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CHAPTER ELEVEN
ANIMALS AND FOWL

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 or to be kept within the exterior confines or boundaries of the City. Exhibitions or parades of wild animals may be conducted only upon securing a permit from the city auditor and getting approval from the city council. It shall also be unlawful to keep or harbor within the City any dangerous animal.

11.0103 Permit – When Issued

The city auditor shall have discretion as to whether or not to issue a permit pursuant to Section 11.0102. If the city auditor shall refuse to issue a permit, the decision may be appealed to the governing body. No permit shall be issued without first obtaining a description of the animal, the name of the owner or person in charge, the purpose for which the animal is kept, and such other pertinent information as the auditor shall determine. Any dangerous animal kept or allowed to run at large, the owner or keeper shall be guilty of a violation of this article.

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 police or a veterinarian.

It is hereby make the duty of the veterinarian 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 Amended April 3, 2017

It shall be unlawful to keep any live alligators, bears, bees, cattle, coyotes, crocodiles, felines other than domestic house cats, foxes, goats, horses, mules, rabbits, raccoons, scorpions, sheep, skunks, snakes, swine, wolves, poultry or any other poisonous or venomous animals in the City of Glenburn. **To exclude**

rabbits so they may be kept as pets with still only four (4) pets per household, two of which may be dogs.

It is also unlawful to have the "Pit Bull Dog" or members of the pit bull breed, Rottweilers or Doberman Pinschers (Grand Father clause will pertain to those Rottweilers or Doberman Pinschers that are in town prior to June 2nd, 2008) This includes the Staffordshire bull terrier breed, the American pit bull terrier breed, the American Staffordshire terrier breed, or any other mixed breed known as a pit bull, pit bull dog, or pit bull terrier in the City of Glenburn. 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.

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 one thousand dollars (\$1000.00). 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 amended June 2nd, 2014

No dog 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 kept within the City to have the dog inoculated against rabies and proof thereof is shown to the person issuing the license. Even though cats do not need to be licensed by the City, they must also be inoculated against rabies. At no time, may a combination of more than four (4) animals be kept at any one residence, two of which may be dogs.

This ordinance shall be in full force and effect from and after its final passage and adoption.

Penalty. Any person violating any provision of this article shall be guilty of an infraction and be fined not to exceed one thousand dollars (\$1,000.00)

11.0202 Licensing Procedure and Terms

All dogs shall be registered as to sex, breed, name and addressees of owner and name of dog. Licenses shall be issued by the city auditor on an annual basis. The person paying the license fee shall receive a receipt therefore and a metal tag 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 animal's neck and kept there at all times during the license period.

11.0203 License Fee

The license fee shall be \$6.00 annually for each neutered male dog and each spayed female dog; \$12.00 for each female dog not spayed and male dog not neutered. The owner of any neutered male dog or spayed female dog shall present to the city auditor a letter or certificate signed by a licensed veterinarian to the effect that such dog has been spayed or neutered: or such other evidence as the auditor shall require.

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 March in each. If the fee is not paid before the first day of March a penalty of \$25.00 shall be added to the license or renewal fee.

11.0205 Dog or Cat Running at Large Prohibited

It shall be unlawful for the owner or keeper of any dog or cat to permit the same to run at large in the City at any time. A dog or cat 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 or Cats

Any unlicensed dog or any dog or cat running at large may be taken up by any city officer or police 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 is paid for the taking of each animal, and all pound charges are paid directly to the facility where the dog or cat is housed.

11.0207 Disposition of Unclaimed Dogs or Cats

The owner or keeper shall be notified of the taking of the dog or cat. If the owner or keeper fails to pay the charges (including license if necessary) and claims the animal within three days of notification the animal may be destroyed. If the owner or keeper is unknown, the auditor 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 or cat 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 policeman or other officer may proceed against the owner or keeper for violation of this article.

11.0209 Noisy Dog or Cat Prohibited

It shall be unlawful to keep or harbor within the City any dog or cat that disturbs the peace by habitually howling, barking, whining, meowing 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, or any dog or cat running at large, or any dog or cat disturbing the peace, or any dog or cat molesting passers by, chasing vehicles or trespassing upon private property is hereby declared to be a nuisance.

11.0211 Penalty

Any one violating any provision of this article shall be guilty of an infraction and be fined. First time offense is a verbal warning, second is a written warning, the third time is a fine of one hundred dollars

(\$100), the fourth time is a fine of five hundred dollars (\$500) and the final time is a fine of nine hundred dollars (\$900) with the animals removed. Final reading May 1st, 2017.