

CHAPTER 95: ANIMALS

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§ 95.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANIMAL. Any mammal, reptile, amphibian, fish, bird (including all fowl and poultry), or other member commonly accepted as a part of the animal kingdom. **ANIMALS** shall be classified as follows:

(1) **DOMESTIC ANIMALS.** Those animals commonly accepted as domesticated household pets. Unless otherwise defined, **DOMESTIC ANIMALS** shall include dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, non-poisonous, non-venomous, and non-constricting reptiles or amphibians, and other similar animals.

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(2) **FARM ANIMALS.** Those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, **FARM 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.

(3) **NON-DOMESTIC ANIMALS.** Those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, **NON-DOMESTIC ANIMALS** shall include:

(a) Any member of the large cat family (family *Felidae*) including lions, tigers, cougars, bobcats, leopards, and jaguars, but excluding commonly accepted domesticated house cats;

(b) Any naturally wild member of the canine family (family *Canidae*) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs;

(c) Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet;

(d) Any member or relative of the rodent family including any skunk (whether or not descended), raccoon, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets;

(e) Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles, and alligators; or

(f) Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this section, including but not limited to bears, deer, monkeys, and game fish.

ANIMAL CONTROL OFFICER. The Chief of Police or designee.

AT LARGE. 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.

CAT. Both the male and female of the feline species commonly accepted as domesticated household pets.

DOG. Both the male and female of the canine species commonly accepted as domesticated household pets, and other domesticated animals of a dog kind.

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OWNER. Any person or persons, firm, association, or corporation owning, keeping, or harboring an animal.

RELEASE PERMIT. A permit issued by the Animal Control Officer or other person in charge of the pound for the release of any animal that has been taken to the pound. A release permit may be obtained upon payment of a fee to the City Manager-Clerk in accordance with the regular license requirement if the animal is unlicensed, payment of a release fee, and any maintenance costs incurred in capturing and impounding the animal. The release fee shall be as established in Chapter 34 of this code, as it may be amended from time to time.

(Ord. 330, passed 1-17-02)

§ 95.02 DOGS AND CATS.

(A) *Running at large prohibited.* It shall be unlawful for the dog or cat of any person who owns, harbors, or keeps a dog or cat, to run at large. A person, who owns, harbors, or keeps a dog or cat which runs at large shall be guilty of a misdemeanor. Dogs or cats on a leash and accompanied by a responsible person or accompanied by and under the control and direction of a responsible person, shall be permitted in streets or on public land unless the city has posted an area with signs reading "Dogs or Cats Prohibited."

(B) *Exception.* It shall be permissible for dogs to run at large on and within city owned property, including any city parks, that has been clearly marked with signage indicating dogs may run at large. Any person owning, or having custody or control of any dog that is running at large under this exception shall be responsible for ensuring the dog remains within the indicated area.

(C) *License required.*

(1) All dogs over the age of four months kept, harbored, or maintained by their owners in the city, shall be licensed and registered with the city. Dog licenses shall be for a period of two years, and shall be issued by the City Manager-Clerk upon payment of the license fee as established by Chapter 34 of this code, as it may be amended from time to time. The owner shall state, at the time application is made for the license and upon forms provided, his or her name and address and the name, breed, color, and sex of each dog owned or kept by him or her. No license shall be granted for a dog that has not been vaccinated against distemper and rabies, as evidenced by a certificate by a veterinarian qualified to practice in the state in which the dog is vaccinated.

(2) It shall be the duty of each owner of a dog subject to this section to pay to the City Manager-Clerk the license fee established in Chapter 34 of this code, as it may be amended from time to time.

(3) Upon payment of the license fee as established by Chapter 34 of this code, as it may be amended from time to time, the Manager-Clerk shall issue to the owner a license certificate and metallic

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tag for each dog licensed. The tag shall have stamped on it the year for which it is issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, the City Manager-Clerk shall issue a duplicate. A charge shall be made for each duplicate tag in an amount established in Chapter 34 of this code, as it may be amended from time to time. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner=s leaving the city before the expiration of the license period.

(4) The licensing provisions of this division (C) shall not apply to dogs whose owners are non-residents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor shall this provision apply to seeing eye dogs properly trained to assist blind persons for the purpose of aiding them in going from place to place.

(5) The funds received by the City Manager-Clerk from all dog licenses and metallic tags fees as established by Chapter 34 of this code, as it may be amended from time to time, shall first be used to defray any costs incidental to the enforcement of this chapter; including, but not restricted to, the costs of licenses, metallic tags, and impounding and maintenance of the dogs.

(D) *Cats.* Cats shall be included as controlled by this division insofar as running at large, pick-up, impounding, boarding, licensing, and proof of anti-rabies vaccine is concerned. All other provisions of this section shall also apply to cats unless otherwise provided.

(E) *Vaccination.*

(1) All dogs and cats kept harbored, maintained, or transported within the city shall be vaccinated at least once every three years by a licensed veterinarian for:

(a) Rabies, with a live modified vaccine; and

(b) Distemper.

(2) A certificate of vaccination must be kept on 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 made by the City Manager-Clerk, the Animal Control Officer, or a police officer, the owner shall present for examination the required certificate of vaccination for the animal. In cases where certificates are not presented, the owner or keeper of the animal shall have seven days in which to present the certificate to the City Manager-Clerk or officer. Failure to do so shall be deemed a violation of this section.

(Ord. 330, passed 1-17-02; Am. Ord. 419, passed 6-14-16) Penalty, see § 10.99

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§ 95.03 NON-DOMESTIC ANIMALS.

It shall be illegal for any person to own, possess, harbor, or offer for sale any non-domestic animal within the city. Any owner of a non-domestic animal at the time of adoption of this code shall have 30 days in which to remove the animal from the city, after which time the city may impound the animal as provided for in this chapter. Owners may, however, take the non-domestic animal to and from a veterinary clinic within the city for care or treatment. An exception shall be made to this prohibition for animals specifically trained for and actually providing assistance to the handicapped or disabled, and for those animals brought into the city as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition.

(Ord. 330, passed 1-17-02) Penalty, see § 10.99

§ 95.04 FARMING OPERATIONS.

Farm animals shall only be kept where farming operations are allowed in the city, provided that no animal shelter shall be within 100 feet of an adjoining piece of property. An exception shall be made to this section for those animals brought into the city as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition. The owner shall be obligated to meet any other zoning requirements.

(Ord. 330, passed 1-17-02; Am. Ord. 483, passed 6-16-21) Penalty, see § 10.99

§ 95.05 IMPOUNDING.

(A) *Running at large.* Any unlicensed animal running at large is hereby declared a public nuisance. Any Animal Control Officer or police officer may impound any dog or other animal found unlicensed or any animal found running at large and shall give notice of the impounding to the owner of the dog or other animal, if known. In case the owner is unknown, the officer shall post notice at the city office that if the dog or other animal is not claimed within the time specified in division (C) below, it will be sold or otherwise disposed of. Except as otherwise provided in this section, it shall be unlawful to kill, destroy, or otherwise cause injury to any animal, including dogs and cats running at large.

(B) *Biting animals.* Any animal that has not been inoculated by a live modified rabies vaccine and which has bitten any person, wherein the skin has been punctured or the services of a doctor are required, shall be confined in the city pound for a period of not less than ten days, at the expense of the owner. The animal may be released at the end of the time if healthy and free from symptoms of rabies, and by the payment of all costs by the owner. However, if the owner of the animal shall elect

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immediately upon receipt of notice of need for the confinement by the officer to voluntarily and immediately confine the animal for the required period of time in a veterinary hospital of the owner=s choosing, not outside of the county in which this city is located, and provide immediate proof of confinement in the manner as may be required, the owner may do so. If, however, the animal has been inoculated with a live modified rabies vaccine and the owner has proof of the vaccination by a certificate from a licensed veterinarian, the owner may confine the dog or other animal to the owner=s property.

(C) *Reclaiming.* All animals conveyed to the pound shall be kept, with humane treatment and sufficient food and water for their comfort, at least five regular business days, unless the animal is a dangerous animal as defined under § 95.11 in which case it shall be kept for seven regular business days or the times specified in § 95.11, and except if the animal is a cruelly-treated animal in which case it shall be kept for ten regular business days, unless sooner reclaimed by their owners or keepers as provided by this section. In case the owner or keeper shall desire to reclaim the animal from the pound, the following shall be required, unless otherwise provided for in this code or established from time to time by resolution of the City Council:

(1) Payment of the release fee and receipt of a release permit as established by Chapter 34 of this code, as it may be amended from time to time;

(2) Payment of maintenance costs, as provided by the pound, per day or any part of day while animal is in the pound; and

(3) If a dog is unlicensed, payment of a regular license fee as established by Chapter 34 of this code, as it may be amended from time to time, and valid certificate of vaccination for rabies and distemper shots is required.

(D) *Unclaimed animals.* At the expiration of the times established in division (C) above, if the animal has not been reclaimed in accordance with the provisions of this section, the officer appointed to enforce this section may let any person claim the animal by complying with all provisions in this section, or the officer may sell the animal to the University of Minnesota, or cause the animal to be destroyed in a proper and humane manner and shall properly dispose of the remains thereof. Any money collected under this section shall be payable to the City Manager-Clerk.

(Ord. 330, passed 1-17-02) Penalty, see § 10.99

§ 95.06 KENNELS.

(A) *Definition.* For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

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KENNEL. The keeping of four or more dogs or no more than four domestic animals 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 may be kept for a period of three months before that keeping shall be deemed to be a **KENNEL**.

(B) *Kennel as a nuisance.* Because the keeping of four or more dogs or four or more domestic animals 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 four or more dogs or four or more domestic animals on the premises is hereby declared to be a nuisance and no person shall keep or maintain a kennel within the city.

(Ord. 330, passed 1-17-02; Am. Ord. 359, passed 7-21-05; Am. Ord. 417, passed 12-17-15) Penalty, see § 10.99

§ 95.07 NUISANCES.

(A) *Habitual barking.* It shall be unlawful for any person to keep or harbor a dog which habitually barks, bays, howls, cries, or makes any other noise continuously or incessantly for a period of 10 minutes or barks intermittently for 30 minutes or more at any time between the hours of 8:00 p.m. and 8:00 a.m. Between the hours of 8:00 a.m. and 8:00 p.m. a barking dog is a dog which barks, bays, cries, howls, or makes any other noise continuously or incessantly for a period of 20 minutes or barks intermittently for 60 minutes or more. The barking must also be audible off of the owner or caretaker=s premises.

(B) *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.

(C) *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.

(D) *Other.* Any animals kept contrary to this section are subject to impoundment as provided in § 95.05.

(Ord. 330, passed 1-17-02) Penalty, see § 10.99

§ 95.08 SEIZURE OF ANIMALS.

Any police officer or Animal Control Officer may enter upon private property and seize any animal provided that the following exist:

(A) There is an identified complainant other than the police officer or Animal Control Officer making a contemporaneous complaint about the animal;

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(B) The officer reasonably believes that the animal meets either the barking dog criteria set out in § 95.07(A), the criteria for cruelty set out in § 95.13, or the criteria for an at large animal set out in § 95.01;

(C) The officer can demonstrate that there has been at least one previous complaint of a barking dog, or inhumane treatment of the animal, or that the animal was at large at this address on a prior date;

(D) The officer has made a reasonable attempt to contact the owner of the dog and the property to be entered and those attempts have either failed or have been ignored;

(E) The seizure will not involve the forced entry into a private residence. Use of a pass key obtained from a property manager, landlord, innkeeper, or other authorized person to have that key shall not be considered unauthorized entry; and

(F) Written notice of the seizure is left in a conspicuous place if personal contact with the owner of the dog is not possible.

(Ord. 330, passed 1-17-02)

§ 95.09 ANIMALS PRESENTING A DANGER TO HEALTH AND SAFETY OF CITY.

If, in the reasonable belief of any person or the Animal Control Officer or police officer, an animal presents an immediate danger to the health and safety of any person, or the animal is threatening imminent harm to any person, or the animal is in the process of attacking any person, the person or officer may destroy the animal in a proper and humane manner. Otherwise, the person or officer may apprehend the animal and deliver it to the pound for confinement under § 95.05. If the animal is destroyed, the owner or keeper of the animal destroyed shall be liable to the city for the cost of maintaining and disposing of the animal, plus the costs of any veterinarian examination. If the animal is found not to be a danger to the health and safety of the city, it may be released to the owner or keeper in accordance with § 95.05(C).

(Ord. 330, passed 1-17-02)

§ 95.10 DISEASED ANIMALS.

(A) *Running at large.* No person shall keep or allow to be kept on his or her premises, or on premises occupied by him or her, nor permit to run at large in the city, any animal which is diseased so as to be a danger to the health and safety of the city, even though the animal be properly licensed under this chapter.

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(B) *Confinement.* Any animal reasonably suspected of being diseased and presenting a threat to the health and safety of the public, may be apprehended and confined in the pound by any person, the Animal Control Officer or a police officer. The officer shall have a qualified veterinarian examine the animal. If the animal is found to be diseased in a manner so as to be a danger to the health and safety of the city, the officer shall cause the animal to be painlessly killed and shall properly dispose of the remains. The owner or keeper of the animal killed under this section shall be liable to the city for the cost of maintaining and disposing of the animal, plus the costs of any veterinarian examinations.

(C) *Release.* If the animal, upon examination, is not found to be diseased the animal shall be released to the owner or keeper free of charge.

(Ord. 330, passed 1-17-02) Penalty, see § 10.99

§ 95.11 DANGEROUS ANIMALS.

(A) *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.

(B) *Destruction of dangerous animal.* The Animal Control Officer shall have the authority to order the destruction of dangerous animals in accordance with the terms established by this chapter.

(C) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DANGEROUS ANIMAL. An animal which has:

(a) Without provocation, inflicted substantial bodily harm on a human being on public or private property;

(b) Killed a domestic animal without provocation while off the owner's property; or

(c) Been found to be potentially dangerous, and after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.

POTENTIALLY DANGEROUS ANIMAL. An animal which has:

(a) When unprovoked, bitten a human or a domestic animal on public or private property;

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(b) When unprovoked, chased or approached a person, including a person on a bicycle, upon the streets, sidewalks, or any public or property, other than the dog owner's property, in an apparent attitude of attack; or

(c) Has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

PROPER ENCLOSURE. Securely confined indoors or in a securely locked pen or structure suitable to prevent the animal from escaping and to provide protection for the animal from the elements.

A **PROPER ENCLOSURE** does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only barriers which prevent the animal from exiting. The enclosure shall not allow the egress of the animal in any manner without human assistance. A pen or kennel shall meet the minimum requirements in M.S. § 347.50 subdivision 4, as amended from time to time.

UNPROVOKED. The condition in which the animal is not purposely excited, stimulated, agitated, or disturbed.

(D) *Designation as potentially dangerous animal.* The Animal Control Officer shall designate any animal as a potentially dangerous animal upon receiving evidence that the potentially dangerous animal has engaged in conduct as stated in the definition in division (C). When an animal is declared potentially dangerous, the Animal Control Officer shall cause one owner of the potentially dangerous animal to be notified in writing that the animal is potentially dangerous.

(E) *Designation as a dangerous animal.* The Animal Control Officer shall have the authority to designate any animal as a dangerous animal upon receiving evidence that the dangerous animal has engaged in conduct as stated in division (C).

(F) *Authority to order destruction.* The Animal Control Officer, upon finding that an animal is dangerous hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:

(1) The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an attack without warning, or multiple attacks; or

(2) The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent injury to persons or other animals.

(G) *Procedure.* The Animal Control Officer, after having determined that an animal is dangerous, may proceed in the following manner:

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(1) The Animal Control Officer shall cause one owner of the animal to be notified in writing or in person that the animal is dangerous and may order the animal seized or make orders as deemed proper. This owner shall be notified as to dates, times, places, and the parties bitten, and shall be given 14 days to appeal this order by requesting a hearing before a Hearing Officer as defined in M.S. § 347.541, as amended from time to time.

(2) If no appeal is filed, the orders issued will stand or the Animal Control Officer may order the animal destroyed.

(3) If an owner requests a hearing for determination as to the dangerous nature of the animal, the hearing shall be held before a Hearing Officer, who shall set a date for hearing not more than 14 days after demand for the hearing. The records of the Animal Control Officer or City Manager-Clerk's office shall be admissible for consideration by the Hearing Officer without further foundation. After considering all evidence pertaining to the temperament of the animal, the Hearing Officer shall make an order as deemed proper. The Hearing Officer may order the Animal Control Officer to take the animal into custody for destruction, if the animal is not currently in custody. If the animal is ordered into custody for destruction, the owner shall immediately make the animal available to the Animal Control Officer. The Hearing Officer shall issue a decision on the matter within ten days after the hearing. The decision must be delivered to the dog's owner by hand delivery or registered mail as soon as practical and a copy must be provided to the Animal Control Authority. In the event that the Animal Control Officer's declaration is upheld by the Hearing Officer, actual expenses of the hearing, up to a maximum of \$1,000, will be the responsibility of the dog's owner.

(4) No person shall harbor an animal after it has been found to be dangerous and ordered into custody for destruction.

(H) *Stopping an attack.* If any police officer or Animal Control Officer is witness to an attack by an animal upon a person or another animal, the officer may take whatever means the officer deems appropriate to bring the attack to an end and prevent further injury to the victim.

(I) *Notification of new address.* The owner of an animal which has been identified as dangerous or potentially dangerous shall notify the Animal Control Officer in writing if the animal is to be relocated from its current address or given or sold to another person. The notification shall be given in writing at least 14 days prior to the relocation or transfer of ownership. The notification shall include the current owner's name and address, the relocation address, and the name of the new owner, if any.

(Ord. 330, passed 1-17-02; Am. Ord. 410, passed 7-17-14; Am. Ord. 487, passed 10-21-21; Am. Ord. 551, passed 12-18-25) Penalty, see § 10.99

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§ 95.12 DANGEROUS ANIMAL REQUIREMENTS.

(A) *Requirements.* If the Hearing Officer does not order the destruction of an animal that has been declared dangerous, the Hearing Officer may, as an alternative, order any of the following:

(1) The owner provides and maintains a proper enclosure for the dangerous animal as specified in § 95.11(C);

(2) Post the front and the rear of the premises with clearly visible warning signs, including a warning symbol to inform children, that there is a dangerous animal on the property as specified in M.S. § 347.51, as it may be amended from time to time;

(3) Provide and show proof annually of public liability insurance in the minimum amount of \$300,000;

(4) If the animal is a dog and is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash (not to exceed six feet in length) and under the physical restraint of a person 16 years of age or older. The muzzle must be of a design as to prevent the dog from biting any person or animal, but will not cause injury to the dog or interfere with its vision or respiration;

(5) If the animal is a dog, it must have an easily identifiable, standardized tag identifying the dog as dangerous affixed to its collar at all times as specified in M.S. § 347.51, as it may be amended from time to time;

(6) All animals deemed dangerous by the Animal Control Officer shall be registered with the county in which this city is located within 14 days after the date the animal was so deemed, and provide satisfactory proof thereof to the Animal Control Officer; and

(7) If the animal is a dog, the dog must be licensed and up to date on rabies vaccination. If the animal is a cat or ferret, it must be up to date with rabies vaccination.

(8) The owner of a dangerous or potentially dangerous dog must have a microchip implanted in the dog for identification, and the name of the microchip manufacturer and identification number of the microchip must be provided to the Animal Control Authority. If the microchip is not implanted by the owner, it may be implanted by the Animal Control Authority. In either case, all costs related to purchase and implantation of the microchip must be borne by the dog's owner.

(B) *Seizure.* The Animal Control Officer shall immediately seize any dangerous animal if the owner does not meet each of the above requirements within 14 days after the date notice is sent to the owner that the animal is dangerous. Seizure may be appealed to district court by serving a summons and petition upon the city and filing it with the district court.

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(C) *Reclaiming animals.* A dangerous animal seized under division (B) above may be reclaimed by the owner of the animal upon payment of impounding and boarding fees and presenting proof to Animal Control that each of the requirements under division (A) is fulfilled. An animal not reclaimed under this section within 14 days may be disposed of as provided under § 95.11(F), and the owner is liable to the city for costs incurred in confining and impounding the animal.

(D) *Subsequent offenses.* If an owner of an animal has subsequently violated the provisions under § 95.11 with the same animal, the animal must be seized by Animal Control. The owner may request a hearing as defined in § 95.11(F). If the owner is found to have violated the provisions for which the animal was seized, the Animal Control Officer shall order the animal destroyed in a proper and humane manner and the owner shall pay the costs of confining the animal. If the person is found not to have violated the provisions for which the animal was seized, the owner may reclaim the animal under the provisions of division (C) above. If the animal is not yet reclaimed by the owner within 14 days after the date the owner is notified that the animal may be reclaimed, the animal may be disposed of as provided under § 95.11(F) and the owner is liable to the Animal Control for the costs incurred in confining, impounding, and disposing of the animal.

(Ord. 330, passed 1-17-02; Am. Ord. 410, passed 7-17-14; Am. Ord. 487, passed 10-21-21)

§ 95.13 BASIC CARE.

All animals shall receive from their owners or keepers kind treatment, housing in the winter, and sufficient food and water for their comfort. Any person not treating his or her pet in a humane manner will be subject to the penalties provided in this chapter.

(Ord. 330, passed 1-17-02) Penalty, see § 10.99

§ 95.14 BREEDING MORATORIUM.

Every female dog or female cat in heat shall be confined in a building or other enclosure in a manner so that it cannot come in contact with another dog or cat except for planned breeding. Upon capture and failure to reclaim the animal, every dog or cat shall be neutered or spayed prior to being transferred to a new owner.

(Ord. 330, passed 1-17-02)

§ 95.15 ENFORCING OFFICER.

The Council is hereby authorized to appoint an Animal Control Officer(s) to enforce the provisions of this chapter. In the officer's duty of enforcing the provisions of this chapter, he or she may from time to time, with the consent of the City Council, designate assistants.

(Ord. 330, passed 1-17-02)

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§ 95.16 POUND.

Every year the Council shall designate an official pound to which animals found in violation of this chapter shall be taken for safe treatment, and if necessary, for destruction.

(Ord. 330, passed 1-17-02)

§ 95.17 INTERFERENCE WITH OFFICERS.

No person shall in any manner molest, hinder, or interfere with any person authorized by the City Council to capture dogs, cats, or other animals and convey them to the pound while engaged in that operation. Nor shall any unauthorized person break open the pound, or attempt to do so, or take or attempt to take from any agent any animal taken up by him or her in compliance with this chapter, or in any other manner to interfere with or hinder the officer in the discharge of his or her duties under this chapter.

(Ord. 330, passed 1-17-02) Penalty, see § 10.99

§ 95.18 VIOLATIONS.

(A) *Separate offenses.* Each day a violation of this chapter is committed or permitted to continue shall constitute a separate offense and shall be punishable as provided in § 10.99.

(B) *Misdemeanor.* Unless otherwise provided, violation of this chapter shall constitute a misdemeanor.

(C) *Petty misdemeanor.* Violations of §§ 95.02, 95.07, 95.13, and 95.14 are petty misdemeanors.

(Ord. 330, Passed 1-17-02)