

STATE OF MINNESOTA
COUNTY OF SHERBURNE

TOWN OF HAVEN

ORDINANCE 95-100

FOR

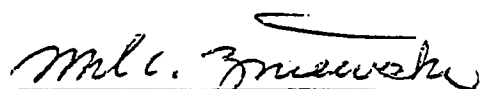
REGULATION OF DOGS AND OTHER DOMESTIC ANIMALS

The following is a summary of the above-captioned Ordinance which has been approved by the Haven Township Board. A printed copy of the whole Ordinance is available for inspection by any person during the clerk's regular office hours by contacting the clerk, and at the Haven Township Hall during the Board's regular monthly meeting, which is held on the third Monday of each month.

The Ordinance prohibits the running at large of dogs and other animals. It provides for the impounding of stray dogs or animals, prohibits anyone from abandoning dogs or other animals in the Township and requires that all animals and dogs within the Township have a rabies shot and a tag. The Ordinance prohibits anyone from keeping a dog or other animal which frequently and habitually howls, yelps, barks or otherwise causes a serious disturbance to neighbors. The Ordinance also allows the Township to appoint an animal warden to enforce the Ordinance.

The Ordinance will become effective after publication.

Dated: November 10, 1995
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Mike Zniwski
Haven Town Board Clerk
5576 - 16th Avenue SE
St. Cloud, MN 56304
(612) 252-8934

STATE OF MINNESOTA
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FOR

REGULATION OF DOGS AND OTHER DOMESTIC ANIMALS

In order to provide for the health and safety of the people of this township and in order to provide for the regulation and protection of animals, the Board of Supervisors of the Township of Haven, Sherburne County, State of Minnesota, do hereby adopt the following ordinance:

SECTION 100.00 - Dogs and Other Animals

100.01 - Definitions:

1. "Persons" shall mean any individual, firm, partnership, corporation or any other legal entity.
2. "Animal Warden" shall mean the Township Pound Master, County Sheriff or any of his deputies, or any other person designated by the Town Board.
3. "At large" Any dog or animal is at large when it is off the property of the person owning, harboring, or keeping the dog, and it is not under restraint.
4. "Veterinary Hospital" shall mean a place for the treatment, hospitalization, surgery, care and boarding of animals or birds, which place is owned and operated by a licensed veterinarian.
5. "Under Restraint" Any dog or animal is under restraint if it is on the premises of the person harboring or keeping the animal or dog; it is at heel beside a person having custody of it or obedient to that person's command; if it is within a private motor vehicle of a person owning, harboring or keeping the animal or dog; or if it is controlled by a leash not to exceed six (6) feet in length.
6. "Dog Kennel" shall mean any place, building, tract of land, boat or vehicle wherein or whereupon dogs are kept, congregated or confined; such dogs having been obtained from municipalities, dog pounds, dog auction, or by advertising for unwanted dogs, or dogs abandoned or stolen.

7. "Owner" shall mean any person owning, keeping, harboring or acting as custodian of a dog or other domesticated animal.

8. "Premises" shall mean any building, structure, shelter or land whereon dogs or other animals are kept or confined.

9. "Pound Master" shall mean that person or persons from time to time appointed by the Haven Township Board to carry out the duties of a pound master as defined by Minnesota Statutes or to enforce this ordinance or both.

10. "Public Nuisance Animal or Animals" shall mean in addition to the definition provided in Minnesota Statutes Section 347.04, any animals or animals which:

- a. If the dog/dogs or animal/animals is/are repeatedly found at large;
- b. Damages the property, lawn or garden of anyone other than its owner;
- c. Is/are vicious animal(s);
- d. Causes fouling of the air by odor;
- e. Causes unsanitary conditions of enclosures or surroundings;
- f. By virtue of number of types of animals maintained are offensive or dangerous to the public health, safety or welfare;
- g. Makes disturbing noises;
- h. Molests passer(s) by or passing vehicles or passing bicycles;
- i. Has been designated by the Animal Warden to be a public nuisance animal or animals by virtue of being a menace to the public health, welfare and safety;
- J. Any potentially dangerous or dangerous dog as defined under Minnesota Statutes Section 347.50.

11. "Vicious Animal or Animals" shall mean any animal or animals which constitute a physical threat to human beings or other animals by virtue of one or more attacks of such severity as to cause property damage, or physical injury, or places an individual in reasonable apprehension of bodily harm.

100.02 - Enforcement. The provisions of this ordinance shall be enforced by the Animal Warden pursuant to policies established by the Township Board of Supervisors.

100.03 - Right of Entry. The Animal Warden shall have the right to enter upon any premises at all reasonable times for the purpose of discharging the duties imposed by this ordinance where there is a reasonable belief that a violation of this ordinance has been committed.

100.04 - Records. It shall be the duty of the Animal Warden or Township Clerk, as designated by the Township Board, to keep the following records, subject to inspection by the Township Board of Supervisors or their designated agents as set forth in the following paragraphs:

1. Accurate and detailed records of the impounding and disposition of all animals coming into custody.
2. Accurate and detailed records of all reported bite cases and investigations for a period of three (3) years.
3. Accurate records of all citations issued for violations of this ordinance.
4. Accurate and detailed records of all moneys collected and expended in the operation of the functions of this office.

100.05 - Running at Large Prohibited. No dog shall be allowed by its owner to run at large and every owner of a dog shall cause the same to be:

1. Confined to the owner's property by training, fencing or leashing and females in heat shall be confined in an enclosure and so kept and confined therein during such entire period and until such dogs shall not attract other dogs on account thereof.
2. While in any public place such as a school, playground or park to be on a leash, chain or cord of not more than six (6) feet in length and in the custody of a person of sufficient age to adequately control the dog at all times.
3. While in all other areas such as on a public street or in an automobile, to be in the custody of a person of sufficient age to adequately control the dog at all times, and to have and keep said dog or animal under control.

100.06 - Dog/Animal on a Leash. The restriction imposed by 100.05 shall not prohibit the appearance of a dog/animal upon the streets or other public place when such dog/animal is on a leash or under restraint, except a female dog in season.

1. All dog/animals off the owner's property must comply with the identification requirements under Minnesota Statutes Section 346.50.

100.07 - Confinement of Vicious Animals/Dogs With History of Biting. Every Vicious Animal shall be confined by the owner within a building or secure, covered enclosure. Such animal shall not be taken out of such building or secure covered enclosure unless muzzled and on leash. This provision is in addition to the requirements for dangerous dogs outlined in Minnesota Statutes Section 347.50, et. seq.

100.08 - Abandonment of Animals. It shall be unlawful to abandon any dog or other animal within the Township.

100.09 - Rabies Shots Required. No person shall keep any animal/dog within the Township limits without securing a rabies shot and tag. This rabies shot may be obtained through any authorized veterinary clinic. Rabies shots must be obtained according to the following schedule:

1. Within thirty (30) days after the expiration of the two (2) year period that the previous shot is effective; or
2. Within sixty (60) days after the dog/animal reaches the age of six (6) months; or
3. Within sixty (60) days after moving inside the Township limits providing no previous shot was obtained.
4. Proof of Rabies shot must be provided to the Animal Warden or Pound Master when requested, along with description of the dog/animal and other information as may reasonably be required.

100.10 - Impounding Stray Dogs or Animals.

1. The Animal Warden may seize or impound any dog or animal found astray on public property or claimed to be estray by the owner of the premises upon which such animal may be found provided that the owner of the premises demands such seizure or impound and agrees in writing to indemnify and hold harmless the Township from any claim for damages by the owner of said dog or other animal.
2. Upon taking and impounding any dog/animal the Animal Warden shall within one (1) day thereafter post three (3) notices within the Township a Notice of Impounding in the form established by the Township Board. If the owner of the dog/animal be known a written Notice of Impounding, in lieu of posted notice, shall be given the owner thereof either by mail or personal service.
3. Disposition of such impounded stray shall thereafter be pursuant to the provisions of Section 100.11 herein.

100.11 - Disposition of Certain Diseased or Dangerous Dogs or Other Animals.

1. Any dog or other animal displaying symptoms of being rabid must be seized and secured by the owner on his/her premises until found free from rabies. If the owner requests the animal or dog be placed in the Township contracted dog pound he/she assumes full responsibility for the animal or dog.

2. If any dog or other animal appears to be diseased, vicious, dangerous, rabid, or has been exposed to rabies, and such dog or other animal cannot be taken up and impounded without serious risk, such dog or other animal may be killed if reasonably necessary for the safety of any person or persons.

3. When any dog or other animal has bitten any person, wherein the skin has been punctured or the services of a doctor are required, a report of the incident shall be made to the Township by the owner or custodian of the biting dog or animal, and the person bitten or his parent or guardian within twenty-four (24) hours of the bite.

100.12 - Redemption of Dogs and Other Animals.

1. The Township, upon the impounding of any dog or other animal, may condition redemption of said dog from impounding upon payment of the required impounding fee as duly set by the Township Board from time to time, plus the cost of boarding for each day said dog or other animal has been confined in said pound and all other costs incurred by the Township.

2. If at the end of five (5) days after said impounding, the dog or other animal has not been redeemed, it may be sold to private sale, or the keeper of the pound may dispose of the dog or other animal in a proper and humane manner.

100.13 - Animals Disturbing the Peace. It shall be unlawful for any person to own, keep, have in his possession, or harbor a Public Nuisance Animal. It shall also be unlawful for any person to own, keep, have in his possession or harbor a dog/animal which by frequent and habitual howling, yelping, barking or otherwise, shall cause serious annoyance or disturbance to persons or to the neighborhood. No person shall be convicted under the provisions of this ordinance except under the evidence from fifty percent (50%) of the adult residents living within five hundred (500) feet of the residence of the animal complained of or from four (4) persons each of a different household, which ever is less, and no warrant shall be issued except after written notice has been mailed or delivered to the occupant of the premises where such animal is kept or harbored advising that a complaint has been made about the animal and calling attention to the provisions of this ordinance.

100.14 - Maintenance of Animal Quarters.

1. Animal housing facilities shall be structurally sound and maintained in good repair.

2. Dogs kept outside shall be provided with access to shelter to protect them for the sun, rain and snow, together with adequate bedding.

3. If dogs are confined by chains, such chains shall be so attached that they cannot become entangled with the chains of other dogs or any other objects. Chains shall be of a

size commonly used for the size of dogs involved and shall be attached to the dog by means of a well fitted collar. Such chains shall be at least three times the length of the dog as measured for the tip of its nose to the base of its tail.

4. Enclosure shall be of sufficient size to allow each dog to turn around fully and stand, sit and lie in a comfortable normal position.

5. Disposal facilities shall be provided to minimize vermin, infestation, odors and disease hazards.

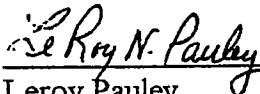
100.15 - An owner shall not allow their dog/animal to leave bodily wastes on property owned by another.

100.16 - Any person violating sections 100.00 through 100.15 of this ordinance shall be guilty of a misdemeanor and in addition to any penalty imposed by the Court shall by the appropriate costs of prosecution as may be determined by the Court. *e*

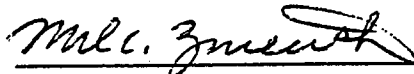
100.17 - This ordinance does not regulate commercial dog kennels which operate under conditional use permit from the County and are licensed by the State of Minnesota.

100.18 - This Ordinance shall take effect immediately upon enactment and publication. Haven Township Ordinance 100 dated October 3, 1983 is vacated upon adoption of this Ordinance.

Dated: November 20, 1995



Leroy Pauley
Town Board Chairman



Mike Zniewski
Town Clerk