

AMENDMENT OF ORDINANCE REGULATING ANIMALS

The Town Board of the Town of LeSauk HEREBY ORDAINS that Ordinance 87-5 is hereby repealed in its entirety and the following enacted in its place:

ORDINANCE REGULATING ANIMALS
ORDINANCE 1998-1

SECTION 1.
DOGS AND CATS

1.01 Running at Large Prohibited. No dog or cat shall be permitted to run at large within the limits of the town. This restriction does not prohibit the appearance of any dog or cat upon streets or public property when the dog or cat is on a leash or is kept under the control of the person charged with its care. This restriction also does not prohibit the running at large of any dog, cat, or other permitted animal upon the private property of the owner of the animal, or upon the private property of another with the owner's permission.

1.02 Nuisance Prohibited. The owner or custodian of any dog or cat shall prevent it from committing in the Town any act which constitutes a nuisance. It is a nuisance for any dog or cat to habitually or frequently bark or cry, run at large, to chase vehicles, to attack or threaten any person away from the property of its owner or custodian, or to damage, defile, destroy or defecate upon public or private property. Failure of the owner or custodian of a dog or cat to prevent it from committing such a nuisance or from abating a defecation nuisance, caused by such dog or cat, is a violation of this ordinance.

1.03 Quarantine of Certain Dogs and Cats. Any dog or cat which bites a person shall be quarantined for such time as may be directed by the Town Board. During quarantine, the animal shall be securely confined and kept from contact with any other animal. At the discretion of the Town Board, the quarantine may be on the premises of the owner; however, if the Town Board requires other confinement, the owner shall surrender the animal for the quarantine period to an animal shelter or shall, at his/her own expense, place it in a veterinary hospital.

1.04 Proceedings for Destruction of Certain Dogs or Cats. Upon sworn complaint to the District Court that any one of the following facts exist:

- a. That any dog or cat at any time has destroyed property or habitually trespasses in a damaging manner on the property of persons other than the owner; or
- b. That any dog or cat at any time has attacked or bitten a person outside the owner's or custodian's premises; or
- c. That any dog or cat is a public nuisance as defined in subdivision 1.02 above; the court may issue a summons directed to the owner of the dog or cat commanding him/her to appear before the court to show cause why the animal should not be seized by the proper law enforcement officer or otherwise disposed of in the manner authorized in this subdivision. Such summons shall be returnable not less than two (2) nor more than ten (10) days from the date thereof and shall be served at least two (2) days before the time of the scheduled appearance. Upon such hearing and

LeSauk Township
36469 55th Ave St. Cloud MN 56302

finding the facts true as complained of, the court may either order the animal disposed of or order the owner or custodian to remove it from the town, or may order the owner or custodian to keep it confined to a designated place. If the owner or custodian violates such order, the proper law enforcement officer may impound the animal described in such order. The provisions of this section are in addition to and supplemental to other provisions of this part.

Costs of the proceeding specified by this subdivision shall be assessed against the owner or custodian of the animal, if the facts in the complaint are found to be true; or to the complainant, if the facts are found to be untrue.

SECTION 2. IMPOUNDING

2.01 Impound Authority. Any dog, cat or other animal found running at large contrary to the provisions of this ordinance may be impounded at the direction of a member of the Town Board or the Town Clerk. The Town Clerk shall give notice of the impounding to the owner of such animal if known. If the owner is unknown, the Town Clerk shall maintain information describing the animal and manner of impound during the period of impound, and provide the information to any member of the public who contacts the Town Clerk regarding a missing animal.

2.02 Pound. The Town Board may contract with the Tri-County Humane Society or other entity to provide impound service. The terms, conditions and fees of impound contained in the impound contract shall apply to the impound of any animal as if fully set forth herein.

2.03 Redemption. Any dog, cat or other animal may be redeemed from impound by the owner within the time stated in the impound agreement by the payment of an impound fee as set from time to time by the Town Board and all charges incurred as a result of the impoundment, including but not limited to charges for the impound service specified in the impound contract.

2.04 Disposition of Unclaimed Animals. Any dog, cat, or other animal which is not redeemed within the time specified in 2.03 shall be deemed the property of the Tri-County Humane Society, or such other entity providing impound services, and either placed for adoption or euthanized in accordance with the procedure of the pound.

2.05 Recovery of Fees. The owner or keeper of any dog, cat or other animal which is impounded shall be liable to the Town for all impound costs, whether or not the owner or keeper redeems the animal.

SECTION 3. OTHER ANIMALS

3.01 General Prohibition. No person shall keep any horse, cattle, hogs, sheep, goat, swine, poultry or other livestock or farm animals in areas zoned for suburban-residential, commercial or industrial use. Horses, cattle, sheep, hogs, goats, swine, poultry or other livestock shall only be kept in the Town in accordance with the Town Zoning Ordinance.

3.02 Treatment. No person shall treat any animal in a cruel or inhumane manner.

3.03 Animals at Large. No person shall permit any horse, mule, donkey, pony, cattle, sheep, goat, swine, rabbit, chicken, geese, duck, turkey or other animals of which he/she is the owner, caretaker, or custodian to be at large within the Town. Any such animal is deemed to be at large when it is off the premises owned or rented by the owner, or owner's agent, or not under owner's individual restraint.

3.04 Diseased Animals. Any animal with a contagious disease shall be so confined that it cannot come within fifty (50) feet of any public roadway or any place where animals belong to or harbored by another person are kept.

3.05 Manner of Keeping. No person shall keep any animal in the Town in a place, condition, or in a manner resulting in objectionable odors or in such a way as to constitute a nuisance or disturbance by reason of barking, howling, fighting, or other noise or in such a way as to permit the animal to annoy, injure, or endanger any person or property.

3.06 Prohibited Animals. The ownership or harboring of the following animals within the Town is specifically prohibited.

- a) Predatory animals usually found in the wild, including but not limited to lions, bears, wolves, tigers, cougars, bobcats, alligators, crocodiles and members of the monkey family.
- b) Animals, the importation or sale of which as a pet, is prohibited by state or federal law.
- c) Minnesota animals found in the wild, the hunting or trapping of which is totally prohibited or which requires a big game license.

SECTION 4.
PENALTY

4.01 Any unauthorized person breaking into a pound or releasing any dog, cat or other animal legally placed therein is guilty of a misdemeanor.

4.02 Any violations of any other provisions of this Ordinance shall constitute a misdemeanor and shall be subject to the penalties provided for misdemeanor by Minnesota law.

SECTION 5.
SEPARABILITY AND REPEALER

Should any section of this ordinance be held by a court of competent jurisdiction to be unconstitutional or void, the remaining provisions shall remain in full force and effect.

SECTION 6.
EFFECTIVE DATE

This Ordinance shall take effect and be enforced from and after its passage and publication in accordance with the law.

ENACTED BY THE TOWN BOARD OF SUPERVISORS FOR THE TOWN OF
LESAUK, STEARNS COUNTY, MINNESOTA, THIS 24th DAY OF February,
1998.

TOWN OF LESAUK, MINNESOTA

By Kenneth Lullis
Town Chair

ATTEST:

Marilyn S. Plante
Town Clerk

Published in the *St. Cloud Daily Times* the 14th day of April, 1998.

Marilyn S. Plante
Town Clerk

n:\city\lesauk\af121797.254

874330

98 MAY 26 PM 1:31

COUNTY RECORDER
STEARNS CO. MN
PATRICIA M. OVERMAN
BY Edeneis DEPUTY

4

MICROFILMED
Page 4 of 4