

**SPRING LAKE TOWNSHIP  
SCOTT COUNTY  
STATE OF MINNESOTA**

**ORDINANCE NO. 22- 001**

**ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 14-002  
GOVERNING NUISANCE ANIMALS**

THE BOARD OF SUPERVISORS OF SPRING LAKE TOWNSHIP, SCOTT COUNTY, MINNESOTA HEREBY ORDAINS:

**Section 1. Authority.**

This Ordinance is adopted pursuant to the authority stated in Minnesota Statutes, section 368.01, subdivisions 13 and 15; and Minnesota Statutes, sections 347.50 through 347.565.

**Section 2. Statement of Purpose.**

The Town Board finds that Ordinance 14-002, which prohibits habitually barking dogs, is inadequate to protect the Township's voters and residents from other nuisances created by dogs and other domesticated animals kept as pets and has determined that repealing and replacing Ordinance 14-002 with a more comprehensive ordinance governing nuisance animal conduct, dangerous dogs, and control of these animals is necessary to protect property, public health, safety, and general welfare of Town residents. Noisy, unruly, unrestrained, and/or dangerous animals constitute a public nuisance as a potential danger to the health, safety, and general welfare of Township residents and property. The Town Board deems that it is in the public interest to protect property and to promote the health, safety, and general welfare of its residents within the Township by defining and prohibiting nuisance conduct of animals located within Spring Lake Township.

**Section 3. Nuisance Defined.**

It shall be a public nuisance under this Ordinance for any dog to:

- (a) Habitually bark. "Habitually barking", for purposes hereof, shall mean a dog or dogs that bark, whine, cry, or make other similar noises continually for a period of five minutes or more, with intervals of less than two minutes between noises; or

It shall be a public nuisance under this Ordinance for any domestic animal, including dogs, to:

- (b) Run at large. The term "run at large" shall mean going on or about the public roads, alleys, parks, school grounds, or other public places, or on any private premises (except the premises of the owner or keeper of said animal) without the landowner's permission, unless the animal is effectively restrained by a chain or leash and under the care and control of its owner or keeper.

**Section 4. Prohibition.**

- (a) It shall be unlawful for any person to keep, harbor, or permit a habitually barking dog within Spring Lake Township when the noises from the dog are audible beyond the dog owner's property.
- (b) It shall be unlawful for any domesticated animal to run at large within Spring Lake Township.

**Section 5. Penalty and Enforcement.**

Any person violating this ordinance shall be guilty of a misdemeanor and shall be subject to punishment of a fine of the greater of either \$1,000.00, or the maximum fine permitted by law, as the same may be amended from time to time. The Scott County Sheriff's Office is authorized to enforce this ordinance.

**Section 6. Regulation of Dangerous Dogs.**

Minnesota Statutes, sections 347.50 through 347.565 (the "Dangerous Dog Law") provides for the regulation and/or destruction of dangerous dogs by animal control authorities and law enforcement, notwithstanding adoption of the Dangerous Dog Law into local ordinances. *See Minn. Stat. § 347.565.* Scott County has adopted the Dangerous Dog Law into its ordinances. *Scott Co. Ord. No. 27.* The Dangerous Dog Law is hereby incorporated into this Ordinance by reference.

**Section 7. Severability.**

It is hereby declared to be the intention that the several provisions of this ordinance are severable in accordance with the following: If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provisions of this Ordinance not specifically included in said judgment.

**Section 8. Summary approved.**

The Town Board hereby determines that the text of the summary marked "Official Summary of Ordinance No. 22-~~001~~", a copy of which is attached hereto, clearly informs the public of the intent and effect of the ordinance. The Town Board further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the Ordinance. Minn. Stat. § 365.125.

**Section 9. Filing.**

The Town Clerk shall file a copy of this Ordinance in its office, which copy shall be available for inspection by any person during regular office hours. Minn. Stat. § 365.125.

**Section 10. Publication; Public Posting.**

The Town Clerk shall publish the title of this Ordinance and the official summary in the official newspaper of the Township in a font no smaller than brevier or 8-point type, with notice that a printed copy of the Ordinance is available for inspection by any person during regular office hours at Town Hall. Minn. Stat. § 365.125.

**Section 11. Recording.**

This Ordinance shall be recorded in the Town's ordinance book within 20 days after the Ordinance or its Summary are published. Proof of publication must be attached to the recorded Ordinance. Minn. Stat. § 365.125.

**Section 12. Copy to Law Library.**

A copy of the full text of this Ordinance shall be furnished to the Law Library located at the First Judicial District Courthouse, Scott County, located in Shakopee, Minnesota, or its designated depository. Minn. Stat. § 415.021.

**Section 13. Effective date.**

This Ordinance shall be in full force and effect from and after its passage and publication.

*[Signature Page to Follow]*

*[Remainder of Page Intentionally Left Blank]*

All those in favor:

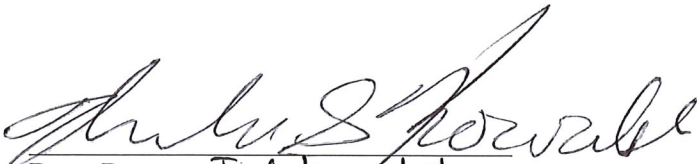
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All those opposed:

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This Ordinance:   X   passes        fails

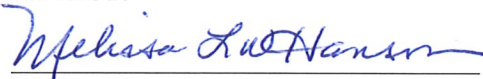
ENACTED by the Town Board of Spring Lake Township, this   9   day of   June   2022.



~~Doug Berens~~ Ted Kawalski

Vice - Chairman, Board of Supervisors of Spring Lake Township

ATTEST:



Melissa Hanson  
Clerk, Spring Lake Town Board

**OFFICIAL SUMMARY OF ORDINANCE NO. 22-001**

**ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 14-002  
GOVERNING NUISANCE ANIMALS**

The following is the official summary of Ordinance No. 22-001 as approved by the Board of Supervisors of Spring Lake Township on the 9 day of June 2022:

The ordinance repeals Ordinance No. 14-002 (which prohibits habitually barking dogs) and replaces it with a more comprehensive ordinance prohibiting and defining nuisances created by animals and nuisance animals and providing for the enforcement and penalties for violations. A violation of the Ordinance is a misdemeanor.

A printed copy of the Ordinance is available for inspection by any person during regular office hours at the office of the Town Clerk at the Spring Lake Township Town Hall at 20381 Fairlawn Avenue, Prior Lake, Minnesota.

Effective date. This Ordinance shall take effect upon its passage and publication.