



## ARTICLE II. DIVISION 1.

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### DOGS

#### **Sec. 10-19. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Agent of the city* means a company or individual contracted by the city to provide animal control services.

*At large* means off the premises of the owner and not under restraint.

*Commercial kennel* means any place where a person accepts dogs from the general public and keeps such dogs for the purpose of boarding.

*Impoundment* means the status of being in the physical custody of the police or any animal control officer of the city, including, without limitation, confinement in the city pound or in the animal control officer's vehicle.

*Owner* means any person who owns, harbors, keeps or has custody of a dog, or the parents or guardians of a person under 18 years of age who owns, harbors, keeps or has custody of a dog.

*Private kennel* means any place where more than two dogs over four months of age are kept or harbored, provided that such animals are owned by the owner or lessee of the premises on which they are kept or harbored and the owner or lessee of said premises is not conducting a business operation involving the dogs, whether for profit or nonprofit.

*Under restraint* means under control by means of a leash not exceeding six feet in length, by training/voice command, or within the property of the owner's premises.

(Ord. No. 101b, § 1, 3-6-2002; Ord. No. 101D, § 1, 5-16-2007)

#### **Sec. 10-20. - Interference with enforcement.**

It shall be unlawful for any person to take or attempt to take from any animal control officer or peace officer any dog taken in compliance with this article, or in any manner to interfere with or hinder such officer in the discharge of his duties under this article.

(Ord. No. 101b, § 2, 3-6-2002; Ord. No. 101D, § 2, 5-16-2007)

#### **Sec. 10-21. - Running at large.**

No dog shall be allowed by its owner to run at large. The police or agent of the city shall pick up and impound any dog found in violation of this section.

(Ord. No. 101b, § 6, 3-6-2002; Ord. No. 101D, § 6, 5-16-2007)

#### **Sec. 10-22. - Abandonment.**

No dog shall be abandoned by its owner. The police or agent of the city shall pick up and impound any dog found in violation of this section.

(Ord. No. 101b, § 7, 3-6-2002; Ord. No. 101D, § 7, 5-16-2007)

#### **Sec. 10-23. - Dog excrement.**

Whenever a dog is taken off the property of the owner, the handler of the dog must pick up the dog excrement, unless the handler of the dog has the express approval of the property owner to leave the excrement. The police or agent of the city shall pick up and impound any dog found in violation of this section.

(Ord. No. 101b, § 8, 3-6-2002; Ord. No. 101D, § 8, 5-16-2007)

### **Sec. 10-24. - Disturbing the peace.**

It shall be unlawful for any person to own, keep, have in possession, or harbor any animal which frequently and habitually howls, yelps, barks or otherwise causes serious annoyance or disturbance to persons or to the neighborhood; provided, however, that the provisions of this article shall not apply to duly authorized hospitals or clinics established and operating for the treatment of small animals. No person shall be prosecuted under the provisions of this article except under the evidence from 50 percent of the adult residents living within 300 feet of the property line of the residence of the animal complained about; or, from two adult persons from different households living within 500 feet of the property line of the residence of the animal complained about; or from two adult persons from the same household living within 100 feet of the property line of the residence of the animal complained about, whichever is less.

(Ord. No. 101b, § 9, 3-6-2002; Ord. No. 101D, § 9, 5-16-2007; Ord. No. 12, Second Series, 8-5-2009)

### **Sec. 10-25. - Destruction.**

- (a) A court of proper jurisdiction may issue a summons directed to the owner or custodian of a dog commanding him to appear before the court to show cause why the dog should not be seized and destroyed by the police or any agent of the city, or otherwise disposed of in the manner authorized in this article upon sworn complaint being made to the court that any one of the following facts exist:
- (1) The dog has habitually destroyed property or trespasses in a damaging manner on property of persons other than the owner.
  - (2) The dog has attacked or bitten a person outside the owner's or custodian's premises.
  - (3) The dog is vicious or shows vicious habits or molests pedestrians or interferes with vehicles on the public rights-of-way or highways.
  - (4) The dog is a nuisance as defined by Minnesota Statutes.
  - (5) The dog is running at large in violation of this article.
- (b) The summons shall be returnable not less than two or more than six days from the date of service thereof and shall be served at least two days before the time of the appearance mentioned therein. Upon hearing and finding the facts true as complained of, the court may either order the dog destroyed or order the owner or custodian to remove it from the city, or may order the owner or custodian to keep it confined to a designated place. If the owner or custodian violates such order any police or agent of the city may impound or destroy any dog described in such order.
- (c) Costs of the proceedings authorized by this section shall be assessed against the owner or custodian of the dog if the facts in the complaint are found to be true, or to the complainant if the facts are found to be untrue.

(Ord. No. 101b, § 11, 3-6-2002; Ord. No. 101D, § 11, 5-16-2007)



## *East Bethel City Hall*

2241 221<sup>st</sup> Ave NE | East Bethel, MN 55011  
Phone: (763) 367-7844 | Fax: (763) 434-9578

Please contact **East Bethel City Hall** with any questions in regards to this ordinance.

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