1. 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, birds (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom. Animals shall be classified as follows:

**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, non-constricting reptiles or amphibians, and other similar animals.

**Non-Domestic Animals.** Those animals commonly considered being 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 descented), raccoon, squirrel, or ferret, but 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;

(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.
**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, etc.) bovine family (cows, bulls, bison, etc.) sheep, poultry (chickens, turkeys), fowl (ducks, geese, pheasants, etc.), swine (including Vietnamese pot-bellied pigs), goats, bees, mink and other animals associated with a farm, ranch or stable.

**AT LARGE.** An animal shall be termed AT LARGE when it is not under restraint, as defined herein.

**HARBORER.** Any person who has custody of an animal or permits an animal to be kept or to stay on or about the harborer’s premises.

**LICENSED VETERINARIAN.** A person or persons licensed by the state to practice veterinary medicine and/or perform rabies vaccinations in said state in which the animal has been or is to be licensed.

**OWNER.** Any person, group of persons, or legal entity owning, keeping or harboring an animal named herein.

**AUTHORITIES.** Any law enforcement officer or any person, firm, or agency hired or engaged by the city to assist such authority, person, firm or agency in the performance of their duties.

**RESTRAINT.** A dog is under RESTRAINT if it is controlled by a leash not exceeding eight (8) feet in length; or is under the voice or signal command of a competent person, providing that the dog will immediately respond to and obey the voice or signal commands of such person; or if it is within the boundaries of the owner’s or harborer’s premises. 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.

2. **RUNNING AT LARGE.**
   No dog shall be permitted to run at large within the limits of the city. The provisions of this chapter shall not apply to dogs of owners or lessees of farm premises located within the city limits when the dog is under the control of said owner or lessee and the dog is within the boundaries of the respective owner’s premises. The city is not responsible for costs associated with services as they are provided by the Humane Society of Otter Tail County.

3. **LEASH-LAW.**
   The restriction imposed as defined in Section 1 shall not prohibit the appearance of any dog upon streets or public property when such dog is on a leash and/or is kept under the control of the accompanying person as defined in the RESTRAINT clause.
4. **RABIES SHOTS REQUIREMENT.**

It shall be unlawful for any person to own, possess, or harbor a dog or cat within the city, if the dog or cat has not had a vaccination for rabies within the time required under standard veterinary practices.

Any animal that is found without a valid rabies vaccination tag shall be impounded.

An owner may reclaim a vaccinated animal that is impounded for lack of a rabies vaccination tag by furnishing proof of rabies vaccination and paying all impoundment fees.

An owner may reclaim an unvaccinated animal during the period of impoundment by paying the prescribed impound fees and rabies vaccination fee of $35.00. A rabies vaccination must be administered prior to release.

5. **TAG AND COLLAR.**

All dogs and cats shall be harnessed or collared. A metallic tag must be securely fastened to the animals’ harness or collar at all times. Said tag is to indicate the veterinarian, the date and registration number for the administered rabies shot.

6. **OBLIGATION TO PREVENT NUISANCES.**

It shall be the obligation and responsibility of the owner or harborer of any animal in the city, whether permanently or temporarily therein, to prevent such animal from committing any act that constitutes a nuisance. It shall be considered a nuisance for any animal to:

   (a) Habitually or frequently bark or cry. Habitual barking shall be defined as barking for repeated intervals of at least five minutes with less than one minute of interruption. The barking must also be audible off the owner’s or harborer’s premises.
   (b) Frequent school grounds, parks or public beaches.
   (c) Chase vehicles.
   (d) Molest or annoy any person if such person is not on the property of the owner or custodian of such animal.
   (e) Molest, defile or destroy any property, public or private. The owner or harborer of any animal defiling the property of another will be responsible for the removal of waste and the clean up of said property to the satisfaction of the complainant.

Failure on the part of the owner or harborer to prevent his animals from committing an act of nuisance shall be subject to the penalty hereinafter provided.

7. **DOGS AND CATS IN HEAT.**

Any female dog or cat in heat shall be confined indoors or impounded for the duration of her season ( estrus cycle) in a commercial kennel, the cost of which shall be borne by the owner or harborer of the animal.
8. **IMPOUNDMENT OF ANIMALS.**

(a) Any law enforcement person or persons or individual appointed by the Mayor, may take and impound any animal which is not being kept, confined, or restrained in a manner consistent with the requirements of this chapter. Such person or persons may enter upon private premises where it appears that there is reasonable cause to believe that an animal is not being kept confined or restrained as herein required.

(b) Immediately upon the impounding of the animal every reasonable effort shall be made to notify the owner or harborer of such impoundment, and of the conditions whereby the owner or harborer may regain custody of the animal. Any verbal notice shall be immediately confirmed in writing by the city.

(c) Any animal impounded hereunder may be reclaimed by the owner or harborer of same within five (5) business days after receiving notice of impoundment, upon payment to the City Office of an impounding fee which shall be established by the City Council each year, together with the actual costs of boarding. If the animal being reclaimed has no current rabies tag, inoculation will be required and the fee for it paid prior to its release from impoundment.

(d) If the animal is a dangerous animal, as defined by law, it shall be kept for five (5) regular business days and if it is a cruelly treated animal, as defined by law, it shall be kept for seven (7) regular business days.

(e) If an animal 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 destroyed.

(f) If an animal taken up and impounded has not been reclaimed within the times specified in this chapter, then the city may at its discretion destroy, euthanize, or sell the animal for not less than the amounts provided for in this section, to anyone desiring to purchase same. If not claimed animal will become property of the Otter Tail County Humane Society at no cost. Under Minnesota Law any licensed educational or scientific institution may also request the rights to the animal.

9. **BITING DOGS AND CATS TO BE QUARANTINED.**

Whenever any dog or cat has bitten a person, the owner or harborer of such dog or cat, having been so notified, either orally or in writing, shall immediately quarantine the 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 fourteen (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 the enclosure, and will not permit other animals or persons to enter, for the purpose of preventing the animal from biting or otherwise coming in contact with said persons or other animals. Upon a reasonable suspicion that the animal may be rabid, the animal shall be subjected to the necessary tests by a doctor of veterinary medicine for the
The purpose of determining if it is infected with rabies. The confinement, testing, and treatment, in addition to all other expenses incurred as the result of an animal biting a person shall be the expense of the owner of the animal.

10. **CATS OR ANIMALS OF ALLIED CLASS.**
   
   It shall be the obligation and responsibility of the owner of any animal of this class to prevent the animal from molesting, defiling or destroying any property, public or private. It shall be unlawful for any owner of an animal of this class to permit or allow the animal to roam or engage in activities which otherwise constitute a nuisance.

11. **CERTAIN ANIMALS REGULATED.**
   
   It shall be unlawful to keep or harbor in the city any of the following animals or animals of allied genera without first obtaining written permission therefore from the City Council: horses, cows, sheep, goats, swine, chickens, ferrets, animals of class reptilian or allied classes which are venomous or of the constrictor type, birds or other animals, the keeping in captivity of which is prohibited by law.

12. **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 thirty (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. 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.

13. **FARM ANIMALS.**
   
   Farm animals shall only be kept in an agricultural district of the city, or on a residential lot of at least ten (10) acres in size, provided that no animal shelter shall be within 300 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.

14. **PENALTY.**
   
   The first violation of this chapter within any 12-month period shall be a petty misdemeanor and followed by a letter from the city detailing the penalty for a second and third violation. A second violation within sixty (60) days for the first violation shall be a petty misdemeanor punishable by a fine of $300. A third violation within sixty (60) days of the second violation shall be a misdemeanor punishable by a fine of up to $1,000 and ninety (90) days in jail, and if the violation is for an animal at large contrary to Sections 1 and 2, the animal, which is deemed to be personal property, shall be forfeited to the city and it may be destroyed or euthanized with the cost to be assessed to the owner. Section 11 of this chapter shall not apply to any veterinary
medicine practice within the city when such practice is owned and operated by a licensed veterinarian.

Adopted by the Ottertail City Council this 16th day of August, 2007.

[Signature] 
Raymond Mounts, Mayor

Attest:

[Signature] 
Linda Bjelland, City Clerk

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