

**CITY OF HACKENSACK  
ORDINANCE NO. 75**

**AN ORDINANCE ESTABLISHING ANIMAL CONTROL IN THE CITY OF  
HACKENSACK, REQUIRING LICENSING OF ALL DOGS, AND OTHER PURPOSES;  
MAKING VIOLATIONS A MISDEMEANOR**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HACKENSACK, MN:**

**SECTION 1  
*DOMESTIC ANIMALS - LICENSING AND REGULATIONS***

**Section 1.01 RUNNING AT LARGE PROHIBITED**

No domestic animal shall be permitted to run at large within the city limits.

**Section 1.02 LEASH REQUIREMENT**

- (A) The restrictions imposed by Section 1.01 above shall not prohibit the appearance of any domestic animal upon the streets or public property when the animal is on a leash and is kept under control of the owner or an owner designated person.
- (B) No person having the custody or control of any animal shall permit the same to be in any unfenced area, whether public or privately owned, without being effectively restrained by a chain or a leash.
- (C) Domestic rabbits must be kept in a cage or fenced in area. They are not allowed to run free within the City limits. They are to be vaccinated with written verification by a qualified veterinarian.

**Section 1.03 NUISANCES**

- (A) *Habitual barking.* It shall be unlawful for any person to keep or harbor any animal which habitually barks, cries or vocalizes loudly. Habitual barking shall be defined as barking for repeated intervals of at least five (5) minutes with less than one (1) minute of interruption for 30 minutes. The barking must be audible off of the owner's or caretaker's premises.
- (B) *Damage to property.* It shall be unlawful for any person's domestic animal to damage any other person's lawn, garden or property.
- (C) *Cleaning up litter.* Owner of any animal or person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and

disposing of the feces in a sanitary manner whether on their own property, on the property of others, or on public property.

- (D) *Warrant required.* The Animal Control Officer or police officer shall not enter the property of the owner of an animal described in this ordinance to search for and seize the animal unless the officer has first obtained the permission of the owner to do so or has obtained a warrant issued by a court of competent jurisdiction.

**Section 1.04 LICENSE REQUIRED**

- (A) No animal owner or custodian shall keep any domestic animal within the City unless a valid license has been obtained. The license shall be constantly worn by the animal or a computer chip implanted in the right shoulder.
- (B) Application for the license shall be to the City Clerk-Treasurer and shall be accompanied by a fee of \$5.00 for each dog and accompanied by written verification by a qualified veterinarian of vaccination for rabies.
- (C) Licenses shall be issued from the date the license is applied for, and shall expire every two years. Failure to license dogs will result in a \$20.00 fine. Failure to renew the license within 30 days from expiration will result in a \$30.00 fine.

**Section 1.05 IMPOUNDMENT**

1. The City may, at its discretion, operate an animal pound wherein domestic animals found to be in violation of any provisions of this ordinance may be impounded by any officer or agent of the City delegated so to do.
2. In the case of impoundment of any domestic animal, the officer in charge thereof shall post a notice of impounding in two conspicuous places immediately after such impoundment.
3. Domestic animals may be redeemed from the pound by the owner upon payment of all restitution, license fees, fines and penalties which may be assessed for any violation of any provision of this ordinance. Such payment shall not be less than twenty dollars (\$20.00) and three (\$3.00) for each day the animal is confined.
4. Any domestic animal not claimed within ten (10) days of impoundment may be sold or given to an animal shelter by the officer in charge.

## **SECTION 2** **LIVESTOCK**

### **Section 2.01 DEFINITIONS**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ANIMAL.** Any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom. Animals shall be classified as follows:

- (1) **DOMESTIC ANIMALS.** Those animals commonly accepted as domesticated household pets. Unless otherwise defined, domestic animals shall include dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, non-poisonous, non-venomous and non-constricting reptiles or amphibians, and other similar animals.
- (2) **FARM ANIMAL.** Those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, farm animals shall include members of the equine family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, and other animals associated with a farm, ranch or stable.
- (3) **NON-DOMESTIC ANIMALS.** Those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, non-domestic animals shall include:
  - (a) Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards, jaguars, but excluding commonly accepted domesticated house cats.
  - (b) Any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.
  - (c) Any crossbreeds such as the cross breed between a wolf and a dog unless the crossbreed is commonly accepted as a domesticated house pet.
  - (d) Any member or relative of the rodent family including any skunk (whether or not de-scented), raccoon, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets.

- (e) Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.
  - (f) Any other animal which is not explicitly listed above, but which can be reasonably defined by the terms of this section, including but not limited to bears, deer, monkeys and game fish.
- (4) **AT LARGE.** Off the premises of the owner and not under the custody and control, either by leash, cord, chain, or otherwise restrained or confined, of the owner or an owner designated person.
  - (5) **DOG.** Both the male and female of the canine species, commonly accepted as domesticated household pets, and other domesticated animals of the dog kind.
  - (6) **OWNER.** Any person or persons, firm, association or corporation owning, keeping, or harboring an animal.

## **Section 2.02 FARM ANIMALS**

Farm animals shall be kept in an agricultural district of the city, or on a residential lot of at least 10 acres in size, provided that no animal shelter shall be within 300 feet of an adjoining piece of property. An exception shall be made to this section for those animals brought into the city as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition.

## **SECTION 3 VIOLATIONS**

### **Section 3.01 VIOLATIONS**

Except as stated in Section 1.04 hereinbefore, any person violating any section or subsection of this Ordinance shall be punishable by a fine not to exceed \$1,000.00, ninety (90) days in jail, or both.

## **SECTION 4 REPEAL**

### **Section 4.01 REPEAL**


Ordinance No. 57 is repealed. All other Ordinances or sections or subdivisions of other Ordinances in conflict with this Ordinance are repealed.

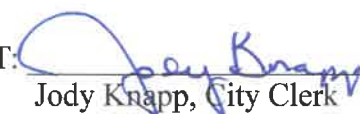
**SECTION 5**  
***EFFECTIVE DATE***

**Section 5.01. EFFECTIVE**

The amendments contained herein shall be in full force and effect from and after passage and publication.

Passed and approved this 2nd day of August, 2010.

  
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Mel Rateike, Mayor

ATTEST:   
\_\_\_\_\_  
Jody Knapp, City Clerk

Published – August 11, 2010