

**ORDINANCE NO 24**  
**DOG REGULATION AND LICENSING**

**Subdivision 1. Definition**

For the purpose of this section “owner” means a person who owns, harbors, feeds, boards or keeps an animal hereby regulated.

**Subdivision 2. Running at Large**

It is unlawful for the owner of any dog to permit such animal to run at large. Any dog shall be deemed running at large with the permission of the owner unless it is on a durable leash or chain secured to an object which it cannot move and on the premises of the owner, or on such leash or chain and under the control of an accompanying person of suitable age and discretion, or confined within a motor vehicle, or confined within a building or enclosure.

**Subdivision 3. License Required**

It is unlawful for the owner of any dog five months of age or more, to fail to obtain a license therefore from the City of Bellechester.

**Subdivision 4. Application**

Application for a dog license shall be upon a form supplied by the City of Bellechester Animal Control and accompanied by a certificate of a veterinarian duly licensed to practice medicine, which certificate shall state that the dog for which application for a license is made, has been inoculated against rabies for at least the period for which the license is applied. An application for license renewal, accompanied by such certificate, shall be at least thirty (30) days before the expiration of a license.

**Subdivision 5. Period**

All dog licenses shall expire when the rabies inoculation is due.

**Subdivision 6. Tag Required**

All licensed dogs shall wear a collar and have a tag firmly affixed thereto evidencing such license for the current year. A duplicate for a lost tag may be issued by the City Animal Control upon presentation of a receipt showing payment of the license fee for the current year. Tags shall not be transferable and no refund shall be made on any license fee because of leaving the city or the death of the dog before the expiration of the license.

### **Subdivision 7. Kennel License**

No owner may own, harbor, feed, board, or keep more than two (2) dogs over 4 months of age on their premises without obtaining a kennel license.

### **Subdivision 8. Notice of Impounding**

Upon the impounding of any dog, the owner shall be notified, or if the owner is unknown, written notice shall be posted for five days at the current Animal Control Agency describing the dog and the place and time of taking.

### **Subdivision 9. Release From Animal Pound.**

Dogs shall be released to their owners as follows;

- A.** If such dog is owned by a resident of the City, after purchase of a license as aforesaid, and payment of the impounding fees.
- B.** If such dog is owned by a person not a resident of the City, after immunization of any dog for rabies, and payment of the impounding fee for the period for which the dog was impounded.

### **Subdivision 10. Animal Pound**

Any dog found in the city without a tag, or dog running at large, shall be placed in the Animal Pound and an accurate record of the time of such placement shall be kept on each animal. Every dog so placed in the Animal Pound shall be held for redemption by the owner for a period of not less than five (5) business days. A “regular business day” is one during which the Pound is open for business for at least four (4) hours between 8:00 AM and 7:00 PM. Impoundment records shall be preserved for a minimum of six (6) months and shall show:

- 1.** The description of the animal by specie, breed, sex, approximate age, and other distinguishing traits;
- 2.** The location at which the animal was seized;
- 3.** The date of seizure.
- 4.** The name and address of the person from whom the animal was received;
- 5.** The name and address of the person to whom the animal was transferred.

If unclaimed, such animal may be humanely destroyed and the carcass disposed of, or may be placed or adopted into a home. Adoption of all animals is under the discretion of the Animal Control Agency and governed by the Agency's policies and procedures.

#### **Subdivision 11. Immobilization of Dogs**

For the purpose of enforcement of this section any peace officer, or other person assisting a peace officer or employee of the Animal Control Agency may use a so-called tranquilizer gun or other instrument for the purpose of immobilization and catching a dog.

#### **Subdivision 12. Other Unlawful Acts.**

It is unlawful for the owner of a dog to:

1. Fail to have the license tag issued by the Animal Control Agency firmly attached to a collar worn at all times by the licensed animal, or
2. Own or keep a dog which is dangerous (such animal which has caused injury to persons or property shall be deemed "dangerous") or
3. Interfere with any peace officer, or other animal control agency affiliated with the City of Bellechester Police, in the performance of his or her duty to enforce this section, or
4. Fail to keep his or her dog from barking, howling, or whining, or emitting other loud or unusual noises.

#### **Subdivision 13. Vicious Animals**

**A.** For the purpose of this Subdivision a "Vicious Animal" is a dog which has bitten, or is suspected of having bitten, a human being.

**B.** Upon receipt of a report of a vicious animal, it shall be impounded for the full incubation period by one of the following methods:

1. Owner impounds the animal in a building on his or her premises, or
2. The animal is impounded at the City Pound, or
3. The animal is impounded by the local veterinary Clinic.

The method of impoundment shall be determined by the Chief of Police or his or her representative, or the Animal Control Agency.

C. Peace officers, or other designated person shall, take up and impound vicious animals when it can be done safely; provided, that if a vicious animal cannot be immobilized or caught without an immediate threat to human life or safety, such animal may be summarily and humanely destroyed.

#### **Subdivision 14. Fees and Charges**

All fees and charges under this Section including, but not limited to, license fees, impounding fees, and maintenance charges, shall be fixed, determined and categorized by the Animal Control Agency, upon presentment and approval by the Council, adopted by resolution and uniformly enforced. A copy of such resolution with the effective date thereof shall be kept on file in the office of the City Clerk/Treasurer and the Animal Control Agency and open to inspection during usual business hours.

#### **Subdivision 15. Dog Waste – Definition**

For the purpose of this section, the term “owner” means any person who harbors feeds, boards, possesses, keeps or has custody of a dog.

#### **Subdivision 16. Dog Waste - Unlawful Acts**

It is unlawful for any owner to:

- A. Suffer or permit a dog to defecate upon public property, or private property of another, without immediately removing the excrement and disposing of it in a sanitary manner.
- B. Suffer or permit a dog to be on public property, or private property of another unless such dog is in the custody of a person of suitable age and discretion having in his or her possession equipment and supplies for excrement removal.
- C. Permit dog excrement to accumulate for a period in excess seven (7) days, or in excess of three (3) days if there are multiple dogs on the premises occupied by him or her without removal and sanitary disposal.

#### **Subdivision 17. Animal Control**

For the purposes of this Ordinance the “Animal Control Agency” and the Police Department shall be those so designated by the Bellechester City Council.

THIS ORDINANCE SHALL BE IN FULL FORCE UPON ITS PASSAGE BY THE BELLECHESTER CITY COUNCIL AND ITS PUBLICATION AS REQUIRED.

ATTEST: Barbara Heppelmann, City Clerk

Edward T. Heppelmann, Mayor

Published in the News/Record Wednesday, October 29, 1997.

**AMENDMENT TO DOG ORDINANCE NO 24**

**Subdivision 17. Penalty**

Any person found in violation of Dog Ordinance #24 shall be subject to a maximum penalty of a \$700.00 fine or 90 days imprisonment or both. The city may also impound the dog or dogs that are in violation of this Ordinance.

**PASSED AUGUST 13, 1998.**

ATTEST: Barbara Heppelmann, Clerk

Edward T. Heppelmann, Mayor

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