



The Connection

August 2021

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A MESSAGE FROM THE CITY CLERK ON ANIMAL LICENSING

Dear residents,

As you may know, the City of Canton's pet licensing ordinance has recently raised some community concerns. The topic has been a city council agenda item twice in the past four months – first brought up back in April and again at the July meeting. This letter is an attempt to provide you, firsthand, with a bit of background information on the present-day ordinance and the current compliance efforts underway at city hall.

• First and foremost, voluntary citizen compliance is the goal – as it is with all City of Canton ordinances. Public education is a key component to achieving this. Reminders about the annual pet licensing requirement have been included in the monthly newsletter, going back to January. Additionally, there have been multiple Facebook posts on the matter, with specific mention to ordinance requirements. In March, friendly reminders were mailed to pet owners, known to City staff, who had not yet licensed their animals in 2021. Voluntary compliance was stressed, with questions or concerns to be addressed with City staff.

• The current animal ordinance (Chapter 91) was first enacted by the city council in 2006. The ordinance reads: "All dogs [and cats per § 91.02 C] over the age of six months kept, harbored, or maintained by their owners in the City, shall be licensed and registered with the City. Dog [cat] licenses shall be issued by the City Clerk upon payment of the license fee...The owner shall state, at the time application is made for the license and upon forms provided, his or her name and address and the name, breed, color, and sex of each dog [cat] owned or kept by him or her. No

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Nuisance properties take center stage *City council hears feedback at town hall meeting*

About a dozen community members attended the July 14 town hall meeting hosted by the Canton City Council to discussing nuisance properties within the City. Fillmore County Sheriff John DeGeorge, Fillmore County Attorney Brett Corson and City Attorney Greg Schieber were also in attendance.

Mayor Nick Prestby began the event with a background presentation on nuisance properties. According to current City of Canton Code of Ordinances, a public nuisance is a condition which "unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of the members of the public." Mayor Prestby outlined the public nuisances, by ordinance, as it relates to properties. They include nuisance parking and storage, inoperable motor vehicles, building maintenance and appearance, and weeds. He explained the ordinances were first enacted by the city council in 2006; they were reviewed in 2015 and 2020, with no changes made either year. The Mayor stated the ordinances are presently being enforced through public education efforts, annual property inspections, and, as a last resort, legal action. Since 2018, five citations have been issued for nuisance property ordinance violations. The 2021 property inspections occurred on June 15, with the city clerk and a sheriff's deputy reviewing residential and commercial properties for obvious ordinance violations. Property owners were given advance notice, with the inspection date included in the City's June newsletter and on Facebook. 17 notices were mailed out on June 24, with a request for voluntary compliance by August 6. It was mentioned that approximately 70% of this year's notice recipients also received a notice last year. There were 26 notices sent in 2020.

2021 Ordinance Violations

Nuisance Parking & Storage	4
Inoperable Motor Vehicles	10
Building Maintenance & Appearance	2
Weeds	6
Other nuisances	7

Public feedback included concerns about the City being "too picky" and claims that the drive-around inspection process was intimidating. Sheriff DeGeorge noted that property inspections are handled similarly in other communities. He also stated the need for consistency when it comes to any ordinance enforcement. Attorney Schieber offered the idea of an annual community clean-up day to provide residents a means to properly dispose of certain items, which may otherwise accumulate on properties. Attorney Corson reviewed the pros and cons of criminal versus civil action. He said the civil route may yield more positive results when it comes to repeat offenders. Since 2018, prosecution-related costs have totaled more than \$4,000 for nuisance property cases.

The city council thanked the public for being part of the discussion and stressed that voluntary compliance is always the goal.

➔ **The nuisance properties presentation can be found on cantonmn.com.**

Message from clerk continued from P.1

license shall be granted for a dog [cat] that has not been vaccinated against distemper and rabies, as evidenced by a certificate by a veterinarian qualified to practice in the state in which the dog [cat] is vaccinated.”

- The City of Canton’s animal licensing ordinance requirements, with specific mention to rabies vaccinations, are in line with 12 nearby cities recently surveyed – including our immediate neighbors, Harmony and Mabel.
- Since June 2019, there have been no citations issued for failing to properly license and/or vaccinate a dog or cat.
- A letter, from a licensed veterinarian, indicating the City’s vaccination requirements would cause harm to animal, for a specified reason, is an acceptable document to waive the vaccination requirement.
- At this past April’s city council meeting, then-councilmember Charlie Warner requested time on the agenda to discuss the current animal ordinance, specifically the rabies vaccination requirements. As the owner of cats, Mr. Warner felt the vaccination requirement should be eliminated for animals over a certain age, due to potential negative side effects. He also believed indoor cats should be exempt from the licensing requirements altogether. The council reviewed information collected from two area veterinarians, the City attorney, and the Fillmore County Sheriff. In their professional opinions, both veterinarians stated older animals are not at greater risk for vaccine-related side effects. Additionally, they added all indoor and outdoor animals should be vaccinated for rabies – noting that once an animal starts exhibiting symptoms it is virtually 100% fatal. The City attorney noted that establishing a distinction between indoor and outdoor animals would set a dangerous precedent, with the potential for pet owners to claim their outdoor animals were instead indoor animals. The Sheriff provided an example of a recent incident involving one of his deputies, who was bitten by an unvaccinated dog while responding to rural residence. The Sheriff said the public risk is too great to eliminate the vaccination requirement. After a lengthy council discussion, there were no motions offered to amend the City’s animal ordinance.
- This past spring, the City received a citizen concern regarding the welfare of dogs being kept at a neighboring residence. The matter was referred to the Fillmore County Sheriff’s Office, which provides law enforcement services to the City of Canton through a contract – the sheriff deputies act as our police officers. After investigating the claim, the deputy responding to the case inquired with City staff to find out if the dogs were properly licensed. They were not. With that information being shared, the deputy then asked if there were other unlicensed animals known to the City. There were. The deputy asked staff to compile a list of those pet owners so he could follow-up with them – to be fair with his enforcement practices. Before providing that list, a Facebook post was issued giving owners of unlicensed pets – known to the City through past records, personal observation, or self-acknowledgement – one final opportunity to voluntarily comply with the ordinance prior to contact from law enforcement. A City-issued letter was also mailed to those seven identified pet owners, giving them until July 16 to either license their animals or communicate their intentions with the City. At the time of this writing, the City has heard from all but one.
- On July 14, acting as a citizen of the City of Canton, Mr. Warner once again addressed this matter before the city council. This time, he presented a petition that included 38 signatures. The petition called for the removal of the rabies vaccination licensing requirement, in addition to changes to ordinance-specific limits set on the number of pets allowed per residence. The current animal ordinance permits two (2) dogs per residence, with no limit on the number of cats, which has been the case since at least 2006. It was noted there were two households with three or more dogs licensed with the City. In one case, the owner received permission to exceed the limit when he became a City of Canton resident many years ago. The other case involves an older dog and two younger dogs. In this instance, the owner was reminded of the two dog limit and asked to remain mindful of that as life takes its natural course. Since June 2019, the City has never refused to license any dog or cat, with current vaccination records. Attending the July meeting for another topic, the City attorney and Sheriff once again weighed in on the matter, with no deviation from their April opinions. After another lengthy discussion, there were no motions offered to amend the City’s animal ordinance.
- **It must be stressed: There will be no door-to-door searches for unlicensed cats or dogs, nor has there ever been mention of doing so. Voluntary compliance remains, and always will be, the goal.**
- Finally, the City’s animal registration system is not designed to be a moneymaker. As stated in the ordinance, the fees collected are to support the costs associated with the program – ID tags, paper licenses, and staff time. The City of Canton’s \$6.00/year fee is one of the lowest around. Licensing serves as a check and balance system to ensure pet owners are all doing their part to keep the community and their own pets safe.

NEXT COUNCIL MEETING:

August 11 @ 6 p.m.

Canton Town Hall

- ✓ Public comments welcome
- ✓ Agenda on cantonmn.com

Thank you for taking the time to review this information. If you still have questions relating to the City’s animal licensing requirements or the recent goings-on regarding this matter, please connect with me. As always, you may also reach out to one of your elected officials – they are the decision makers when it comes to your City ordinances, which are all posted on cantonmn.com under the city government tab.

Sincerely,

