

ORDINANCE NO. 161

**AN ORDINANCE REPEALING ORDINANCE NO. 159 AND ENACTING
ORDINANCE NO. 161**

THE CITY COUNCIL OF THE CITY OF ADAMS, MINNESOTA, DOES HEREBY
ORDAIN:

THIS ORDINANCE SHALL BE KNOWN AS "AN ORDINANCE REGULATING
THE OWNERSHIP AND CONTROL OF DOGS, AND OTHER DOMESTIC ANIMALS
WITHIN THE CITY OF ADAMS AND IMPOSING PENALTIES FOR VIOLATIONS OF
THE ORDINANCE".

It is the policy of the City of Adams that dogs and other domestic animals within the city
limits shall be under the control of their owners at all times while not located on their owner's
premises. Additionally, it is the policy of the City of Adams that owners of domestic animals
should not permit their animals to unreasonably or unnecessarily disturb others.

In furtherance of the above-stated policies, the City of Adams, HEREBY ORDAINS:

SECTION 1. DEFINITIONS

As used in this Ordinance, the following terms shall have these meanings ascribed to them:

- A. "Run at Large": Not under restraint.
- B. "Under Restraint": On a leash which is physically controlled by person so as to prevent
the animal from entering the premises of another, or attacking, molesting or
physically annoying any person or other animal. Any unattended animal on the
property of another, without the consent of such other property owner, is not
"under restraint" even though it is on a leash.
- C. "Domestic Animal": Any canine or feline animal, male or female, whole or neutered,
over six months of age.
- D. "Owner" or "To Own": Any person owning, or having charge or control of any
animal, or permitting any animal to habitually be or remain on or be lodged or fed
within such person's house, yard or premises for a period of three days or longer.

SECTION 2. RUNNING AT LARGE PROHIBITED.

It is unlawful for any person who is the owner, or other person in possession, of a domestic animal,
to permit such domestic animal to run at large.

SECTION 3. NUISANCE

The owner or a person keeping a domestic animal shall prevent that animal from committing any of the following acts:

- A. "Running at large" as above defined.
- B. An animal which habitually and frequently cries, barks, bays or howls continuously and/or incessantly for a period of fifteen minutes or makes any such noises intermittently for thirty minutes or more over a period of two hours at any time, either day or night.
- C. Attacking, molesting or annoying any person or other animal.
- D. Damaging, defiling or destroying public or private property.

SECTION 4. REMOVAL OF EXCREMENT.

It is unlawful for the owner of a domestic animal to fail to remove the excrement of such animal from any public or private property not owned or leased by the domestic animal owner and to deposit such excrement in a proper receptacle located upon the property owned or possessed by the animal's owner.

The provisions of this section shall not apply to the ownership or use of seeing eye dogs by blind persons or dogs used by law enforcement personnel.

SECTION 5. DOG LICENSE AND REGULATIONS.

- A. License Required. It is unlawful for any person, or other possessor of a dog over three months of age, to fail to obtain a proper city license. It is the duty of each dog owner that is a resident of the City of Adams to pay the license fee, and obtain the license upon acquiring ownership or possession of any unlicensed dog. Licenses shall be issued for a two-year period for which application states inoculation against rabies for at least the period for which the license is applied. The fee for a dog license shall be established, and may from time-to-time, be amended by resolution by the Council. No refunds shall be made on any dog license fee because of leaving the City or death of the dog before the expiration of the license.
- B. Application. Application for a dog license shall be upon a form supplied by the City of Adams. No license will be issued for an animal that has not been vaccinated against rabies. The vaccination shall be performed only by an individual licensed to practice veterinary medicine in the state in which the dog is vaccinated. A certificate of vaccination from the veterinarian administering the vaccination shall be required as part of the license application. The city license must be obtained prior to May 15th and will expire two years from that date.
- C. Tag Required. All licensed dogs shall wear a collar and have the City of Adams registered tag firmly affixed thereto evidencing such license for that time period.

SECTION 6. ANIMAL HOUSING/STRUCTURES.

Every animal structure in which animals are kept must be maintained in a clean and sanitary condition free of rodents, vermin and objectionable odors. Manure shall be removed with sufficient frequency to avoid nuisance from objectionable odors or breeding of flies. No animal structure may be maintained in any front yard or closer than 5 feet to the side or rear of property lines.

SECTION 7. NUMBER OF ANIMALS PER HOUSEHOLD OR RESIDENCE.

No person may own more than four domestic animals per household, residence or dwelling unit and no more than two canine animals over six months of age. Amended by Ordinance #187

3 canine units allowed

SECTION 8. MISTREATMENT OF ANIMALS.

No owner shall fail to provide any animal with sufficient food, water, shelter, veterinary care or humane care and treatment. It shall be unlawful for an owner to keep any animal in the city in an unsanitary or in humane condition or in a manner resulting in offensive, disagreeable or objectionable odors.

No person shall beat, cruelly treat, torment or otherwise abuse any animal, by means of animal fights or otherwise, nor shall the owner of any domestic animal abandon such animal.

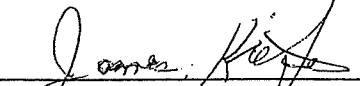
SECTION 9. PENALTY FOR VIOLATION.

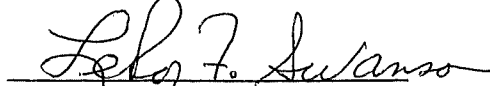
Any owner who is found to be in violation of any section of this Ordinance or combination thereof shall be guilty of a misdemeanor which may be punished by a fine, jail or both as provided for by Minnesota Statute Chapter 609 or any amendment thereto.

SECTION 10. FINES

- A. \$20.00 fine for the first warning regarding any animal in violation of this Ordinance.
- B. \$50.00 fine for the second violation per animal determined to be re-violating this Ordinance.
- C. \$250.00 fine for each recurring violation per animal determined to be re-violating this Ordinance.
- D. All fines shall also apply to any farm animals running at large in the City that cause a violation of this Ordinance.

Passed by the City Council of Adams, Minnesota, this 3rd day of April, 2001.


James Kiefer, City Clerk


LeRoy Swanson, Mayor