

ORDINANCE #2019-1246

ORDINANCE AMENDING CHAPTER 92 OF CITY CODE PERTAINING TO ANIMALS AND  
ELIMINATING PET LICENSES

~~Text with strikeout is proposed for deletion~~  
Underlined text is proposed for insertion

The City of Brooklyn Park does ordain

Section 1. Section 92.02 of the Brooklyn Park City Code is repealed.

Section 2. Section 92.12 of the Brooklyn Park City Code is amended to read as follows:

**§ 92.12 IMPOUNDING.**

It is the duty of the Animal Control Officer to apprehend any animal found running at large or otherwise in violation of the provisions of this chapter and to impound such animal in the pound or other suitable place pending compliance or a determination on the animal's disposition. The Animal Control Officer upon receiving any animal must make a complete registry, entering the breed, color, sex, ~~and whether licensed~~, if such information can be obtained safely. ~~If licensed, the Animal Control Officer must enter the name and address of the owner and the number of the license tag.~~ If the animal bears no identification which reasonably reveals its ownership, the Animal Control Officer shall impound the animal in the pound for a period of at least ~~seven~~ five days. Immediately upon impounding an animal, reasonable efforts shall be made to notify the owner and inform the owner of the animal's confinement and the procedures for release of the animal to the owner. Any animal impounded, with the exception of a potentially dangerous dog or dangerous dog or a dog that has inflicted substantial or great bodily harm upon a person, may be reclaimed by the owner within ~~seven~~ five days after such impoundment. Before the owner shall be permitted to recover possession of the animal, the owner shall pay the city all required fees and costs of impoundment. An animal that is not redeemed by its owner within ~~seven~~ five days after impounding may be euthanized and disposed of in a sanitary manner by the Animal Control Officer.

Section 3. Section 92.13 of the Brooklyn Park City Code is amended to read as follows:

**§ 92.13 ENFORCEMENT.**

To enforce this chapter, the Animal Control Officer or a police officer may enter upon private property where there is reasonable cause to believe that an animal is on the premises and does not have the proper identification ~~licensed~~ as required by ordinance, or that there is an animal on the premises which is not being kept, confined, or restrained. ~~The owner must produce for inspection the owner's animal license receipt when requested to do so by such officer.~~

Section 4. Section 92.19 of the Brooklyn Park City Code is amended to read as follows:

**§ 92.19 REDEMPTION.**

(A) An animal may be redeemed from the pound during the hours set forth by the requirements of Minnesota Statutes, by the owner upon paying the following fees and charges:

~~—(1) The license fee for the dog or cat if the license has not previously been obtained.~~

~~—(2) The late license penalty, in the amount set by the Council, where a license has not been obtained within the required time.~~

~~(3)~~ (1) Providing proof of current rabies vaccination.

~~(2)~~ The boarding fee in the amount set by the Council from time to time.

~~—(4)~~ (3) An impounding fee in the amount established by the Council.

~~—(5)~~ (4) Any fees incurred by the city for required treatment of the animal.

~~—(6)~~ (5) If the owner of any impounded animal is unable to get to the city offices during normal working hours to pay the redemption fees, the Animal Control Officer is authorized to accept after hours or on weekends or holidays, a deposit in the amount equal to or greater than the highest fee amount that would be expected for the impound in question. This deposit must be presented to the Licensing Division on the next business day. The animal owner may then return to the city offices at their earliest convenience to receive any refund due, which is the difference between the deposit and the actual fees due. The License Division The City will also add a fee as established by the City Council for any services rendered when the officer is required to extend services in the following cases:

(a) Beyond regular office hours.

(b) At times when he or she is not regularly on patrol.

(c) If the city incurs additional expenses for any additional services.

(B) This section does not require the pound keeper or the Animal Control Officer to extend services other than during regular business hours unless it is reasonably convenient for those persons to provide those services.

Section 5. Section 92.25 of the Brooklyn Park City Code is amended to read as follows:

#### **§ 92.25 POTENTIALLY DANGEROUS DOGS.**

(F) *Removal of potentially dangerous dog classification.* A dog determined to be a potentially dangerous dog may be evaluated by a professional animal behaviorist. The owner may provide to the city ~~at the time of the license~~ a report by such animal behaviorist. If the report states that the dog has been rehabilitated, the dog may no longer be classified as potentially dangerous and is no longer subject to the requirements of this section.

Section 6. Section 92.26 of the Brooklyn Park City Code is amended to read as follows:

#### **§ 92.26 DANGEROUS DOGS.**

(A) *Registration.* Any person who has a dog that has been determined to be a dangerous dog pursuant to this code or pursuant to M.S. § 347.50, Subd. 1, must register the dog as a dangerous dog with the city, pay an annual fee ~~in addition to the dog license fee~~, and meet all the other requirements provided for in M.S. § 347.51, Subd. 2.

(B) Owners of dogs designated as dangerous must affix an additional tag to the dog's collar identifying the dog as dangerous and containing the dangerous dog symbol as further set forth in M.S. § 347.51.

Section 7. Section 92.32 of the Brooklyn Park City Code is repealed.

Section 8. Section 92.35 of the Brooklyn Park City Code is amended to read as follows:

**LICENSING**

**§ 92.35 LICENSE REQUIRED IDENTIFICATION AND VACCINATION.**

It is unlawful to own, harbor, keep, or have custody of an animal over six months of age within this municipality, ~~unless a current license without an identification tag on them for the animal has been obtained and unless~~ the animal has a current vaccination against rabies with an approved vaccine as determined by the current official "~~Compendium~~ Compendium of Animal Rabies Vaccines" published by the Conference of State Public Health Veterinarians and the Center for Disease Control of the Department of Health and Human Services. Every person convicted of a violation of this provision is guilty of a penal offense.

- (A) Identification. All animals are required to have identification on them at all times. Identification includes veterinarian issued rabies tags, or any tags or collars with contact information and phone number(s) inscribed on it.

***Cross-reference:***

~~—Licensing and permit regulations; fees, revocation, and the like, see Ch. 110~~

Section 9. Sections 92.36, 92.37, and 92.38 are repealed.

ATTEST:

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SUSAN PHA, MAYOR PRO TEM

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DEVIN MONTERO, CITY CLERK

Approved as to Form by City Attorney  
Passed on First Reading: 10-28-2019  
Passed on Second Reading: 11-12-2019  
Published in Official Newspaper: 11-21-2019