

ORDINANCE NO. 76

**AN ORDINANCE AMENDING PLATO ORDINANCE NO. 41
AND PROVIDING FOR REGULATION OF ANIMALS**

The City Council of the City of Plato ordains:

Section 1: The following Section 5A should be added to Ordinance No. 41:

"Section 5A. Obligation to Prevent Nuisances. It shall be the obligation and responsibility of the owner of any animal in the City, whether permanently or temporarily therein, to prevent the animal from committing any act which constitutes a nuisance, including allowing the animal to unreasonably annoy or disturb the peace of other members of the public due to excessive, continuance or untimely barking, whining or crying. Barking, crying, whining or similar noise shall be considered nuisance if it is audible off of the owner's premises for a continued period of more than 5 minutes with interruptions of less than 1 minute duration."

Section 2: Section 9 of Ordinance No. 41 shall be amended to read as follows:

"Section 9. Authorized officers of the City, on behalf of the City, including licensed police officers, take up and impound any dogs or cats found to be unlicensed, running at large, dangerous or hazardous, or who are creating a nuisance be placed in an authorized or lawful dog pound. Any animal impounded may be redeemed within five (5) days from the impoundment by payment to the City Clerk all impoundment charges, fines as determined and established by the City Council from time to time from the misdemeanor limitation imposed by Section 15 of this ordinance and other veterinary or impoundment fees that may be imposed. In no case will dangerous dogs be released from impoundment until all conditions of Section 11 of this ordinance have been complied with."

Section 3: Section 11 of Ordinance No. 41 is amended to add the following subsection (e):

"Section 11.(e) All complaints concerning dangerous animals shall be promptly addressed to the City in written form, except in emergencies, and such complaints shall be addressed to the McLeod County Sheriff. As far as practically possible, the complaint shall be in written form specifying the animal involved, its approximate location and address of persons who are known to own or harbor the animal, with the name, address and telephone number of the complainant."

Section 4: Section 5 of Ordinance No. 41 is amended to add the following sentence:

"Section 5. All persons observing animals running at large have a duty to advise the City and/or the County Sheriff if no City personnel is available, regarding any dog running at large or constituting a nuisance, including a description of the animal, approximate location and the name and address of any person who is known to own or harbor the animal."

Section 5: This ordinance shall take effect from and after its passage and publication

Adopted this 11th day of April, 2005.

By Bob Becker
Bob Becker, Mayor

Attest:

By Gwen Werth
Gwen Werth, City Clerk