

**CLEARWATER COUNTY
ANIMAL REGULATION ORDINANCE**

SECTION I - Definitions

OWNER. For the purposes of this ordinance, "owner" means a person who owns, harbors, feeds, boards or keeps an animal hereby regulated.

AT LARGE. For the purposes of this ordinance, "at large" means off the premises of the person who owns, harbors or keeps the animal, and not otherwise under the control of such person, or some other person designated by him/her, either by leash or otherwise.

PROPER IMMUNIZATION. For the purposes of this ordinance, "proper immunizations" means those immunizations recommended upon examination by a licensed veterinarian.

SECTION II - Running at Large

It is unlawful for any person who is the owner or who is in possession of an animal to permit such animal to run at large; provided , that such animal shall not be deemed to be running at large if it is on a leash or under voice control of an accompanying person or if it is upon the property of the owner, or other person in possession.

SECTION III - Permissible Return of Animals Running at Large

Notwithstanding the provisions of Section II, if any animal is found running at large and its owner can be identified and located, such animal need not be impounded but may, at the discretion of the officer, be released to the owner upon proof of proper immunizations; in such case, however, proceedings may be taken against the owner for violation of this ordinance.

SECTION IV - Nuisance Animals

The owner or custodian of any animal shall prevent the animal from committing in the county any act which constitutes a nuisance. It is a nuisance for any animal to habitually or frequently bark or cry, to frequent school grounds, parks or public

beaches, to chase vehicles, to molest or annoy any person away from the property of its owner or custodian, to deposit animal waste or feces on public property or on the private property of another, or to damage, defile or destroy public or private property. Failure of the owner or custodian of the animal to prevent the animal from committing such nuisances is a violation of this ordinance.

SECTION V - Animal Care

Every owner shall provide his/her animals with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and with humane care and treatment.

No person shall beat, cruelly ill-treat, torment, overload, overwork, or otherwise abuse an animal.

No owner of an animal shall abandon such animal.

SECTION VI - Animal Identification

An owner or custodian of an animal shall have the animal identified by a current rabies registration tag or by owner's name and address tag affixed to the collar and the collar shall be worn by the animal at all times.

SECTION VII - Injured Animals

Injured animals suffering and beyond cure through reasonable care and treatment may be euthanized and disposed of upon examination by a licensed peace officer.

SECTION VIII - Impounding of Animals

Animals discovered in violation of Sections II, IV, or V may be taken up and impounded pursuant to the provisions of this ordinance by direction of the Clearwater County Sheriff's Office.

SECTION IX - Notice of Impounding

Upon the impounding of any animal for a violation under Sections II, IV, or V, the owner shall be notified if known and written public notice shall be posted for five (5) days at the Clearwater County Courthouse or other places to be designated, describing

the animal and the place, time and circumstances of impounding. The notice shall also contain information as to the deadline for claiming the animal.

SECTION X - Release from Animal Pound

Animals shall be released to their owners upon payment of all fees, impounding or otherwise, incurred for the period for which the animal was impounded and upon proof of proper immunizations. If proof is not tendered, proper immunizations shall be administered by a licensed veterinary at cost to the owner.

SECTION XI - Animal Pound

- A. For any animal placed in the Animal Pound, an accurate impoundment record of such placement shall be kept. Every animal so placed in the Animal Pound shall be held for redemption by the owner for a period of not less than five (5) regular business days.

A "regular business day" is one during which the Clearwater County Courthouse is open for business to the public. Impoundment records shall be preserved for a minimum of six (6) months and shall show:

- (1) description of the animal by species, breed, sex, approximate age, and other distinguishing traits;
- (2) the location at which the animal was seized;
- (3) the date and time of impoundment;
- (4) the circumstances of the impoundment;
- (5) the name and address of the person from whom any animal was received; and
- (6) the disposition of the animal, including the name and address of the person to whom the animal was transferred, if applicable.

If unclaimed, such animal may be humanely destroyed and the carcass disposed of, unless it is requested by a licensed educational or scientific institution under authority of Minnesota Statute, Section 35.71. Provided, however, that if a tag affixed to the animal or a statement by the animal owner after seizure specifies that the animal shall not be used for research, such animal shall not be made available to any such institution but may be destroyed after the expiration of the five (5) day period.

- B. Destruction of an animal shall not eliminate the liability of the owner for impounding fees incurred by the county and such fees are recoverable by the county in a civil cause of action.

SECTION XII - Destruction of Animals

The Pound Master and all sheriff's deputies of the county are hereby authorized and empowered to destroy any animal taken up and impounded pursuant to the provisions of this ordinance and consistent with other governing laws. The destruction and disposal of such animals shall be according to humane procedures at the owners' expense. No impounding or destruction of any animal shall exempt the owner or keeper of such animal from the penalties provided in this ordinance.

SECTION XIII - Adoption of Impounded Animals

Any animal not claimed as provided in Section IX, within five (5) regular business days after impounding, may be sold to anyone desiring to purchase the animal upon payment of all fees, including immunization and veterinarian fees.

SECTION XIV - Rabies - Confinement

In all cases where an animal is capable of transmitting rabies and has bitten a person, the county shall confine such animal for the rabies incubation period of 14 days, separate and apart from all other animals and under the care and supervision of a licensed veterinarian. If the pound master determines, by standard practices, that the animal should be tested for rabies, then the animal shall be destroyed for that purpose. Costs of confinement, maintenance and testing shall be the responsibility of the owner. If the owner does not pay such cost within five (5) regular business days after he has been notified to retrieve his animal, the animal shall be disposed of as provided in this ordinance.

SECTION XV - Fees

Fees for impoundment, daily care and other costs incurred in the administration of the ordinance and other governing laws, rules and procedures may be established by resolution of the Clearwater County Board of Commissioners and shall be collected by the respective offices designated and deposited with the City of Bagley for maintenance and administration of the impounding facility.

SECTION XVI - Enforcement

The Clearwater County Sheriff's Office, and its duly authorized agent, such as animal control officer, has the authority to enforce the provisions of this ordinance by long form complaint or by citation or other procedures specifically listed herein.

SECTION XVII - Penalty

Any person, firm or corporation violating any provision of this ordinance shall be guilty of a petty misdemeanor which carries a maximum penalty of a \$300.00 fine. Any repeat offenses of three (3) or more times in any one category within a twelve (12) month period shall be guilty of a misdemeanor and such offenses shall be abated by the owner of such animal within five (5) days after the owner has been notified that the third offense has occurred. Within this provision, abate means to have the animal permanently removed from the county or destroyed. If within five (5) days after the owner has received written notice by registered mail from the county or its authorized agent that the Animal Control Officer is authorized and directed to capture and destroy the animal at the owner's expense.

SECTION XVIII - Board of Commissioners

The Board of Commissioners of Clearwater County has the authority to adjust fees and penalties within this ordinance as fees and penalties vary with time. The Board of Commissioners also has the authority to make language changes and corrections within this ordinance.

SECTION XIX - Effective Date

This ordinance becomes effective April 1, 2001.