

TOWN OF LYNDEN, MINNESOTA
ORDINANCE NO. 00- 12

ORDINANCE PROHIBITING DOGS FROM
RUNNING AT LARGE AND PROHIBITING VICIOUS DOGS

The Town Board for the Town of Lynden, Stearns County, Minnesota, ordains:

Section 1. Definitions. For purposes of this ordinance the terms contained in this section shall have the definitions given to them.

A. "running at large" or "run at large" means permitting a dog to stroll, wander, rove, or ramble at will and without constraint or confinement. "Running at large" shall not include the foregoing conduct when the same occurs on property owned or leased by the person to whom a dog belongs.

B. "Owner" means any person, keeper, custodian or legal entity owning, harboring or keeping a dog, whether temporary or permanent.

C. "Dangerous Dog" and "Potentially Dangerous Dog" have the meanings given by Minnesota Statutes §347.50 subdivisions (2) and (3) respectively.

D. "Habitually Barking Dog" means any dog that (i) barks, whines, cries or makes other similar such noises for a period of five minutes or more, with less than 1 minute intervals between noises or (ii) barks, whines, cries or makes other similar such noises between the hours of 10:00 p.m. and 7:00 a.m., regardless of frequency, and (iii) any such noises are audible off of the Owner's property or premises, or such other property or premises upon which the dog is kept.

Section 2. Noisy Animals. Habitually Barking Dogs are hereby declared a public nuisance. No owner shall keep or harbor a Habitually Barking Dog within the Town of Lynden.

Section 3. Dangerous Dogs. "Dangerous Dogs" and "Potentially Dangerous Dogs" are defined and regulated by Minnesota Statutes §347.50 through §347.55. With regard to Dangerous Dogs and Potentially Dangerous Dogs, the Township of Lynden recognizes Stearns County as the "Animal Control Authority" within the meaning of Minnesota Statutes §347.50 subdivision 7. When the Township learns of such dogs, it will contact and inform the appropriate Stearns County authority. Should it become necessary for the Township to impound Dangerous or Potentially Dangerous dogs, then the Township will provide notice and hold said dog(s) for seven (7) days as specified by Minnesota Statutes

§347.54 subdivision 2, or for such other period and upon such other terms as may later be required by law.

Section 4. Running at Large Prohibited. No Owner shall permit a dog to run at large within the Town of Lynden. Any dog found running at large may be impounded by the Township as provided in this Ordinance and may be destroyed if not timely redeemed as provided in Section eight (8) below.

Section 5. Leash and Control. The restrictions imposed by the preceding Section four (4) shall not prohibit the appearance of any dog upon the streets or public property when such dog is on a leash and kept under the control of the accompanying person, or when the dog is not on a leash, but is under the immediate and complete control of the person charged with its care, either by voice control or other device.

Section 6. Contract- Animal Catcher. The Town Board is empowered to contract with an animal pound keeper, a animal catcher and any other officers, including police officers, necessary to enforce the provisions, terms and conditions of this ordinance.

Section 7. Five (5) Day Notice. Any dog impounded under the provisions of this ordinance shall be kept in a pound for a period of at least five (5) days after a notice of such impounding has been posted in the Town Hall. If the owner of the dog is known, then the Township shall make reasonable effort to notify the owner of the impoundment. All impounded dogs shall be fed and treated in a humane manner.

Section 8. Redemption of Animals. If within five (5) days the owner of such impounded dog shall pay the costs of such impounding, as specified in Section ten (10) below, then the owner shall be given possession of the impounded dog. Upon the expiration of the five (5) days specified in Section seven (7) above, any person may claim or redeem such impounded dog by paying the costs aforesaid.

Section 9. Unclaimed Animals, Disposal. If any dog impounded for violation of this ordinance has not been claimed or redeemed within the five (5) days provided in Section seven (7) above, then the pound keeper or any other duly designated officer or agent of the Town is hereby authorized and empowered to destroy said dog in a humane manner according to law or to surrender the same, without cost, to the local humane society.

Section 10. Cost of Impounding. The costs for the impounding and care of any impounded dog shall be the actual cost incurred by the Township. Said Fees may be reviewed and changed from time to time by Town Board Resolution.

Section 11. Safety of Person(s) Enforcing this Ordinance. The animal catcher or any other duly designated officer or agent of the Town is hereby empowered and authorized

to kill any dog found in violation of this ordinance if said dog cannot be safely taken up and impounded.

Section 12. Interference with Officers. It shall be unlawful for any unauthorized person to break open the pound or attempt to do so, or to take or let out any dogs therefrom, or to take or attempt to take from any officer or agent, any dog taken up by him in compliance with this ordinance or in any manner to interfere with or hinder such officer or agent in the discharge of his duties under this ordinance.

Section 13. Penalty. Any person, association, firm, corporation or other legally recognized entity violating any of the provisions of this ordinance shall be guilty of a misdemeanor punishable by up to the maximum sentence allowed by law for such offense, unless the Town Board has by resolution set a fine schedule for particular offenses hereunder. If the Town Board has set a fine schedule for particular offenses hereunder, then sentences for such violations shall be imposed consistent with said fine schedule. Any dog determined to have violated the provisions of this ordinance may be impounded, subject to the terms and provisions of this ordinance and other applicable law.

Section 14. Repealer. Ordinance number 19-020 is hereby repealed and replaced by this Ordinance, number 00- 12.

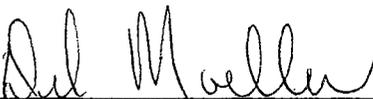
Passed by the Town Board of the Town of Lynden this 4th day of DECEMBER, 2000.

This ordinance shall be effective upon passage and publication in the official Township newspaper.



Chair, Lynden Township

ATTEST:



Clerk, Lynden Township