

## CHAPTER 5. ANIMALS

### SECTIONS:

#### 500 Dogs and Cats

### SECTION 500 – DOGS AND CATS

**Sec. 500.01 Licenses Required.** Except for any humane society or veterinary hospital, who is boarding his or her dog or dogs, cat or cats, in the City for a period not exceeding thirty (30) days, no person shall keep any dog or cat over six (6) months old within the City without securing a license therefore from the Park Manager who shall keep a record of all licenses issued and shall issue a metal tag for each license. Licenses shall expire February 28<sup>th</sup> each year. A license shall be defined as one for a dog or cat which has been licensed by the City of Landfall Village. Fees for licensing and/or penalties are as shown in the City's Fee Schedule which shall be modified from time to time by Council motion. A two-tier license fee shall be maintained and collected for a.) each neutered or spayed dog or cat and b.) for each non-neutered/spayed dog or cat. A fine shall be collected on all violations issued for non-licensure of dogs or cats by the impounding officer or official. A penalty charge shall also be collected on all licenses issued for dogs and cats for either no license or an expired license unless the dog or cat is less than six (6) months old or has been acquired no more than fifteen (15) days previously. No refunds shall be made on any license fee for any reason. No dog or cat license shall be issued by the City unless the person requesting the license produces proof of a rabies vaccination within two (2) years of the date of application for license and maintains the same continuously while licensed in the City. [Ordinance 2019-001 2-27-19]

**Sec. 500.02 Issuance of License, Receipt and Tag.** Upon the payment of the license fee, the Park Manager or designee shall execute a receipt in duplicate. He or she shall deliver the original receipt to the person who pays the fee, retaining the duplicate. He or she shall also deliver an appropriate metal tag to the person paying the fee when the fee is paid.

**500.03 Duplicate License Tags.** A duplicate license tag shall be issued by the Park Manager or designee to replace one lost or destroyed upon presentation of the receipt for the license fee for the current year and the payment of one (1) dollar for each duplicate.

**500.04 Dog and Cat Tags Not Transferable.** No dog or cat tag, whether original or duplicate, shall be transferable.

**500.05 License Tag To Be Worn.** The owner of a dog or cat shall cause the license tag to be affixed by a permanent metal fastener to the collar of the dog or cat so licensed in such a manner that the tag may be easily seen by the officer of the City. The owner shall see that the tag shall be constantly worn by the dog or cat.

**500.06 Animals At Large Prohibited.** No pets shall be off the premises of the owner, whether licensed or not, unless under control on a leash not longer than six (6) feet or other physical restraint held by some person able to hold the animal in control. Any pet found off the owner's premises and not so leashed or under control shall be considered running at large.

**Subd. 1 Dogs Prohibited From Beach and Playground Areas.** Dogs, leashed or unleashed, shall be prohibited from being on any beach or playground area.

**Subd. 2 Leashing.** All pets shall be leashed at all times when outside of owner's home and/or on their lot in such a manner as not to interfere with public services including, but not limited to, meter readers, repair persons, mail delivery persons, maintenance workers, City/County staff performing inspections, or members of the public and/or their pets. Outside leashing shall be allowed only when the owner is at home. No overnight outside leashing shall be allowed. Any animal that is complained of by official staff to the park office or the City on more than two occasions shall be required to have a responsible human custodian present providing active supervision of the animal if outside the home. Animals complained of by residents shall be investigated by City Staff for further possible action.

**Subd. 3 Animal Waste Disposal.** All pet waste shall be removed by the pet owner daily and disposed of properly. All animal waste deposited on empty lots, public and private property, and City streets shall be removed immediately and disposed of properly: Owners walking their pets shall be required to have on their person some means, such as paper, plastic bag, scoop etc., to remove pet waste immediately.

**Subd. 4 Leashing on Public Property.** Leashed animals under this section are allowed on public streets and sidewalks. Pets are not allowed on any other public property or on vacant or private property other than the owner's lot.

**Subd. 5 Outside Kennels, Cages, Pens or Houses.** Outdoor structures of any kind used or intended for the purpose of housing pets shall be prohibited; including but not limited to kennels, cages, pens or houses and whether constructed of building materials, cord, cable or fencing.

**Sec. 500.07 Confinement When In Heat.** Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that the female dog or cat cannot come into contact with another animal except for planned breeding.

**Sec. 500.08 Quarantining Biting Animals; Destruction of Rabid Animals.** Whenever any dog or cat has bitten any person the owner shall immediately quarantine it at home and notify either the animal control officer or the police. The period of quarantine shall be for ten (10) days. During the quarantine period, the animal shall be securely confined in the owner's home in such a manner as not to allow the animal to escape or have contact with persons other than the owners or the police or animal control officer. Failure to comply with the quarantine requirements in the Section shall subject the animal in violation to impoundment under the authority of the animal control officer or police at the owner's expense. At the end of the ten (10) day quarantine period, the animal may be released if a licensed veterinarian determines that it shall not be rabid. If the animal is determined to be rabid, it shall be destroyed humanely after completion of necessary medical procedures.

**Sec. 500.09 Keeping Noisy Dogs.** No person shall keep a dog which habitually barks or howls, inside or outside, either during the day or at night. Continuous barking, howling, or other noise audible off the premises of the owner for a period of at least five minutes with interruptions of less than a minute shall be evidence of habitual barking under this section.

**Sec. 500.10 Number of Dogs and Cats.**

**Subd. 1 Limit.** No more than two dogs and/or cats shall be allowed per household.

**Sec. 500.11 Humane Treatment Required.** Each dog or cat owner shall care for his or her animal(s) in a humane manner. Any person found guilty of violation of this Subsection shall be fined twenty-five (25) dollars for first offense and one-hundred (100) dollars for each occurrence thereafter. Nothing in this Subsection shall prohibit prosecution under state law for the inhumane treatment of an animal.

**Sec. 500.12 Nuisance Declared; Impoundment Authorized.** Animals running at large, dogs which habitually bark or howl, dogs which habitually chase automobiles, dogs which have bitten any person or labeled, "potentially dangerous", by the Sheriff, shall be hereby declared a nuisance. In addition to any requirements imposed by State Law, dogs labeled as, "nuisances" in the City shall not be allowed outside an owner's residence unattended. If found to be in violation of this Chapter or any other requirements imposed by State Law on more than three occasions, the City may order the removal or disposal of any such animal. Any animal labeled, "Potentially Dangerous", under State Law that bites a human or another animal shall not be allowed in the City. Any animal labeled, "Dangerous", under State Law shall not be allowed in the City.

All animals in violation of this section in any manner may be picked up by a law enforcement officer of the person on whose property the animal is found. The animal may be returned to the owner who may be prosecuted for permitting a violation of this Section or the animal may be impounded and the owner required to pay the impoundment fee plus the established daily board fee for each day the animal is impounded before reclaimed. In the event of the impounding, the owner shall remain subject to prosecution and the penalties provided for by this Section. An animal shall be considered impounded when taken under control by a law enforcement officer, including the animal control officer. It shall be unlawful to interfere with any officer in the act of enforcing this Section.

**Subd. 1 Notice.** Upon the seizure and impoundment it shall be the duty of the animal control officer to post a written notice; if the owner of the dog or cat be known, of impounding, and in lieu of posted notice, shall be given the owner thereof either by mail or personal service. The date of sale or killing of the dog or cat shall be after the fifth regular business day after the posting or giving of the notice unless that date falls on a Sunday or holiday in which case it shall be the following day.

**Sec. 500.13 Animal Control Officer.** The Landfall Code Enforcement Officers and/or outside contractor(s), as needed, or law enforcement, shall be used for the enforcement of this Chapter.

**Sec. 500.14 Violations.** Any person violating any provision of this Chapter shall be guilty of a misdemeanor. Violation of this Chapter three (3) times in a one-year period by any dog or cat owner shall result in a fine of five-hundred (500) dollars and the residence shall be ineligible to have a pet requiring a license for a two (2) year period beginning from the date of termination of eligibility. Enforcement of the civil penalties shall be the responsibility of the City Administrator or their designee.

**Sec. 500.15 Proceedings for Destruction of Certain Dogs.** Upon sworn complaint to a court of proper jurisdiction that any one of the following facts exist:

- A. That any dog at any time has destroyed property or habitually trespasses in a damaging manner on the property of persons other than the owner;
- B. That any dog or cat at any time has attacked or bitten a person outside of the owner’s or custodian’s home;
- C. That any dog is vicious or shows vicious habits or molests pedestrians or interferes with vehicles on the public streets or Highways;
- D. That any dog is a public nuisance as heretofore defined; or that
- E. Any dog is running at large in violation of this Chapter.

The presiding officer of the court shall issue a summons directed to the owner of the dog or cat commanding him or her to appear before the court to show cause why the dog or cat should not be seized by any police officer, or otherwise disposed of in the manner authorized in this Section. Upon the hearing and finding the facts true as complained of, the court may either order the dog or cat killed or order the owner or custodian to remove it from the City, and may order any law enforcement officer to enforce the order. The provisions of this Section shall be in addition to and supplemental to other provisions of this Chapter.

Costs of the proceedings specified by this Section shall be assessed against the owner or custodian of the dog or cat, if the facts in the complaint shall be found to be true; or the complainant, if the facts shall be found to be untrue.

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**CHAPTER 5 CHANGE RECORD:**

**Sec. 500.13 Animal Control Officer.** Code is hereby amended, striking certain text and amending with additional language, to reflect the City’s discontinuance of the relationship with the City of Maplewood for police and animal control services and replacing with references to the City’s own staff instead or its designated contractors. Ordinance 2018-007 adopted 10-15-18 and published 10-24-18.

**Sec. 500.01 Licenses Required.** Code is amended to change City Clerk to Park Manager and fee/penalty amounts removed. Ordinance 2019-001 Adopted 2-19-19 / Published 2-27-19.

**Sec. 500.06 Animals At Large Prohibited; Sec. 500.10 Number of Dogs and Cats; Sec. 500.12 Nuisance Declared, Impoundment Authorized; Sec. 13 Animal Control Officer; Sec. 500.14 Violations; Sec. 500.15 Proceedings for Destruction of Certain Dogs.** Code is hereby amended, striking certain text and adding language, to reflect the City’s requirements for controlling animals in the City and establishing requirements for dogs designated as “potentially dangerous dog” and “dangerous dog”. Ordinance 2021-002 adopted 11-15-21 and published 12-10-21.