

CITY OF GWINNER
ORDINANCE NO.2025-2

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GWINNER, SARGENT COUNTY, NORTH DAKOTA:

5-101. DEFINITION OF TERMS

(a) Animal: For the purpose of this Chapter, animal shall mean every living animal except a member of the human race.

(b) At Large: An animal shall be deemed to be at large when off the property of the owner and not under restraint.

(c) Neutered: Rendered permanently incapable of reproduction.

(d) Nuisance: An animal shall be considered a nuisance if it damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, dangerous, or offensive conditions; causes a disturbance by excessive barking or other noisemaking; or chases vehicles, or molests, attacks, or interferes with persons or other domestic animals on public property.

(e) Owner: A person having the right of property or custody of an animal or who keeps or harbors an animal or knowingly permits an animal to remain on or about any premises occupied by that person.

(f) Restraint: An animal shall be considered under restraint if it is within the real property limits of its owner or secured by a leash or lead under the control of a responsible person.

(g) Dangerous or Vicious Animal: "Dangerous or Vicious" is any animal that:

1. when unprovoked, inflicts bite(s) on any human or domestic animal either on private or public property;
2. has a documented history with the Gwinner police Department or other public agency of biting or attacking any human or domestic animal;
3. has a known propensity, tendency, or disposition to attack, to cause injury, or otherwise threaten or endanger the safety of humans or domestic animals; or
4. is not properly vaccinated.

8-1002. PENALTY FOR VIOLATION OF CHAPTER. Any person, firm, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished by a fine not to exceed Fifteen Hundred Dollars (\$1500.00), or imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof.

5-402. PENALTY FOR VIOLATION OF CHAPTER. Any person, firm, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished by a fine not to exceed Fifteen Hundred Dollars (\$1500.00) or imprisonment and not to exceed thirty (30) days or by both fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof.

20-301. PENALTY FOR VIOLATION OF CHAPTER. Any person, firm, or corporation violating any of the terms or provisions of this chapter shall upon conviction be punished by a fine not to exceed Fifteen Hundred (\$1500.00) Dollars, or imprisonment not to exceed Thirty (30) days, or by both such fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof.

14-501. PENALTY FOR VIOLATION OF CHAPTER. Any person, firm, or corporation violating any of the terms or provisions of this chapter for which no specific penalty is provided, shall upon conviction be punished by a fine not to exceed Fifteen Hundred Dollars (\$1500.00), or imprisonment not to exceed Thirty (30) days, or both such fine and imprisonment in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof or make its order that the person shall correct the violation or permit said violation to continue. The application of this penalty shall not be held to prevent enforced removal or correction of prohibited conditions.

12-401. PENALTY. Any person who shall violate any provision of this chapter shall, upon conviction thereof, be punished by a fine of not more than Fifteen Hundred Dollars (\$1500.00) or by imprisonment for not more than Thirty (30) days, or by both such fine and imprisonment at the discretion of the Court. Each and every violation of the provisions of this chapter shall constitute a separate offense.

franchises, or permits, or suspending the same, wherever by these ordinances such power of revocation or suspension has been reserved to the City Council.

OFFERED BY ALDERMAN Austin Kenny and placed on its first reading this 5th day of MAY, 2025.

2nd PLACED on its second and final reading, passed and approved and adopted this day of June, 2025.

Jamie Gavin
Jamie Gavin, Mayor

ATTEST:
Jessica Peterson
Jessica Peterson, City Auditor

Publication June 6, 2025