

CITY OF FINLAYSON
Finlayson, MN 55735

The City Council of the City of Finlayson does hereby ordain, Ordinance #32

Animal Ordinance #32

Ordinance regulating the keeping of animals in the City of Finlayson. This Ordinance replaces and supersedes any other Ordinance dealing with the keeping of farm animals and dogs in the City of Finlayson.

600.01 GENERAL PROHIBITION. No person shall keep any horse, cattle, swine, goat, or sheep in the City of Finlayson or permit to be kept on owned or occupied or controlled by him except under the conditions set forth by this chapter.

600.02 AREAS WHERE KEEPING IS PROHIBITED. No horse, cattle, swine, goat, or sheep, shall be kept in the City of Finlayson except within land that is zoned as agriculture. On residential land animals may be kept by the decision and consent of the Finlayson City Council. No farm animal may be kept on lotted land; this excludes cats and dogs.

600.03 TREATMENT. No person shall treat an animal in a cruel or inhumane manner.

600.04 ANIMALS AT LARGE. No person shall permit any horse, mule, donkey, pony, cattle, sheep, goat, swine, rabbit, chicken, geese, duck, turkey, of which he is the owner, caretaker or custodian to be at large within the City of Finlayson. Any animal is deemed to be at large when it is off the premises owned or rented by the owner or his agent and not under the restraint of the individual owner.

SUBD. 1 AT LARGE. "At Large" shall be intended to mean off the premises of the owner and not under the custody and control of the owner or other person, either by leash, cord, chain, or otherwise restrained or confined.

600.05 DOGS. Running at large prohibited. It shall be unlawful for any person who owns, harbors, or keeps a dog, or the parents or the guardians of any such person under 18 years of age, to allow such a dog to run at large. Dogs on a leash and accompanied by a responsible person so as to be effectively restrained by command as by leash, shall be permitted in streets or on public land unless the City of Finlayson has posted an area with signs reading "Dogs Prohibited".

600.06 DISEASED ANIMALS. Any animal with a contagious disease shall be so confined that it cannot come within 50 ft. of any roadway or place where animals are kept.

600.07 MANNER OF KEEPING. No person shall keep any dog, cat, or other animals in the City of Finlayson in any unsanitary place or in a manner resulting in objectionable or in such a way as to substitute a nuisance or disturbance by reason of habitual 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.

Habitual barking. It shall be unlawful for any person to keep or harbor a dog which habitually barks or cries. Habitual barking shall be defined as barking for repeated intervals of at least five minutes with less than one minute of interruption. The barking must also be audible off the owner's or caretaker's premises.

Damage to property. It shall be unlawful for any person's dog or other animal to damage any lawn, garden, or other property, whether or not the owner has knowledge of the damage. It shall be the duty of each person having the custody or control of a dog to remove any feces left by such dog on any sidewalk, gutter, street, parkland or other public property, or on any public area, and to dispose of such feces in a sanitary manner. It shall furthermore be the duty of each person having the custody or control of a dog when such dog is upon any of the places described in the immediately preceding sentence to have in his or her immediate possession a device or equipment for the picking up and removal of dog feces.

Cleaning up litter. 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 the feces in a sanitary manner whether on their own property, on the property of others or on public property.

600.08 CARE OF PREMISES. Clean shelters. Every structure and yard in which animals are kept shall be maintained in a clean and sanitary way and free of all rodents, vermin, and objectionable odors.

600.09 MANURE. Manure shall be removed with sufficient frequency to avoid nuisance from odors or from breeding of flies and insects.

610.00 VACCINATIONS. All dogs kept harbored, maintained, or transported within the city shall be vaccinated: (a) by a licensed veterinarian for Rabies at the age of 4-6 months, with a second vaccination within 12 months of the first vaccination, and subsequent vaccinations at least every 24 months; and (b) at least once every 12 months for Distemper by a licensed veterinarian. A certificate of vaccination must be kept on file which is stated the date of vaccination, owner's name and address, the animal's name (if applicable), sex, description and weight, the type of vaccine, and the veterinarian's signature. Upon demand by city staff or law enforcement, the owner shall present for examination the required certificate(s) of vaccination for the animal(s). In cases where certificates are not presented, the owner or keeper of the animal(s) shall have seven days in which to present the certificate(s) to city staff or county law enforcement. Failure to do so shall be deemed a violation of this section.

600.11 DANGEROUS ANIMALS. Attack by an animal. It shall be unlawful for any person's animal to inflict or attempt to inflict bodily injury to any person or other animal whether or not the owner is present. This section shall not apply to an attack by a dog under the control of an on-duty law enforcement officer or to an attack upon an uninvited intruder who has entered the owner's home with criminal intent.

A dangerous animal is an animal that has:

- Caused bodily injury or disfigurement to any person on public or private property;
- Engaged in any attack on any person under circumstances which would indicate danger to personal safety;
- Exhibited unusually aggressive behavior, such as an attack on another animal;
- Bitten one or more persons on two or more occasions; or
- Been found to be potentially dangerous and/or the owner has personal knowledge of the same, the animal aggressively bites, attacks, or endangers the safety of humans or domestic animals.

A potentially dangerous animal is an animal that has:

- Bitten a human or a domestic animal on public or private property;
- When unprovoked, chased or approached a person upon the streets, sidewalks, or any public property in an apparent attitude of attack; or
- Has engaged in unprovoked attacks causing injury or otherwise threatening the safety of humans or domestic animals.

600.12 KENNELS. The keeping of four or more dogs 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 pups may be kept for a period of three months before such keeping shall be deemed to be a "kennel".

SUBD. 1 KENNELS NOT ALLOWED. Because the keeping of four dogs or more on the same premises is subject to great abuse, causing discomfort to persons by way of smell, noise, hazard, and general aesthetic depreciation, the keeping of four or more dogs on the premises is a violation of this section of the ordinance.

600.13 VIOLATIONS AND PENALTIES. Any violation of any or part of this ordinance shall be a petty misdemeanor and punishable by a fine of up to \$200.00. The owner or keeper of the animal is the chargeable party.


Passed by the Finlayson City Council on July 12, 2004.

Attest:


Barb Morgan

Barb Morgan, City Clerk

Mayor


LeRoy Thurn, Mayor