

## CARLOS TOWNSHIP ORDINANCE NO. 2011-1A

### DOG AND CAT ANIMAL CONTROL ORDINANCE CARLOS TOWNSHIP – AMENDED

#### SUBDIVISION 1. LIMITATIONS IN OWNERSHIP

No family, group of person or business entity, residing in Carlos Township, or conducting business in Carlos Township shall have in custody, at any one time, more than three dogs over the age of six months and three cats over the age of six months on the premises where said family group of persons or business entity reside and or conduct business.

#### SUBDIVISION 2. RUNNING AT LARGE AND IMPOUNDING

- 2.1 **RUNNING AT LARGE:** It shall be unlawful for any person who is the owner or custodian of a dog or cat 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 physical and/or voice control of an accompanying person or if it is upon the property of the owner or custodian.
- 2.2 **IMPOUNDING OF ANIMAL:** It shall be the duty of the Carlos Township Board along with the Douglas County Sheriff's Department to impound any dog running at large. The township will not impound cats.
- 2.3 **HOLDING OF IMPOUNDED ANIMALS:** Every dog will be impounded at the Lakes Area Humane Society and will be held under the policy of that entity.
- 2.4 **RELEASE FROM ANIMAL POUND:** Animals shall be released to their owners upon payment of all fees, impounding or otherwise, incurred for the period of which the animal was impounded.
- 2.5 **UNCLAIMED ANIMALS:** If unclaimed, an impounded animal may be disposed of or humanely destroyed, pursuant to Minnesota Statute, Section 35.71., or the animal may be adopted according the same adoption practice as the local humane society.

#### SUBDIVISION 3. NUISANCE DOGS AND CATS

- 3.1 The owner or custodian of any dog or cat shall prevent the animal from committing in the township any act which constitutes a nuisance. Failure of the owner or custodian of the animal to prevent the animal from committing such nuisance is a violation of the ordinance.
- 3.2 **NOISE:** It is a nuisance for any dog or cat to habitually or frequently bark or cry so as to unreasonably disturb the comfort and repose of persons in the vicinity of said animal.
- 3.3 **DAMAGE OR TRESPASS:** It is a nuisance for any dog or cat to damage any lawn, garden or other property or to trespass on the property of someone other than the owner or custodian of said animal.
- 3.4 **LITTER:** The owner of any dog or cat or person having custody of said animal shall be responsible for cleaning up any feces of the animal and disposing of the feces in a sanitary manner. It is a nuisance for any owner or person in control of a dog or cat to fail to clean any feces of the animal.
- 3.5 **INJURY OR ATTACKS:** It is a nuisance for any dog or cat at any time to attack or bite a person or another animal.
- 3.6 **VICIOUS HABITS:** It is a nuisance for any dog or cat to be vicious, show vicious habits, molest pedestrians or interfere with vehicles on public streets.

#### SUBDIVISION 4. ENFORCEMENT DUTIES

The Douglas County Sheriff's Department shall enforce the provisions of this ordinance.

#### SUBDIVISION 5. PENALTIES

- 5.1 Violation of this Ordinance shall be a petty misdemeanor and shall be punishable by payment of a fine to the Carlos Township Clerk in addition to the payment of impounding fees along with any fines imposed by the court.
- 5.2 The Township Clerk will keep a schedule of fines, which may be adjusted from time to time.
- 5.3 Applicable fines set at the time of the adoption of this ordinance are the following:  
First offense within a period of 12 consecutive months will be given a written notification:  
All Subsequent offenses within a period of 12 consecutive months will be responsible for all fines imposed by the Court of Douglas County, along with a \$300 fee payable to the township.

Adopted by the Carlos Township Board of Supervisors on this 26<sup>th</sup> day of January, 2012.  
This ordinance becomes effective upon publication and supersedes any previous animal control ordinance and amendments.

Dwayne Waldorf  
Dwayne Waldorf, Chairman  
Township Board of Supervisors

ATTEST:

Rebecca Anderson  
Rebecca Anderson, Clerk  
Carlos Township

