

## ORDINANCE 7

### AN ORDINANCE TO RESTRAIN ANIMALS FROM RUNNING AT LARGE.

The City Council of Minnesota City do ordain as follows:

SECTION 1. That no horse, goat, cattle, sheep, swine, mule, jackass, or other animal, or geese, turkeys, ducks or hens shall be permitted to run at large within the city of Minnesota City from the time of the 15th day of April to the 15th day of October, and the owner, lessee, or any person who has the custody or charge of such animal or poultry, who shall suffer or permit the same to run at large within the city contrary to the provisions of this ordinance, shall upon conviction thereof, be fined not less than twenty five cents nor more than fifty cents each for geese, turkeys, ducks or hens, and not less than fifty cents nor more than two dollars for animals mentioned above for each and every offense, where a different fine is not hereinafter provided for and imposed; provided however, that nothing in this ordinance shall prevent any said animals from passing through said city to and from the herd in which they are kept.

SECTION 2. It shall be the duty of the constable to secure and confine in a pound, all horses, goats, cattle, sheep, swine, mules, jackasses or other animals, or geese, turkeys, ducks and hens running at large within the limits of the city, to be safely kept and provided for; and to be delivered to any owner calling for the same upon payment by him to the keeper of the pound the sum of fifty cents.

SECTION 3. It shall be lawful for any person finding any animals, geese, turkeys, ducks or hens running at large, as aforesaid, to drive them to the pound, and it shall be the duty of the pound keeper to receive and keep such animals and to enter the name of the person delivering the same, the date of impounding and the description of the animals so delivered, in a register by him to be kept for that purpose, which register shall be open to the inspection of all persons applying therefore.

SECTION 4. Any impounded animal, goose, turkey, duck or hen not called for and released as provided, within thirty six hours from the impounding thereof, shall be sold by the constable at public vendue, at the pound gate within fifteen days after the notice date of sale, by the constable of said city, by publishing the same in the newspaper having the publication of corporation matters or by posting notices of such sale in three public places in the city, which notices shall contain a description of the animal or animals geese, turkeys, ducks or hens to be sold and the time and place of the sale, but no constable or pound keeper shall be a purchaser at such sale.

SECTION 5. The moneys so realized at such a sale, as provided in the preceding section, after deducting the amount of the release fee prescribed in section two, and the sum of fifty cents expenses of sale, and the cost of advertising the animal or poultry sold, shall be paid to the owner of the animal or poultry, when ascertained, and if not ascertained within six months after date of sale, the amount shall be forfeited to the city of Minnesota City; provided, however, the constable shall pay said balance into the

treasury immediately after said sale.

SECTION 6. Constable shall be entitled to the following fee for his services and the services of any person employed by him to carry out the provisions of this ordinance, viz; for every animal impounded the sum of fifty cents; necessary expenses for hiring a suitable person to assist as a pound keeper, together with the subsistence of animals impounded and the costs of advertising and sale, provided that in no event the constable shall claim from the city compensation for impounding, subsisting and selling animals and poultry.

SECTION 7. In order to carry out the provisions of this ordinance, and provide for keeping and confining all animals, geese, turkeys, ducks and hens running at large, contrary to its provisions that shall be established under the authority of the city council, and at the expense of the city, the pound to be under the charge of the city constable and to be kept by himself or by some person appointed or designated by him, and until the city council shall provide and fit up a suitable establishment for this purpose it shall be the duty of the city constable to provide in his discretion a temporal place for enforcing and carrying out the provisions of this ordinance.

SECTION 8. No person shall willfully obstruct or prevent the impounding of any animals, geese, turkeys, ducks or hens running at large contrary to the provisions of this ordinance, under a penalty of not less than five dollars (\$5.00) nor more than ten dollars (\$10.00) for each and every offense.

Adopted and passed this 11<sup>th</sup> day of June 1895

President, Jacob Stehn

Attest: Recorder, C. C. Chapman