

**MAPLE LAKE TOWNSHIP
COUNTY OF WRIGHT
STATE OF MINNESOTA**

RESOLUTION NO. 6/17/2025

**ORDINANCE PROHIBITING DOGS FROM RUNNING AT LARGE AND
PROHIBITING HABITUAL BARKING**

The Town Board of Maple Lake Township, Wright County, Minnesota Ordains:

Section 1. Purpose

- A. The purpose of this ordinance is to promote the public safety, health, and welfare of the Township by regulating the ownership and control of dogs within Southside Township. This ordinance aims to minimize nuisances, prevent dog-related incidents, and ensure the responsible care of dogs.

Section 2. Definitions

- A. For purposes of this ordinance, the following definitions apply.

1. "Dog" means any domesticated canine, regardless of sex, breed, or size.
2. "Owner" means any person, firm, corporation, or organization possessing, harboring, or having control over a dog.
3. "Running at Large" means when a dog is off the property of its owner and is not under direct control of the owner.
4. "Direct Control" means the owner has the dog in a manner that allows the owner to effectively manage the dog's behavior, including but not limited to:
 - a. the dog being on a leash not exceeding six feet in length,
 - b. the dog being confined within a secure fenced area,
 - c. the dog being within the owner's immediate presence and responsive to the owner's commands.
5. "Public Nuisance" means a thing, act, or use of property which:
 - a. maintains or permits a condition which unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any considerable numbers of the public; or
 - b. interferes with, obstructs, or renders dangerous for passage, any public highway or right-of-way, or waters used by the public; or
 - c. any other act or omissions declared by law or this ordinance to be a public nuisance.
6. "Habitual or Excessive Noises" mean noises including but not limited to barking, howling, crying, whining, baying, or other detectable sounds, which occur

repeatedly for a period of five minutes or more with a time lapse of 30 seconds or less between such noises.

Section 3. Control of Dogs at Large

- A. No dog shall be allowed to run at large within the Township. Owners must always keep their dog under direct control.
- B. Any dog found running at large in the Township shall be seized, impounded, restrained, or placed under surveillance by law enforcement or other person or agency authorized by the Township to enforce this ordinance.
- C. Upon seizing, impounding, restraining, or placing a dog under surveillance, the Town Board or other person or agency authorized by the Township shall attempt to notify the owner of the dog through United States mail, if the owner can be known or ascertained with reasonable effort. If the owner is unknown or cannot be ascertained, then the Town Board or other person or agency authorized by the Town Board shall post written notice of the seized, impounded, or restrained dog at the Town Hall for at least five days.
- D. The owner of any dog seized, impounded, or restrained under this ordinance may redeem the dog by paying the City Clerk all costs incurred by the Township with reference to the seizing, impounding, or restraining of the dog until its release. The pound holding the dog shall house and feed the dog in a humane manner. Such costs include but are not limited to an impounding fee of \$50.00, impounding costs, and a daily feeding charge.
- E. The notice should reflect that if the owner does not claim the dog within five (5) business days of the posted notice and pay all costs as detailed in Section 3(D), that the Township or person or agency authorized by the Township may dispose of the dog in a proper and humane manner in accordance with Minn. Stat. § 347.14.
- F. As an alternative to the humane disposal of a seized, impounded, or restrained dog who has not been collected by their owner within five (5) days of the posted notice, the Township, at its sole discretion, may choose to release the impounded dog to any person who wishes to cover all costs with reference to the seizing, impounding, or restraining of the dog as detailed in Section 3(D).
- G. Any person, firm, or corporation violating any of the provisions of Section 3 of this ordinance shall be guilty of a petty misdemeanor and upon conviction thereof, shall be punished by a fine of not more than \$200.

Section 4. Control of Dogs Excessive Barking

- A. This ordinance prohibits the outdoor keeping of dogs which make "habitual or excessive noises" including but not limited to barking, howling, crying, whining, baying, or other detectable sounds which disturb the peace and quiet of adjacent or nearby properties or can audibly be heard from the property line.
- B. The Town Board shall have the duty of enforcing the provisions of this Ordinance. In addition, any law enforcement agency with which the Town Board has contracted for law enforcement services shall have the authority to enforce the provisions of this Ordinance. The Town Board may, by resolution, delegate to other officers or agencies the power to enforce particular provisions of this Ordinance and the officers charged with enforcement of this Ordinance shall take all reasonable precautions to prevent the commission and maintenance of public nuisances.
- C. Whenever Town Board or the officer charged with enforcement determines that a public nuisance is being maintained or exists on premises in the Town, the Town Board or the officer shall notify the owner or occupant of the premises in writing of such fact, and order that such nuisance be terminated or abated. The Notice shall be served in person or by certified or registered mail. If the premises are not occupied and the owner is unknown, the Notice may be served by posting it on the premises. The Notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding thirty (30) days, within which the nuisance is to be abated. Within those thirty (30) days, the owner or the occupant of the premises may enter into a Settlement Agreement with the Town that specifies the terms of the abatement.
- D. If the notice is not complied with within the time specified, the enforcing officer may cause notice of hearing to be delivered to the owner or occupant of the property at least seven (7) days prior to a scheduled hearing by the Town Board. Mailed and posted notice may be used provided that it is posted and mailed at least seven (7) days prior to the date of the hearing. Thereafter, the Town Board may, after notice to the owner or occupant and an opportunity to be heard, provide for abating the nuisance by the Town. The Town Board may by resolution adopt a Notice of Abatement, which shall set forth the nuisance to be abated and shall indicate a date and time on which the Town will enter onto the property and abate the nuisance. The notice shall also notify the property owner that the costs of abatement will be billed to the property owner and if not paid will be assessed against the property. The Notice of Abatement shall be served upon the owner and/or occupant in person or by certified or registered mail at least seven (7) days prior to the proposed date for the Town to abate the nuisance. If the premises is unoccupied or the owner and/or occupant cannot be served, notice may be posted upon the premises at least seven (7) days prior to the proposed abatement.

- E. As an alternative, the Town Board may authorize the Town Attorney to bring an action in Wright County District Court seeking to abate the nuisance. In such case, the Town Attorney may bring a civil or criminal action in Wright County District Court against the property owner and/or occupant seeking a criminal conviction of the terms of this ordinance or seeking a civil order requiring the property owner and/or occupant to abate the nuisance, or in the alternative, authorizing the Township to enter upon the property and abate the nuisance at the property owner and/or occupant's expense.
- F. The Township may recover all costs incurred in enforcing Section 4 of this ordinance by any or all of the following methods:
- a. Personal Liability. The owner of the premises on which a nuisance has been abated by the Town shall be personally liable for the cost to the Town of the abatement, including legal and administrative costs. As soon as the work has been completed and the costs determined, the clerk or other official designated by the Town Board shall prepare a bill for the cost and mail it to the owner. Thereupon, the amount shall be immediately due and payable at the Office of the Clerk.
 - b. Certification to property taxes. The Town Board may certify any unpaid charges resulting from the enforcement of this ordinance, including attorneys' fees and court costs, costs of disposal and all other costs incurred by the Township, to the property against which this ordinance was enforced pursuant to Minn. Stat. § 366.012.
 - c. Any other method authorized under Minnesota law.
- G. Any person violating any provision of this ordinance shall, upon conviction be guilty of a misdemeanor and shall be punished pursuant to applicable State Statute regarding misdemeanor penalties, as amended, plus the costs of prosecution. Each day a nuisance continues to exist is deemed a separate punishable offense under this ordinance. The Town may, in its discretion, seek any civil remedies available to it as well, including but not limited to injunctive relief or abatement. Each right or remedy accruing to the Town under this ordinance or at law is separate and distinct and may, in the Town's discretion, be exercised independently or simultaneously with any other right or remedy.

Section 5. Separability

Every section, provision or part of this ordinance is declared separable from every other section, provision or part; and if any section, provision or part thereof shall be held

invalid by a court of competent jurisdiction, it shall not affect any other section, provision, or part.

Section 6. Effective Date

This Ordinance is effective upon its passage and publication according to law.

Section 7. Repealer

Any previous ordinance adopted by the Town of Maple Lake that is inconsistent with this ordinance is hereby repealed to the extent of such inconsistency.

APPROVED this 17th day of June, 2025 by the Maple Lake Township Board.



Tom Hackenmueller, Chair



Esther Wenzel, Clerk