

ORDINANCE 140,4d

Introduced by Councilor Kehr

AN ORDINANCE AMENDING CHAPTER 14, ARTICLE III, SECTION 14-66 – 14-71 OF
THE CITY CODE – NON-DOMESTIC ANIMALS

THE CITY COUNCIL OF THE CITY OF ALBERT LEA ORDAINS:

Sec. 1. That Chapter 14, Article III, Sec. 14-66 – 14-71 of the Code of Ordinances, City of Albert Lea, Minnesota is hereby amended to read as follows:

ARTICLE III. – NON-DOMESTIC ANIMALS.

Sec. 14-66 – 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:

Non-Domestic Animal means and includes any mammal, amphibian or reptile which is of a species which is wild by nature or of a species which, due to size, vicious nature or other characteristic, is inherently dangerous to human beings. Unless otherwise defined Non-Domestic Animals shall include:

- (1) Any large cat of the family Felidae, such as lions, tigers, jaguars, leopards, cheetahs, servals, cougars and ocelots, except commonly accepted domesticated house cats.
- (2) Any member of the family Canidae, such as wolves, coyotes, dingoes and jackals, except domesticated dogs.
- (3) Any crossbreed such as crossbreeds between dogs and coyotes or dogs and wolves, but not including crossbred domesticated Animals.
- (4) Any poisonous snake such as a rattlesnake, coral snake, water moccasin, puff adder or cobra.
- (5) Any snake or reptile, which by its size or vicious nature or other characteristic is dangerous to human beings.
- (6) Any skunk, raccoon or fox, unless certified by a veterinarian to be free of rabies and kept pursuant to a valid state department of natural resources permit, such certification to be obtained within seven (7) days of receipt of the Animal.

- (7) Any bear, and non-human primates, including, but not limited to an ape, gorilla, monkey, badger, lemur, chimpanzee, orangutan, marmoset, loris or tamarin.
- (8) Any other Animal or reptile which is commonly considered wild and not domesticated.

Sec. 14-67. - Purpose.

To protect the health, safety and welfare of the citizens of the city, it shall be unlawful to keep, own, possess, harbor or offer for sale any Non-Domestic Animal within the corporate limits of the city except as permitted pursuant to this article or as regulated within the State of Minnesota pursuant to Minnesota Statute § 346.155, as it may be amended from time to time. An exception to this prohibition shall be for animals specifically trained for and actually providing assistance to the handicapped or disabled for those Animals brought into the city as part of an operating zoo, veterinary clinic, research laboratory or licensed show or exhibition.

Sec. 14-68. - Penalty.

Any person violating this article shall be guilty of a misdemeanor and shall be punished as for a misdemeanor in accordance with section 1-13. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Civil remedies may also be employed as needed.

Sec. 14-69. - Impoundment.

Any Non-Domestic Animal kept in violation of this article may be impounded by the city unless such impounded Animal is reclaimed and removed from the city with a permit issued to allow it to be removed. Any such Animal may be euthanized or disposed of five (5) days following notice to the owner of such Animal's impoundment and notice of the provisions of this article are provided to said owner.

Sec. 2. That the reading of this Ordinance is waived by Council Consent.

Sec. 3. That a summary of this Ordinance is approved for publication.

Sec. 4. Effective Date. This ordinance shall take effect thirty (30) days following its final passage and adoption.

That the motion for the adoption of the foregoing ordinance was duly seconded by Councilor Olson and upon a vote being taken thereon, the following voted in favor thereof: Councilors Schulte V, Baker, Kehr, Olson, Anderson and Mayor Rasmussen

and the following voted against the same:

Introduced, read the first time on August 22, 2011

Introduced, read the second time on September 12, 2011

Mayor Vern Rasmussen, Jr.

Filed and attested to September 13, 2011

Secretary of the Council