



## City of Winthrop Rules for Dog Owners

### **PART 3. Dogs**

**503.01 Running At Large Prohibited.** No dog shall be permitted to run at large within the limits of the city.

**503.02** The restriction imposed by 503.01 shall not prohibit the appearance of any dog upon streets or public property when the dog is under the immediate control of the person charged with its care.

**503.03 License Required.** No person shall keep any dog within the city without securing a license therefore from the clerk, who shall keep a record of all licenses issued and shall issue a metal tag for each license. The license shall be valid for a period of one year commencing January 1 and expiring December 31 of the year issued.

A fee must be paid for each license in amount as determined from time to time by the City Council. Periods upon payment of the applicable foregoing fees; provided that the fees provided shall be pro rated on the basis of the number of months remaining in any such period. For this purpose, 15 days or more shall constitute a full month.

Every application for a license shall be accompanied by a certificate of a qualified veterinarian showing that the dog to be licensed has been given a vaccination against rabies within the time hereinafter specified. Each application shall also be accompanied by proof that the applicant has at least \$50,000 in homeowner's liability insurance coverage.

No license shall be granted for a dog which has not been vaccinated against rabies as provided in this section on such date and not more than two years will have elapsed from the date of such vaccination from the time of expiration of the license to be issued. Vaccination shall be performed only by a doctor qualified to practice veterinary medicine in the state in which the dog is vaccinated.

No license shall be issued for a spayed female dog unless it shall be filed with the application for a license a written statement of a licensed veterinarian to the effect that such dog has been spayed or otherwise rendered sterile.

No license shall be issued absent proof of insurance as required in this section.

**503.04 Impounding.** Every police officer shall impound any dog found unlicensed or running at large and shall give notice of the impounding to the owner of such dog if known. In case the owner is unknown, such officer shall post notice at the city hall that if the dog is not claimed within five regular business days of the posting of the notice, it will be destroyed. If such dog is not claimed within the five specified days and all fees and charges paid, the dog shall be euthanized and disposed of in accordance with Minnesota law. The owner of the dog is responsible for all costs associated with the impounding, housing, and euthanization of the animal. If the cost is not paid, the City may undertake all legal remedies available to collect the costs from the owner including assessing the costs against the property in accordance with Chapter 429 of the Minnesota Statutes.

**503.05 Obligation To Prevent Nuisances.** It shall be the obligation and the responsibility of the owner or custodian of any animal in the city, whether permanently or temporarily therein, to prevent any such animal from committing any act which constitutes a nuisance. It shall be considered a nuisance for any animal to habitually or frequently bark or cry at night, to frequent school grounds, parks or public beaches, to chase vehicles, to molest or annoy any person if such person is not on the property of the owner or custodian of such animal, or to molest, defile or destroy any property, public or private. Failure on the part of the owner or custodian to prevent his animals from committing an act of nuisance shall be subject to the penalty hereinafter provided.

**503.06 Permissible Return Of Unrestrained Dog.** Notwithstanding the provisions hereinabove, if an animal is found unrestrained and its owner can be identified and located, such animal need not be impounded but may, instead, be taken back to the owner. In such case, however, proceedings may be taken against the owner in violation of this ordinance. As amended June 5th, 1978.

**503.07 Proceedings For Destruction Of Certain Dogs.** Upon sworn complaint to a court of proper jurisdiction that any one of the following facts exists:

That any dog at any time destroyed property or habitually trespasses in a damaging manner upon the property of persons other than the owner; or

That any dog at any time has attacked or bitten a person outside the owner's or custodian's premises; or

That any dog is vicious or shows vicious habits or molests pedestrians or interferes with vehicles on the public streets or highways; or

That any dog is a public nuisance as hereinafter defined; or

That any dog is running at large in violation of this chapter;

The presiding officers of said court shall issue a summons directly to the owner of said dog commending him to appear before said court to show cause why said dog should not be seized by any police officer, or otherwise disposed of in the manner authorized in this ordinance. Such summons shall be returnable not less than two but not more than six days from the date thereof and shall be served at least two days before the time of appearance in connection therein. Upon such hearing and finding of the facts true as complained of, the court may either order the dog killed or the owner or custodian to remove it from the city, or may order the owner or custodian to keep it confined to a designated place. If the owner or custodian violated such order, any police officer may impound any dog that is described in such order. The provisions of this section are in addition to and supplemental to the other provisions of this chapter.

Cost of the proceedings specified by this action shall be assessed against the owner or custodian of the dog; if the facts of the complaint are found to be true; or to the complainant if the facts are found to be untrue. If the cost is not paid, the City may undertake all legal remedies available to collect the costs from the owner including assessing the costs against the property in accordance with Chapter 429 of the Minnesota Statutes.

**503.08 Summary Destruction Of Certain Dogs.** Whenever an officer has reasonable cause to believe that a particular dog presents a clear and immediate danger to residents of the city because it is infected with rabies (hydrophobia) or because of a clearly demonstrated vicious nature, the officer, after making reasonable attempts to impound such dog, may summarily destroy such dog. The owner of the dog is responsible for all costs associated with the impounding, housing, and euthanization of the animal. If the cost is not paid, the City may undertake all legal remedies available to collect the costs from the owner including assessing the costs against the property in accordance with Chapter 429 of Minnesota Statutes.

**503.09 Penalties.** Any person, firm or corporation found guilty of violating any section of this part is guilty of a petty misdemeanor.

**503.10 Potentially Dangerous and Dangerous Dogs.** Dogs will be declared by the City to be potentially dangerous or dangerous in accordance with the provisions of Chapter 347 of the Minnesota Statutes. All owners that have an animal so declared potentially dangerous or dangerous will be subject to all requirements set forth therein. Additionally, any owner that after already having one animal previously declared dangerous, has a subsequent animal declared dangerous will be required to pay a \$300 fine in addition to all other requirements and obligations.