

ORDINANCE NO. 22

AN ORDINANCE REGULATING DOGS WITHIN NEW SCANDIA TOWNSHIP AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

The Board of Supervisors of the Town of New Scandia, Washington County, Minnesota ordains as follows:

Section 1. DEFINITION. As used in this Ordinance. Owner shall mean: any person, group of persons or corporation, firm or partnership, owning, keeping, or harboring a dog or dogs. The "harborer" of a dog shall mean any person who has custody of any dog or permits the same to be kept on or about his premises.

Section 2. IDENTIFICATION. No person shall own, harbor, keep or have custody of a dog over six (6) months of age, after October 1, 1987 within this township, without the dog being identified by a device, tag, or plate attached to the dog by a collar, harness, or device giving the name and telephone number of the current owner.

Section 3. RABIES VACCINATION No person shall own, harbor, keep or have custody of a dog over six months of age, after October 1, 1987, within this township, unless said dog has been vaccinated against rabies and such dog has attached to its collar, harness or similar device a current rabies vaccination tag.

Section 4. CONFINEMENT The owner shall confine within a building or secure enclosure any fierce, dangerous or vicious dog, except when under restraint by a competent person. Every female dog in heat shall be confined in a building, secure enclosure, veterinary hospital, or boarding kennel, or shall be controlled on a leash while being exercised.

Section 5. PUBLIC NUISANCE No person shall keep or harbor a dog which is a public nuisance. Any dog is a public nuisance that has done any of the following:

- A. Has destroyed property or habitually trespasses in a damaging manner on property of persons other than the owner.
- B. Has attacked or bitten a person outside the owner's or custodian's premises.
- C. Has shown vicious habits or molested pedestrians or persons riding or driving on the public streets or highway.
- D. Habitually barks or cries at night between the hours of 10:00 p.m. and 6:00 a.m.

Section 6. HARMING DOGS It shall be unlawful for anyone to place upon the ground or in any other manner, any poison, bait or other material intended to harm a dog.

Section 7. PENALTIES. Any person who shall violate Section 2 or 3 of this Ordinance shall be guilty of a petty misdemeanor and, upon conviction, shall be punished by a fine of not more than \$100.00. Each day that a person shall own, harbor, keep or have custody of a dog over six months of age within this township after October 1, 1987 without identification tag and rabies tag shall be considered a separate violation. Any person who shall violate Sections 4, 5 and 6 shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than \$300.00 or by imprisonment not to exceed 90 days, or both. In addition, after a finding of a Court of proper jurisdiction that a dog is a public nuisance as defined in Section 5, the Court may order that the dog be

destroyed or that the owner or custodian remove it from the township or keep it confined to a designated place.

Section 8. This ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of New Scandia Township this 21st day of July, 1987.

Russell Jackson
Russell Jackson,
Chairman

ATTEST

Dolores Peterson
Dolores Peterson