

ORDINANCE 501

AN ORDINANCE REGULATING THE HOUSING AND CONFINEMENT OF ANIMALS IN THE CITY OF NEW AUBURN, MINNESOTA

The City Council of The City of New Auburn, Minnesota does ordain:

SECTION 1. Definitions

- a) **Domestic Animals:** Domestic animals shall mean those animals (male or female) commonly accepted as domesticated household pets. Unless otherwise defined, such animals shall include but is not limited to dogs, cats, caged birds, gerbils, guinea pigs, domesticated rabbits, fish, non-poisonous, non-venomous, and non-constricting reptiles or amphibians, and other similar animals.
- b) **Non-domestic Animals:** Non-domestic animals shall mean those animals (male or female) commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to health, safety, and welfare of people. Unless otherwise defined, such animals shall include:
1. Any member of the large cat family including lions, tigers, cougars, bobcats, leopards, and jaguars, but excluding commonly accepted domesticated house cats.
 2. Any naturally wild member of the canine family including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated canines.
 3. Any crossbreed between a wild animal and a domestic animal unless the crossbreed is commonly accepted as a domesticated house pet.
 4. Any member or relative of the rodent family including any skunk, raccoon, squirrel, or ferret, but excluding those otherwise defined or commonly accepted as domesticated house pets.
 5. Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles, and alligators.
 6. Any other animal which is not explicitly listed above, but which can be reasonably defined by these definitions, including but not limited to bears, deer, monkeys, and game fish.
- c) **Farm Animals:** Farm animals shall mean those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, such animals shall include members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, and other animals associated with a farm, ranch, or stable.
- d) **Owner:** Owner shall be intended to mean any person(s), firm, association, or corporation owning, keeping, or harboring an animal.

- e) At Large: At large shall be intended to mean off the premises of the owner and not under the custody or control of the owner or other authorized person either by leash, cord, chain, or otherwise restrained or confined.

SECTION 2. Licensing

Each dog shall have an annual license to be purchased from the City Clerk's Office during business hours with a numbered tag being applied to the collar of each animal. The license will be in effect until December 31st following purchase and will be renewed each year the pet is within the household. A record of all licenses will be kept by the City Clerk's Office and will include the pet name and breed, vaccination records and expiration dates, and the owner's name and address. Licensing fees will be set by the City Council annually.

SECTION 3. Licensing Exception

A licensing exception will be made for any animals brought into the City for a limited time as part of an operating zoo, veterinarian clinic, scientific research laboratory, a licensed show or exhibit, or by visitors to the City.

SECTION 4. Non-domestic animals

It is unlawful for any person to suffer or permit animals other than commonly accepted domestic pets to be housed, kept, stabled, or confined within the city limits of the City of New Auburn or any animal or species prohibited by Minnesota or Federal law unless licensed by the state and /or by the federal agency.

SECTION 5. At Large

It shall be unlawful for any person to suffer or permit any animal to run at large in public places, on public streets, or to be driven or herded thereon unless such animal is confined within an appropriate vehicle or restrained by appropriate means.

SECTION 6. Assistance Animals

Any animal specifically trained and certified for the assistance of the handicapped or disabled will be required to follow the provisions for licensing and restraint as provided above. Certification papers will need to be provided when purchasing a license.

SECTION 7. Kennels

- a) Definition of Kennel: The keeping of more than 3 dogs, cats, or a combination of both over the age of 6 months on the same premises, whether owned by the same person or not and for whatever purpose kept, shall constitute a "kennel"; except that a fresh litter of puppies or kittens may be kept for a period of six months before such keeping shall be deemed a "kennel".

b) Kennel as a Nuisance: Because the keeping of more than 3 dogs, cats, or the combination of both on the same premises is subject to great abuse, causing discomfort to persons in the area by way of smell, noise, hazard, and general aesthetic depreciation, the keeping of more than 3 dogs, cats, or the combination of both on the premises is hereby declared to be a nuisance and no person shall keep or maintain a kennel within the City.

SECTION 8. Cleanup

The owner of any animal or person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner whether it is on their own property, on the property of others, or on public property.

SECTION 9. Penalties

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and punishable by the fines and/or jail sentence as defined by Minnesota Statute.

SECTION 10.

This Ordinance shall be in full force and effect from and after its passage and publication according to law.

This ordinance shall repeal ordinances number 3, 17, 17a, 43, 68, 75,104.

Passed by the City Council of New Auburn, Minnesota on this the 2nd day of March, 2010.

By: _____
Acting Mayor

Attested By: _____
City Clerk