

ORDINANCE #2009-59
AN ORDINANCE REGULATING DOGS IN THE CITY OF ROCKVILLE, MINNESOTA

The City Council of the City of Rockville hereby ordains as follows:

Section 91.01: Definitions.

- A. **Owner.** Any person, group of persons, or legal entity owning, keeping, or harboring a dog or dogs.
- B. **Harborer.** The harborer of a dog shall be any person who has custody of any dog or permits a dog to be kept or to stay on or about the harborer's premises.
- C. **At Large.** A dog shall be termed at large when it is not under restraint, as defined herein.
- D. **Restraint.** A dog is under restraint if it is controlled by a leash not exceeding eight feet in length; or if it is within the boundaries of the owner's or harborer's premises.
- E. **Police.** The police officers of the City, or any person, firm, or agency hired or engaged by the City to assist the police in the performance of their duties.

Section 91.02: Identification. All dogs shall be either harnessed or collared with proof of up to date rabies vaccination attached or have the dog tattooed or micro chipped.

Section 91.03: Running at Large Prohibited within the City of Rockville. No dog shall be permitted to be at large within the city. All dogs shall be under restraint at all times. All dogs in the A-40 areas of the city must be under the control of the owner at all times.

Section 91.04: Confinement of certain animals. The owner or harborer shall confine within a building or secure enclosure any fierce, dangerous, or vicious dog, and not permit such animal out of such confinement unless and until it is securely muzzled and in control of a competent person.

Section 91.05: Animals creating nuisance prohibited. No person shall keep or harbor an animal that otherwise constitutes a nuisance, such as excessive barking, howling, or other disruptive behavior as defined in Ordinance No. 2003-09 Section 2.5.

Section 91.06: Impounding Animals. The police, or any other duly appointed person, may take and impound any animal which is not being kept, confined, or restrained in a manner consistent with the requirements of this regulation. Such police or person may enter upon private premises where it appears that there is a reasonable cause to believe that an animal is not being kept, confined, or restrained as herein required.

Section 91.07: Notice to owner. Immediately upon the impounding of an animal, the police shall make every reasonable effort to notify the owner or harborer of such impoundment, and of the conditions whereby the owner or harborer may regain custody of the animal. When possible, verbal notice shall be immediately confirmed in writing by the police.

Section 91.08: Reclaiming impounded animal. Any animal impounded hereunder may be reclaimed by the owner or harborer of same within five days after receiving notice of such impoundment, excluding Saturdays, Sundays and legal holidays.

Section 91.09: Dogs which cannot be impounded. If a dog is rabid, or otherwise diseased, vicious, or dangerous, and cannot be impounded after a reasonable effort or without serious risk to the impounder or others, such animal may be immediately killed by a licensed police officer only.

Section 91.10: Disposal of impounded dogs. If a dog taken up and impounded has not been reclaimed within the time provided herein, or if the owner cannot be located, then within five days, the dog will be disposed of.

Section 91.11: Rabies vaccination required, penalties for violation. It shall be unlawful for any person to own, possess, or harbor a dog within the city, if the dog has not had a vaccination for rabies within the time required under standard veterinary practices. A written waiver from a veterinarian accompanied by a rabies titer may be accepted as proof of vaccination when circumstances are indicated. Proof of rabies vaccination must be readily available upon request and up to date.

Section 91.12: Biting dogs to be quarantined. Whenever a dog has bitten a person, the owner or custodian of such dog, having been so notified, either orally or in writing, shall immediately quarantine said dog or animal at the owner's home or other suitable place of confinement, as directed by the responsible officer of the city for a period of 14 days after the occurrence. During the quarantine period, the animal shall be securely confined in a building or in a yard enclosed by a fence so constructed that the animal cannot escape or otherwise leave said enclosure, and which will not permit other animals or persons to enter, for the purpose of preventing the animal from biting or otherwise coming in contact with persons or other animals. Upon a reasonable suspicion that the dog may be rabid, the dog shall be subjected to the necessary tests by a doctor of veterinary medicine for the purpose of determining if it is infected with rabies. The confinement, testing, treatment, in addition to all other expenses incurred as the result of a dog biting a person shall be the expense of the owner of said animal.

Section 91.13: Penalty. Any person who violates any provision of this ordinance is guilty of a petty misdemeanor of which the fine for the first time offender is \$25.00, \$50.00 for the second time in a 12 month period. The third fine would be an automatic court date.

PASSED THIS _____ DAY OF JULY, 2009.

ATTEST:

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

JEFF HAGEN
MAYOR