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ARTICLE 1 – General Regulations

11.0101 Cruelty – Penalty

No person shall cruelly treat any animal in the City in any way. Any person who inhumanly beats, underfeeds, overloads or abandons any animal shall be deemed guilty of an offense for which the maximum penalty shall be a fine of five hundred dollars (\$500.00), thirty (30) day imprisonment, or both such fine and imprisonment. (Source: North Dakota Century Code Section 36-21.1-02)

11.0102 Dangerous Animals

It shall be unlawful to permit any dangerous animal or vicious animal of any kind to run at large within the City.

11.0103 Permit

Not Applicable at this time.

11.0104 Killing Dangerous Animals

The members of the police department or any other person in the City are authorized to kill any dangerous animals of any kind when it is necessary for the protection of any person or property.

11.0105 Diseased Animals

No domestic animal afflicted with a contagious or infectious disease shall be allowed to run at large, or to be exposed in any public place whereby the health of man or beast may be affected; nor shall such diseased animal be shipped or removed from the premises of the owner thereof, except under the supervision of the chief of police or the health officer.

It is hereby the duty of the health officer to secure such disposition of any diseased animal and such treatment of affected premises as to prevent the communication and spread of the contagion or infection, except in cases where the state department of health is empowered to act.

11.0106 Housing

No person shall cause or allow any stable or place where any animal is or may be kept to be unclean, or unwholesome.

11.0107 Keeping of Certain Animals Prohibited

It shall be unlawful to keep any live sheep, swine or pigs, cattle, chickens or other poultry, goats, or rabbits in the City. This section shall not apply to any person, partnership or corporation keeping or handling such animals under consignment in the course of regular business or to a licensed livestock auction market. Nor shall this apply to 4H animals being exhibited in an official 4H function.

11.0108 Strays

It shall be unlawful to permit any cattle, horses, sheep, swine, goats or poultry to run at large in the City; and any such animal running at large in any public place in the City shall be impounded. It shall

further be unlawful to picket or tie any such animal in any of the streets of the City for the purpose of grazing or feeding.

11.0109 Noises

It shall be unlawful to harbor or keep any animals, which habitually disturbs the peace by loud noises at any time of the day or night.

11.0110 Penalty

Any person who shall violate the provisions of this article for which a specific penalty is not otherwise provided shall be guilty of an infraction for which the maximum penalty is a fine of five hundred dollars (\$500.00). The owner of any animal impounded pursuant to the provisions of this article shall pay all costs and charges assessed for such impoundment before such animal shall be released to the owner.

ARTICLE 2 – Dogs and Cats

11.0201 License Required

No dog or cat shall be permitted to be or remain in the City without being licensed as herein after provided if over one month of age. It shall be the duty of the owner or keeper of any dog or cat kept within the City to have the dog or cat inoculated against rabies and proof thereof is shown to the person issuing the license.

11.0202 Licensing Procedure and Terms

All dogs and cats shall be registered as to sex, breed, name and addressees of owner and name of dog. Licenses shall be issued by animal control officer on an annual basis as hereinafter more fully provided. The person paying the license fee shall receive a receipt therefore and a metal tags or badge with which to mark the animal. It shall be the duty of the owner or keeper to cause such license tag or badge to be securely attached around the dogs neck and kept there at all times during the license period.

11.0203 License Fee

The license fee shall be set by the city council.

11.0204 License: When Due and Payable

The license fees or renewal fees previously provided for shall become due and payable on the 1st day of January in each year and shall become delinquent on the 1st day of May in each. If the fee is not paid before the first day of May a penalty of ____-0-____ shall be added to the license or renewal fee.

11.0205 Dogs Running at Large Prohibited

It shall be unlawful for the owner or keeper of any dog to permit the same to run at large in the City at any time. A dog shall not be considered running at large if attended and on a leash or when in the confines of the owner's or keeper's premises.

11.0206 Disposition of Unlawful Dogs

Any unlicensed dog running at large may be taken by the animal control officer and impounded at the City dog pound, or such other place as may be designated by the governing body. The dog shall not be released to any person until such dog is licensed (if unlicensed); a fee of 25.00 for the first offense, 50.00 for the second offense and 100.00 for any offense thereafter, will be paid by the owner for each animal. All pound charges are paid by the owner directly to the facility where the dog is housed.

11.0207 Disposition of Unclaimed Dogs

The owner or keeper shall be notified of the taking of a dog. If the owner or keeper fails to pay the charges (including license if necessary) or does not claim the animal within three days of notification the animal may be destroyed. If the owner or keeper is unknown, the animal control officer shall give public notice of the taking of the animal before it is destroyed or otherwise disposed of.

11.0208 Return to Owner if Known

Notwithstanding the provisions of Section 11.0206, if a dog is found at large and its owner can be identified and located, such dog or cat need not be impounded but may, instead, be taken to the owner. In such case the animal control officer or other officer may proceed against the owner or keeper for violation of this article. The owners will be subject a fine of \$25.00 for the first offense, 50.00 for the second offense and 100.00 for any offense thereafter.

11.0209 Noisy Dog Prohibited

It shall be unlawful to keep or harbor within the City any dog that disturbs the peace by habitually howling, barking, whining, or making other disagreeable noise. Any person wishing to file a complaint shall be required to give his name and address and sign a complaint.

11.0210 Nuisance – When

Any licensed dog , any dog running at large, any dog disturbing the peace, or any dog molesting passers by, chasing vehicles or trespassing upon private property is hereby declared to be a nuisance.

11.0211 Penalty

Any person violating any provision of this article shall be guilty of an infraction and be fined not to exceed five hundred dollars (\$500.00).