

**DOG AND CAT ANIMAL CONTROL ORDINANCE
MILTONA TOWNSHIP**

SUBDIVISION 1. LIMITATIONS IN OWNERSHIP

No family, group of persons or business entity, residing in Miltona Township or conducting business in Miltona Township shall have in custody, at any one time, more than three dogs over the age of six months and three cats over the age of six months on the premises where said family, group of persons or business entity resides and/or conducts business.

SUBDIVISION 2. RUNNING AT LARGE AND IMPOUNDING

- 2.1 **RUNNING AT LARGE:** It shall be unlawful for any person who is the owner or custodian of a dog or cat to permit such animal to run at large; provided, that such animal shall not be deemed to be running at large if it is on a leash or under physical and/or voice control of an accompanying person or if it is upon the property of the owner or custodian.
- 2.2 **IMPOUNDING OF ANIMAL:** It shall be the duty of the Douglas County Sheriff's Department or its designee to impound any dog or cat running at large.
- 2.3 **NOTICE OF IMPOUNDING:** Upon the impounding of any animal, the owner shall be notified or if the owner is unknown, written notice shall be posted at the Office of the Miltona City Clerk and the impounding facility or other place to be designated by the Township Board, describing the animal and the place and time of impounding.
- 2.4 **HOLDING OF IMPOUNDED ANIMALS:** Every animal so placed in an impounding facility shall be held for redemption by the owner for a period of not less than five (5) regular business days. A "regular business day" is one during which the pound is open for business to the public for at least four (4) hours between 8:00 A.M. and 7:00 P.M.
- 2.5 **RELEASE FROM ANIMAL POUND:** Animals shall be released to their owners upon payment of all fees, impounding or otherwise, incurred for the period for which the animal was impounded.
- 2.6 **UNCLAIMED ANIMALS:** If unclaimed, an impounded animal may be disposed of or humanely destroyed, pursuant to Minnesota Statute, Section 35.71., or the animal may be adopted according the same adoption practice as the local humane society, after the expiration of the five (5) business day period.
- 2.7 **LIABILITY OF OWNER:** Destruction of an animal shall not eliminate the liability of the owner for impounding fees incurred by the township and such fees are recoverable by the township in a civil cause of action.

SUBDIVISION 3. NUISANCE DOGS AND CATS

- 3.1 The owner or custodian of any dog or cat shall prevent the animal from committing in the township any act which constitutes a nuisance. Failure of the owner or

custodian of the animal to prevent the animal from committing such nuisance is a violation of this ordinance.

- 3.2 NOISE: It is a nuisance for any dog or cat to habitually or frequently bark or cry so as to unreasonably disturb the comfort and repose of persons in the vicinity of said animal.
- 3.3 DAMAGE OR TRESPASS: It is a nuisance for any dog or cat to damage any lawn, garden or other property or to trespass on the property of someone other than the owner or custodian of said animal.
- 3.4 LITTER: The owner of any dog or cat or person having custody of said animal shall be responsible for cleaning up any feces of the animal and disposing of the feces in a sanitary manner. It is a nuisance for any owner or person in control of a dog or cat to fail to clean up any feces of the animal.
- 3.5 INJURY OR ATTACKS: It is a nuisance for any dog or cat at any time to attack or bite a person or another animal.
- 3.6 VICIOUS HABITS: It is a nuisance for any dog or cat to be vicious, show vicious habits, molest pedestrians or interfere with vehicles on public streets.

SUBDIVISION 4. ENFORCEMENT DUTIES

The Douglas County Sheriff's Department shall enforce the provisions of this ordinance.

SUBDIVISION 5. PENALTIES

- 5.1 Violation of this Ordinance shall be a petty misdemeanor and shall be punishable by payment of a fine to the Milona Township Clerk in addition to the payment of impounding fees.
- 5.2 The Township Clerk shall keep a schedule of fines, which may be adjusted from time to time.
- 5.3 Applicable fines set at the time of the adoption of this ordinance are the following:
First Offense within a period of 12 consecutive months: \$100.00
Second Offense within a period of 12 consecutive months: \$200.00
Third and Subsequent Offenses within a period of 12 consecutive months: \$300.00

Adopted by the Milona Township Board on this 2 day of October, 2006.
This ordinance becomes effective upon publication and supersedes any previous animal control ordinance and amendments.

Signed:

Attest:


Don Henning, Township Chairman


Mary Betterman, Township Clerk