply with any statements made in the application or with any reasonable conditions imposed on the permit, or violates any other provisions of the applicable ordinances, the Multiple Animal Permit is subject to summary revocation by the City of Sacred Heart.

### 504.21 Nonresidents.
The Sections of this ordinance requiring a license shall not apply to nonresidents of the City, provided that dogs of such owners shall not be kept in the City longer than twenty (20) days without a license and shall be kept under constraint.

### 504.22 Penalty.
The violation of any provision of this Chapter shall be punished to the fullest extent of the law. Each and every act of violation shall constitute a separate offense punishable by a fine described in Minnesota Statute 609.02 Subd.4a.