

## ORDINANCE NO. 185

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:

An ordinance amending Ordinance 172 regulating animals within city limits.

Section 7 of said ordinance is hereby amended as follows:

7. Animal Care and Control. All animals kept or held within city limits must be physically controlled by the person or entity keeping or holding said animal, and in a manner to provide proper care for said animal. This control can be exercised as follows:
  - A. by keeping the animal caged, housed within a building that does not allow the animal free exit through a pet door or other uncontrolled opening or
  - B. by a fenced enclosure of sufficient construction and dimensions to prevent the animal from escape by jumping or climbing over or digging through under said enclosure. Escape by digging shall be prevented by providing a floor to the cage or enclosure consisting of concrete, plastic, wood of sufficient thickness, or other material that the animal cannot dig or chew through to escape from the enclosure. (Electronic control measures such as "invisible fencing" and electronic collars are not acceptable physical controls under this ordinance) or
  - C. by controlling the animal by a leash of sufficient composition to prevent the animal from breaking free of said leash, and with said leash held at all times by a person of sufficient size and strength to control the animal, or by anchoring the leash to a stake, ring, bolt or other device of sufficient strength and composition to prevent the leash from detaching from said connection.
  - D. In addition, any cage, building, enclosure or leash arrangement must be of sufficient composition, dimensions and location so as to reasonably prevent the animal from injuring any person or property. For example, if it is known that a dog has aggressive tendencies, it will not be considered sufficient control to merely stake the dog in the yard with a leash, if it can be reasonably anticipated that young children in the neighborhood may be able to approach the dog within the diameter of the leash. In this example, reasonable control would be to have the dog fenced in a cage or enclosure out of reach of any young children.
  - E. Any animal restraint or enclosure shall be set up in such a way as to properly care for the health of the animal. This shall include providing the animal with sufficient source of food and water available to the animal, shade in the summer and shelter from the elements in the winter.
  - F. Animals will be restrained or housed as required under this ordinance only in the rear yards of lots in the City of Arlington. No animals shall be leashed or housed in any manner in the front or side yards of any property in the City of Arlington. No animals shall be leashed or housed at a location which would allow the animal to trespass onto the property of any other owner or onto public street, sidewalk or alley rights of way.

This ordinance shall become effective immediately upon publication.

For City of Arlington

/s/ David Czech

By David Czech  
Its Mayor

First Reading: November 15, 2004  
Second Reading: December 6, 2004  
Published: December 16, 2004  
Adopted: December 16, 2004

/s/ David L. Krueger

By David L. Krueger  
Its City Administrator