

SECTION 11.23. DOGS.

Subdivision 1. Definitions. As used in this Section, unless the context otherwise indicates, the following definitions apply:

- a. Owner: Any person, persons, and firm, association or corporation owning, keeping, maintaining or harboring dogs.
- b. Control: Any dog shall be deemed to be under control when on the premises of its owner, on a leash, or accompanied by its owner, if trained to commands.
- c. Running at Large: Any dog not under control as hereinabove defined.
- d. Kennel: Any shelter or enclosure used for the purpose of keeping, maintaining, breeding, training or raising four (4) or more dogs over six (6) months of age.

Subdivision 2. Regulations.

- A. Running at Large Prohibited: No dog shall be permitted to run at large at any time within the corporate limits of the City of Medford. No dog of fierce, dangerous or vicious propensities, and no female dog in heat shall be allowed on the premises of one other than the owner of such dog at any time, unless on a leash. If any dog is found running at large in violation of this Section, such dog shall be taken up and impounded and shall not be released except upon approval of the City Clerk after payment of the fees hereinafter provided for in Subdivision 7; provided, however, that if any dangerous, fierce, or vicious dog so found running at large cannot be taken up and impounded, such dog may be slain by the dog catcher.
- B. Dog pens and Premises Kept Clean: A dog owner shall keep any dog houses or enclosure on his premises clean, sanitary and free from dog odors and filth which tend to become or constitute a nuisance to one or more property owners situated nearby. Upon written petition to the Council or by written petition of any occupant or owner or part-owner of real estate upon which a dog house or dog enclosure is situated, the City Council in its discretion may call a public hearing to determine whether such dog house or enclosure is situated in such a manner as to constitute a nuisance to the petitioner and shall prescribe the manner of giving notice of any hearing thus called. At such hearing, the Council, if it finds the location of such dog house or enclosure to be situated, where it is a nuisance to petitioner, may by motion, prescribe where on the premises of the dog owner the dog house or enclosure should be situated and may prescribe the size and manner of construction required for such a dog house or enclosure.

Subdivision 3. License, Vaccination and Registration Required.

- A. No dog owner shall keep, harbor, or maintain any dog over five months of age, within the corporate limits of the City of Medford, after the first day of February, 1968, unless a license therefore has first been secured. Licenses shall be issued by the City Hall staff for a license fee as set by resolution of the City Council. Licenses shall be valid for the period of time that a dog is vaccinated against rabies in compliance with Subdivision 4. The owner shall state at the time application is made for such license and upon printed forms provided for such purpose his name and address, and the name, breed, color and sex of each dog owned or kept by him.

- B. Every application for a license shall be accompanied by a certificate from a qualified veterinarian showing that the dog to be licensed has been given a vaccination against rabies in compliance with Subdivision 4.
- C. The provisions of this subdivision I shall not be intended to apply to dogs whose owners are non-residents temporarily within the corporate limits of the City of Medford, not to dogs brought into the City for the purpose of participating in any dog show, not to “seeing-eye” dogs properly trained to assist blind person when such dogs are actually being used by blind person for such purposes.

Subdivision 4. Vaccination. No license shall be granted for a dog which has not been vaccinated against rabies as provided in this Section. Vaccinations shall be performed only by a doctor qualified to practice veterinary medicine in the State in which the dog is vaccinated. A veterinarian who vaccinates a dog to be licensed in the City of Medford shall complete in triplicate a certificate of vaccination. One copy shall be issued to the dog owner for affixing to the license application, one shall be sent to the Minnesota State Livestock Sanitary Board and one copy shall be retained in the veterinarian’s file.

Subdivision 5. Date of Payment. It shall be the duty of each owner of a dog to pay the license fee imposed by Subdivision 2 to the City Clerk within 14 days of the date of rabies vaccination of the dog, or upon acquiring ownership or possession of any unlicensed dog or upon establishing residence in the City of Medford. The Clerk shall cause a notice of the necessity of paying such license fee to be printed in the official newspaper one time before the 1st day of February in each year.

Subdivision 6. Impounding.

- A. Dogs found running at large in violation of this Section shall be impounded as soon as possible by the pound master or by his assistant, if any, or by a police officer, if the pound master or his assistant is not available, or by any person on whose premises the dog may be at large. Dogs found so running at large shall be so impounded regardless of whether they are licensed or not. If, after exercising reasonable efforts, the pound master or his assistant or a police officer is unable to capture a dog which is not wearing a dog license, or is unable to capture a vicious dog whether or not the vicious dog wears a license, then any policeman shall have the right to shoot such dog within the City limits having due regard for the safety of persons and property which might otherwise be injured by gunfire. The pound master upon receiving any dog shall make a complete registry entering the breed, color, and sex of such dog and whether licensed. If licensed he shall enter the name and address of the owner and the number of the license tag. Licensed dogs shall be separated from unlicensed dogs, if practicable.
- B. Any person, not the pound master or a police officer of the City of Medford, impounding or seizing any dog so found running at large upon the premises of another, shall within twenty-four (24) hours thereafter notify the pound master of the City of Medford of said impounding, whose duty it shall be to call for such dog and impound it in the City Pound. Any person, not an officer of the City of Medford, seizing or picking up any dog running at large on their premises or the premises occupied by them shall not keep the dog any longer than the twenty-four (24) hours without notifying the pound master or surrendering it to the owner. If the person who first takes such dog into custody, he or she shall inform the pound master of the name of the owner, and the address if known. The authority given to any person, not the pound master or a police officer of the City of Medford to impound or seize any dog so found running at large upon the premises of another, is discretionary, and in the

execution thereof, said persons shall not be deemed to the agent or employee of the City of Medford, nor shall the City of Medford be held responsible or liable for the consequences of any persons so acting.

Subdivision 7. Notice to Owners and Redemption.

- A. Immediately after the impounding of any licensed dog, the owner shall be notified or if the owner of the dog is unknown, written notice shall be posted for five (5) days at the City Council Chambers describing the dog and the place and time of the taking thereof. The owner of any dog so impounded may reclaim such dog upon payment of all costs and charges incurred by the City of Medford the impounding and maintenance of said dog, including charges for city employee time, and additional charges as follows:
 - 1. \$20.00 upon pickup by the City.
 - 2. \$5.00 per day after the first 24 hours while the dog is in custody.
 - 3. All veterinarian expenses incurred for such dog under this Section.
- B. Provided, however, that if any licensed dog is impounded more than one time in any one calendar year, the impounding fee for each additional impounding shall be increased as follows:
 - 1. For the second impounding, \$27.00 upon pickup by the City, and \$7.00 per day after the first 24 hours while the dog is in custody.
 - 2. For the third and each subsequent impounding, \$35.00 upon pickup by the City and \$10.00 per day after the first 24 hours while the dog is in custody.
 - 3. All veterinarian expenses incurred for such dog under this Section.
- C. Immediately after impounding any unlicensed dog, the owner shall be notified or if the owner of the dog is unknown, written notice shall be posted for five (5) days at the City Council Chambers describing the dog and the place and time of the taking thereof. The owner of any dog so impounded may reclaim such dog upon payment of the license fee or fees and of all costs and charges incurred by the City of Medford for the impounding and maintenance of said dog, including charges for city employee time, and additional charges as follows:
 - 1. \$40.00 upon pickup by the city.
 - 2. \$10.00 per day after the first 24 hours while the dog is in custody.
 - 3. All veterinarian expenses incurred for such dog under this Section.
- D. Provided however, that if any unlicensed dog is impounded more than one time in any one calendar year, the impounding for each additional impounding shall be increased as follows:
 - 1. For the second impounding, \$54.00 upon pickup by the City, and \$14.00 per day after the first 24 hours while the dog is in custody.

2. For the third and each subsequent impounding, \$70.00 upon pickup by the City, and \$20.00 per day after the first 24 hours while the dog is in custody.
 3. All veterinarian expenses incurred for such dog under this Section.
- E. All charges and fees collected shall be remitted by the pound master and by the police to the City Clerk and accurate records shall be kept thereof.

Subdivision 8. Disposition of Unclaimed and Diseased Dogs. It shall be the duty of the pound master to keep all dogs so impounded for a period of five (5) days. Any dog which is not claimed as provided for in Subdivision 7 within three (3) days after impounding, may be sold for not less than the amount provided in Subdivision 7 to anyone desiring to purchase the dog. All sums received above the costs and tax shall be held by the City Clerk for the benefit of the owner and if not claimed in one year such funds shall be placed in the general funds of the City of Medford. Any dog which is not claimed by the owner or sold shall be disposed of by the pound master in a proper and humane manner.

Subdivision 9. Establishment of Pound and Designation of Pound Master. A qualified pound master shall be hired by the City Council of the City of Medford, who shall attend to the maintenance of said pound and be responsible for the enforcement of this Section.

Subdivision 10. Interference with Officers. It shall be unlawful for any unauthorized person to break open the pound or to attempt to do so or to take or let out any dogs there from or to take or to attempt to take from any pound master or officer any dog taken up by him in compliance with this Section or in any manner to interfere with or hinder such pound master or officer in the discharge of his duties under this Section.

Subdivision 11. Obligation to Prevent Nuisances. It shall be the obligation and responsibility of the owner or custodian of any dog in the City, whether permanently or temporarily therein, to prevent such dog from committing any act which constitutes a nuisance. For purposes hereof, the Council finds, declares and determines that it shall be deemed a nuisance for any dog to habitually or frequently bark, bay, howl or cry to the detriment of the peace and quietude of neighbors of its owner or custodian or the public in general, to frequent school grounds, parks or public beaches, to chase vehicles, to molest or annoy any person if such person is not on the property of the owner or custodian of such dog or to molest, defile or destroy any property, public or private. Failure on the part of the owner or custodian to prevent his dog from committing an act of nuisance shall be subject to the penalty hereinafter provided and the dog may be impounded in the same manner as provided in Subdivision 6.A. of this Section.

Subdivision 12. Rabies Notice. If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies, such dog shall be confined by a leash or chain on the owner's premises and shall be placed under the observation of a veterinarian at the expense of the owner for a period of two weeks. The owner shall notify the pound master of the fact that his dog has been exposed to rabies and at his discretion the pound master is empowered to have such dog removed from the owner's premises to a veterinary hospital and there placed under observation for a period of two weeks at the expense of the owner.

It shall be unlawful for any person knowing or suspecting that a dog has rabies to allow such dog to be taken off his premises or beyond the limits of the City of Medford without the written permission of the pound master. Every owner, or other person, upon ascertaining a dog is rabid, shall immediately notify the pound master or policeman who shall either remove the dog to the pound or summarily destroy it.

Subdivision 13. Muzzling Proclamation. Whenever the prevalence of hydrophobia renders such action necessary to protect the public health and safety, the Mayor shall issue a proclamation

ordering every person owning or keeping a dog to confine it securely on his premises unless it is muzzled so that it cannot bite. No person shall violate such proclamation, and any unmuzzled dog running at large during the time affixed in the proclamation shall be killed by the police without notice to the owner.

Subdivision 14. Kennels. No person, firm, association, or corporation shall maintain in this City a kennel without securing a license therefore from the City Council. This fee shall be \$5.00 per year. This fee shall be in addition to the license fee prescribed in preceding sections for each dog kept in such kennel. This Section shall not apply to facilities maintained by the City of Medford or by qualified veterinarian, for the care and treatment of animals.

Subdivision 15. Penalty. Any owner found violating any provision of this Section shall be guilty of a misdemeanor.

Subdivision 16. Separability of Provisions. It is the intention of the City Council that each separate provision of this Section shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provisions of this Section be declared invalid, all other provision thereof shall remain valid and enforceable.

Subdivision 17. Enforcement. This Section shall be enforced by such law enforcement agencies as the City Council may from time to time designate. Such designated law enforcement agency and its personnel shall have all the powers heretofore granted to the pound master and police officers under this Section.