

## CHAPTER 90. ANIMALS

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

**ANIMAL** means any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom.

**OWNER** means any person owning, keeping, harboring or having custody of a dog or other animal within the City.

**PUBLIC NUISANCE ANIMAL** means any animal to which any of the following conditions apply:

- A. Animals that are found on any property against the wishes of the owner of the property;
- B. Animals that damage the property of anyone other than its owner;
- C. Animals that are dangerous animals;
- D. Animals that cause unsanitary conditions of enclosures or surroundings;
- E. Animals that are diseased animals dangerous to human health;
- F. Animals that bark excessively or make prolonged and disturbing noises interfering with the peace and quietude of the neighboring property. This excessive barking or prolonged and disturbing noise must be audible off of the owner or caretaker's premises;
- G. Animals that have been determine to be strays;
- H. Animals that assault or harass passersby;
- I. Animals that chase passing vehicles; or
- J. Animals that attack other domestic animals.

**STRAY** (used as a noun) means any unidentified and unattended animal which appears to not have an owner.

**WILD ANIMAL, UNDOMESTICATED ANIMAL** or **EXOTIC ANIMAL** shall mean any mammal, amphibian, reptile or bird, which is of a species usually not domesticated, or a species which, due to size, wild nature or other characteristic, is dangerous to humans. By way of example, but not limitation, the term includes: skunks, bears, alligators, crocodiles, bats, weasels, ferrets, raccoons, badgers, foxes, non-human primates such as monkeys, chimpanzees and orangutans; hoofed animals, such as deer and bison, except for common farm animals such as horses, cows, sheep, pigs or goats; any large cat or member of the cat family Felidae, such as lions, tigers, jaguars, leopards, panthers, cougars, bobcats and ocelots, except commonly accepted domestic cats; and any member of the dog family Canidae, such as wolves, dingoes, wolverines, coyotes and jackals, except domesticated dogs. This term also includes cross breeds such as a dog-coyote cross or a dog-wolf cross.  
(Prior Code, § 310.06; Ord. 2014-10, 10/7/14)

#### **§ 90.01 PROHIBITION AGAINST DOGS RUNNING AT LARGE.**

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, so as to be effectively restrained by command as by leash, shall be permitted in streets or on public land unless the city has posted an area with signs reading "Dogs or Cats Prohibited."

Penalty, see § 90.99

#### **§ 90.02 NUISANCE PROHIBITED.**

(A) It shall be unlawful for an owner of any animal to allow any actions by such animal as noted under the definition of Public Nuisance Animal.

(B) No owner shall permit his or her animal to damage or foul any lawn, garden or other groomed and maintained property. An owner shall have the responsibility of cleaning up any feces of the animal from the aforementioned areas and to dispose of such feces in a sanitary manner.

(C) The City's designated law enforcement agency or City's designee, shall make every reasonable effort to notify the owner or caretaker before taking and impounding any animal which is not being kept, confined, restrained, or meets the definition of Public Nuisance Animal.

(Ord. 2014-10, 10/7/14)

**§ 90.03 CONFINEMENT.**

Any dog suspected of rabies may be seized on the premises of the owner or elsewhere and be confined in a veterinary hospital for a period of at least 10 days at the expense of the owner and at the direction of the dog warden or other authorized city official or law enforcement agent; and any dog that has bitten any person may be seized on the premises of the owner, or elsewhere and be confined in a veterinary hospital for a period of at least 10 days at the expense of the owner and at the discretion of the dog warden or other authorized city official or law enforcement agent; any dog may be released at the end of the 10-day period if healthy and free from symptoms of rabies and by the payment of costs by the owner. If the owner of the dog applies in writing, he or she may, under circumstances where proper facilities are available, obtain permission from the city to impound the dog at his or her home. It shall be the responsibility of any person or persons bitten by a dog, wherein the bite requires the services of a physician, to report the incident to the city.

(Prior Code, § 310.03) Penalty, see § 90.99

**§ 90.04 AUTHORITY TO IMPOUND.**

(A) Any dog found in violation of this chapter may be taken up by the authorized city official or designated law enforcement officer or persons employed by the city to control dogs, and impounded in an animal shelter and there confined in a humane manner for a period of not less than 5 regular business days exclusive of Saturdays, Sundays and holidays if not claimed thereto by its owner, and it shall thereafter become the property of the city and may be disposed of in a manner or placed in the custody of some other suitable person, or disposed of in accordance with M.S. § 35.71, as it may be amended from time to time.

(B) Any dog impounded and not being held for suspected disease may be reclaimed by the owner within 5 regular business days exclusive of Saturdays, Sundays and holidays upon payment by the owner to the City of Greenfield, any reasonable expenses incurred in keeping of the dog along with the release fee as set from time to time by the Council.

(Prior Code, § 310.04) Penalty, see § 90.99

**§ 90.05 WILD OR EXOTIC ANIMALS.**

No person shall stable, keep or permit any wild, undomesticated or exotic animal to remain within the city limits.

(Prior Code, § 310.05) Penalty, see § 90.99

**§ 90.07 DISEASED OR VICIOUS ANIMALS.**

No person shall bring into the city or have in his or her possession for sale or otherwise, any animal which is vicious, or wild by nature, or is diseased and is not under the care or treatment of a licensed veterinarian. A **DISEASED ANIMAL** is any animal which has or is suspected of having rabies, distemper, pan leucopenia, glanders, farcui, tuberculosis, sleeping sickness or any other disease that is dangerous or communicable to humans or animals. (Prior Code, § 310.07) Penalty, see § 90.99

**§ 90.08 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 whether or not the animal is on the property of its owner. Otherwise, the person or officer may apprehend the animal and deliver it to the pound for confinement under § 90.04. 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 § 90.04.

**§ 90.09 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.

Penalty, see § 90.99

**§ 90.10 EXCEPTIONS.**

This section shall not apply to animals which are temporarily brought into the city for the purposes of participating in any circus or show; nor does it apply to any public zoo, or persons keeping animals for a public zoo as volunteers; nor to any bona fide research institution or veterinary hospital; nor to any animal humane society or animal shelter; nor to any public or private school or university; providing protective devices adequate to prevent the animals from escaping or injuring the public shall be provided.

(Prior Code, § 310.08)

**§ 90.99 PENALTY.**

(A) *General.* Any person, firm or corporation violating the provisions of this chapter, may upon conviction thereof, be punished by a fine of not more than \$1,000 and by imprisonment not to exceed 90 days, plus the costs of prosecution in either case.

(Prior Code, § 310.09)

(B) *Petty misdemeanors.* Violations of those sections of this chapter that are petty misdemeanors shall be punishable as provided in § 10.99.