

CHAPTER 3. ANIMAL REGULATIONS.¹**Article 1. In General****Section 3-1. Definitions.**

Unless the context clearly indicates otherwise, the words, combination of words, and phrases as used in this ordinance shall have the meaning as set forth in the following paragraphs.

Animal Warden. The County Sheriff or any of his/her deputies.

At Large. A dog that is off the property of the person owning, harboring, or keeping said dog, and it is not under restraint.

Citation. A notice of complaint by the Animal Warden to the owner of animals with one or more violations of this Chapter.

Commercial Kennel. A place where more than four (4) dogs of over six (6) months are kept for the purposes of breeding, sale or boarding.

Domestic Animal. Any animal that is livestock, a companion animal, or both.

Livestock. Any animal commonly used by persons for use, draft, or pleasure purposes. The definition of “livestock” includes, but is not limited to:

1. Poultry
2. Cattle
3. Swine
4. Sheep
5. Goats
6. Horses

Owner. Any person owning, keeping, harboring, or acting as custodian of a dog or other domesticated animal.

Person. Any individual, firm, partnership or corporation.

Premises. Any building, structure, shelter or land whereupon dogs or other animals are kept.

Public Nuisance Animal or Animals shall mean any animal or animals that:

1. If a dog, is/are repeatedly found at large;
2. Damages the property of anyone other than the owner;

¹ Adopted May 12th, 2010 under Ordinance No. 2010 – 03; An Ordinance Adopting Animal Regulations.

3. Is/are vicious animal(s);
4. Causes fouling of the air by odor;
5. Causes unsanitary conditions of enclosures or surroundings;
6. By virtue of the number of types of animals maintained, are offensive, or dangerous to public health, safety, or welfare;
7. Excessively makes disturbing noises;
8. Molests passer(s) by or passing vehicles;
9. Attacks other domestic animals; or
10. Has been determined by the Animal Warden to be a public nuisance animal or animals by virtue of being a menace to public health, safety or welfare.

Under Restraint. A dog that (1) is on the premises of the person harboring or keeping the dog; (2) is at heel beside a person having custody of it or obedient to that person's command; (3) is within a private motor vehicle of a person owning, harboring or keeping the dog; or (4) is controlled by a leash not exceeding six (6) feet in length.

Veterinary Hospital. A place for the treatment, hospitalization, care and boarding of animals or birds, which place is owned and operated by a licensed veterinarian.

Vicious Animal or Animals. Any animal or animals that constitute(s) a physical threat to other animals or human beings by virtue of one or more attacks of such severity as to cause property damage or physical injury.

Section 3-2. **Enforcement.**

The provisions of this Chapter shall be enforced by the Animal Warden.

Section 3-3. **Right of Entry.**

The Animal Warden shall have the right to enter upon any premises at all reasonable times for the purpose of discharging the duties imposed by this Chapter where there is a reasonable belief that a violation of this Chapter has been committed.

Section 3-4. **Records.**

It shall be the duty of the Animal Warden to keep the following records>

- a. Accurate and detailed records of the impoundment and disposition of all animals coming into custody;
- b. Accurate and detailed records of all reported bit cases and investigations for a period of three (3) years;

- c. Accurate records of all citations issues for violations of this Chapter; and
- d. Accurate and detailed records of all money collected and expended in the operations of the functions of the Animal Warden.

Section 3-5. **Running at Large Prohibited.** No dog shall be allowed by its owner to run at large. Every dog owner shall cause the dog to be:

- a. Confined to the owner's property by training, fencing or leashing. Female dog(s) in heat shall be confined in an enclosure and so kept and confined therein during such entire period and until such dog(s) shall not attract other dogs in account thereof.
- b. While in any public place, such as a school, playground, or a park, to be on a leash, chain or cord of not more than six (6) feet in length and in the custody of a person of sufficient age to adequately control the dog at all times, and to have said dog under control.
- c. While in other areas, such as on a public street or in an automobile, to be in the custody of a person of sufficient age to adequately control the dog at all times, and to have said dog under control.

Section 3-6. **Confinement of Animals with a History of Biting.**

Every fierce, dangerous, or vicious animal, including dogs, that has a history of biting a human or any other domestic animal, shall be confined by the owner within a building or secure, covered enclosure. Such animal shall not be taken out of the building or secure, covered enclosure unless muzzled and on a leash.

Section 3-7. **Dogs on Leash.**

The restriction imposed by Section 3-5 of this Chapter shall not prohibit the appearance of a dog upon the streets or other public place when such a dog is on a leash or under restraint, except for a female dog in season.

Section 3-8. **Abandonment of Animals.**

It shall be unlawful to abandon any dog or other animal within the Township.

Section 3-9. **Impounding Stray Dogs or Animals.**

- a. The Animal Warden may seize or impound any dog or animal found to be stray on public property or claimed to be stray by the owner of the premises upon which such animal is found, provided that the owner of the premises demands

such seizure or impoundment and agrees to indemnify the Town from any claims for damaged by the owner of said dog or animal.

- b. Upon taking and impounding any dog, the Animal Warden shall, within one day thereafter, post at the front door of the Town Hall, a Notice of Impoundment in the form established by the Town Board. If the owner of the dog is known, a written Notice of Impoundment, in lieu of a posted notice, shall be given to the owner thereof either by mail or personal service.
- c. Disposition of such impounded stray shall thereafter be pursuant to the provisions of Section 3-10 of this Chapter.

Section 3-10. Disposition of Certain Diseased or Dangerous Dogs or Other Animals.

- a. Any dog or other animal displaying symptoms of being rabid may be seized at the place or time and shall be confined in an appropriate place designated for such purposes by the Town Board, at the expense of the owner, until found to be free from rabies.
- b. If any dog or other animal appears to be diseased, vicious, rabid, or had been exposed to rabies, and such dog or other animal cannot be taken and impounded without serious risk, such dog or other animal may be killed if reasonably necessary for the safety of any person or persons.
- c. Where a dog or other animal has bitten any person, wherein the skin has been punctured or the services of a doctor are required, a report of the incident shall be made to the Town by the owner or custodian of the biting dog or animal, or the person bitten or his/her parent/guardian, within twenty-four (24) hours of the bite.

Section 3-11. Possession of Nuisance Animals.

No person shall keep, own, harbor, or otherwise possess, within the Town, an animal that is a public nuisance as defined in Section 3-1 of this Chapter.

Section 3-12. Animals Disturbing the Peace.

It shall be unlawful for any person to own, keep, have in his/her possession or harbor any animal that, by frequent and habitual howling, yelping, barking or otherwise, shall cause serious annoyance or disturbance to persons or to the neighborhood; provided, however, that the provisions of this Chapter shall not apply to duty authorized animal hospitals or clinics established and operating for the treatment of small animals. No person shall be convicted under the provisions of this Chapter except under the evidence from fifty percent (50%) of the adult residents living within five hundred (500) feet of the residence of the animal complained of or from four (4) persons, each from a different household,

whichever is less, and no warrant shall be issued except after written notice has been mailed or delivered to the occupant of the premises where such animal is kept or harbored advising that the complaint has been made about the animal and calling attention to the provisions of this Chapter.

Section 3-13. Permits for Commercial Kennels.

- a. No person shall operate a commercial kennel in Bridgewater Township without first obtaining a kennel permit. Applications shall be made to the Town Zoning Administrator and shall be accompanied by the permit fee.
- b. Commercial kennel permits will only be issued if a commercial kennel is permitted within the zoning district for the subject property.
- c. Commercial kennel permits shall be issued on an annual basis, expiring on December 31 following the first effective day of the kennel permit. The commercial kennel permit fee shall be the amount per year or fraction thereof as set forth by the Town Board from time to time.
- d. Commercial kennels shall be kept in a clean and healthful condition at all times and shall be open for inspection by the duly authorized Town officials at any reasonable time. A commercial kennel permit may be revoked by the Town Board by reason of violation of this Chapter or any health or nuisance laws or regulations.
- e. No person shall own, harbor, or keep upon his/her premises more than four (4) dogs over the age of six (6) months that are kept for the purposes of breeding, sale or boarding unless kept in a commercial kennel duly permitted under this Chapter.

Section 3-14. Maintenance of Commercial Kennels.

- a. Commercial kennels shall be structurally sound and maintained in good repair. Indoor housing facilities must be adequately vented and have ample heat and light, either natural or artificial.
- b. Shelter shall include a moisture-proof and wind-proof structure of suitable size to accommodate the dog (or dogs) and allow retention of body heat. The shelter shall be made of durable materials with a solid floor, raised at least two (2) inches from the ground, and with the entrance covered. The structure shall be provided with a sufficient quantity of suitable bedding materials consisting of hay, straw, blankets or the equivalent, to provide insulation and protection against cold and dampness and to promote retention of body heat.

- c. Dogs kept outside shall be provided with access to shelter to protect them from the sun, rain, and snow, together with adequate bedding when the temperature falls below 50 degrees Fahrenheit.
- d. If the dogs are confined by chains, such chains shall be so attached that they cannot become entangled with the chains of other dogs or other objects. Chains shall be of a size commonly used for the size of dogs involved and shall be attached to the dog by means of a well-fitted collar. Such chains shall be at least three (3) times the length of the dog as measured from the tip of its nose to the base of its tail. Cable runs with floors constructed of concrete shall be at least twenty-five (25) feet in length.
- e. The enclosure shall be of sufficient size to allow each dog to turn around fully, to stand, and to lie in a comfortable, normal position. The floors of the enclosure shall be constructed so as to prevent injury to the dog's legs and feet.
- f. All outdoor exercise pens shall have concrete floors and be at least eight (8) feet wide and twelve (12) feet in length with sufficient height to contain the dog. The mesh shall be of sufficient size as not to harm the dog.
- g. The temperature for indoor housing facilities shall not be allowed to fall below 50 degrees Fahrenheit for dogs not accustomed to lower temperatures.
- h. Disposal facilities shall be provided to minimize vermin, infestation, odors and disease hazards. All disposal facilities shall be separate from the disposal systems of any dwelling.
- i. Adequate storage and refrigeration shall be provided to protect food supplies against contamination and deterioration.

Section 3-15. **Violations.**

Any persons violating this Chapter shall be guilty of a misdemeanor and, in addition to the penalty imposed by the Court, shall pay the appropriate costs of prosecution as may be determined by the Court.

Sections 3-16 through 3-30. **Reserved.**

Article II. Exotic Animals.**Section 3-31. Purpose and Intent.**

It is the intent of the Town Board of Bridgewater Township to protect the public against the health and safety risks that exotic animals pose to the community and to protect the welfare of individual animals that are held in private possession. By their very nature, exotic animals are wild and potentially dangerous, and, as such, do not adjust well to a captive environment.

Section 3-32. Definitions.

The following definitions shall apply to this Article:

Companion Animal. Any animal that is commonly kept by persons as a pet or for companionship. The definition of “companion animal” includes but is not limited to:

1. Domesticated dogs
2. Domesticated cats

Domestic Animal. Any animal that is livestock, a companion animal, or both.

Exotic Animal. Any animal that is not normally domesticated in the United States or is wild by nature. Exotic animals include, but are not limited to, any of the following orders and families, whether bred in the wild or captivity, and also any the hybrids with domestic species. The animals listed in parentheses are intended to act as examples and are not intended to be construed as an exhaustive list or to limit the generality of each group of animals, unless otherwise specified:

1. Non-human primates and prosimians (monkeys, chimpanzees, baboons)
2. Felidae (lions, tigers, bobcats, cougars, leopards, jaguars, not domesticated cats)
3. Canidae (wolves, coyotes, foxes, jackals, not domesticated dogs)
4. Ursidae (all bears)
5. Reptilia (all venomous snakes, all constricting snakes, iguanas, turtles, lizards)
6. Crocodylia (alligators, crocodiles)

7. Proboscidae (elephants)
8. Hyaenidae (hyenas)
9. Artiodactyle (hippotamuses, giraffes, camels, not cattle or swine or sheep or goats)
10. Procyonidae (raccoons, coatis)
11. Marsupialia (kangaroos, opossums)
12. Perissodactylea (rhinoceroses, tapirs, not horses or donkeys or mules)
13. Edentata (anteaters, sloths, armadillos)
14. Viverridae (mongooses, civets and genets)
15. Pea fowl

Livestock. Any animal commonly used by persons for use, draft or pleasure purposes. The definition of “livestock” includes but is not limited to:

1. Poultry
2. Cattle
3. Swine
4. Sheep
5. Goats
6. Horses

Section 3-33. Keeping of Exotic Animals Prohibited.

- a. It shall be unlawful for any person to own, possess, keep, harbor, bring, or have in one’s possession an exotic animal within Town limits.
- b. It shall be unlawful for the owner, possessor, or any other person in control of a lot, tract, or parcel of land within the Township or any residence or business premises situated thereon to knowingly permit any other person to be in possession of an exotic animal or exotic animals upon the property, residence or premises.

Section 3-34. Exemptions.

The following shall be exempt from the regulations under this Article under the conditions noted below:

- a. Licensed human societies.
- b. Animal control officers.
- c. Licensed veterinary hospitals or clinics.
- d. Any wildlife rehabilitator licensed by the State of Minnesota who temporarily keeps exotic animals within the Township when the purpose is to return the animal to the wild.
- e. Any person who owned, possessed, kept, or harbored exotic animal(s) on or before the effective date of this Article, provided that all licensing and/or approval requirements are met. Any person who falls within this paragraph shall be permitted to hold, keep, harbor, or maintain the number of exotic animals, that person has been legally permitted to hold, keep, harbor, or maintain as of the date of adoption of this Article, but shall not be permitted to increase the number of exotic animals held, kept, harbored, or maintained within the Township.

Section 3-35. Violations and Penalties.

Any person who violates any provision of this Article shall be deemed guilty of a misdemeanor and shall be punishable according to State law. Each day that a violation continues shall constitute a separate offense.

Sections 3-36 through 3-50. **Reserved.**

Article III. Animal Fights Prohibited.

Section 3-51. Animal Fights Prohibited.

Any person who (1) promotes or engages in, or is employed at the activity of cockfighting, dog fighting, or violent pitting of one domestic animal against another of the same or a different kind; or (2) receives money for the admission of any person to any places that uses, or is about to be used, for that activity; or (3) willfully permits any person to enter or use, for that activity, premises of which the permitter is the owner, agent, or occupant; or (4) uses, trains, or possesses a dog or other animal for the purpose of participating in, engaging in, or promoting that activity, is guilty of a felony. Any person who purchases a ticket for admission or otherwise gains admission to that activity is guilty of a misdemeanor.

Sections 3-52 through 3-55. **Reserved.**