

SECTION 24. ANIMALS

Subdivision

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24.01 GENERAL REGULATIONS:

- A. The size, number, species, facilities for and location of animals kept shall be maintained so as not to cause a nuisance or endanger the health, safety, or general welfare of the community and shall be in compliance with this Ordinance and all other applicable City regulations.
- B. Animals may only be kept for commercial purposes if such activities are authorized in the zoning district where the animals are to be located.
- C. Facilities for housing animal(s) shall be:
 - 1. Constructed of such material as is appropriate for the animal(s) involved.
 - 2. Maintained in good repair.
 - 3. Controlled as to temperature, ventilated and lighted compatible with the health and comfort of the animal(s).
 - 4. Of sufficient size to allow each animal to make normal postural and social adjustments with adequate freedom of movement. Inadequate space may be indicated by evidence of malnutrition, poor condition of debility, stress or abnormal behavior patterns.
 - 5. Cleaned as often as necessary to prevent contamination of the animal(s) contained therein and to minimize disease hazards and reduce odors.
 - 6. Excepting farm related facilities, subject to approval of a building permit by the City Building Official.
 - 7. In accordance with applicable Humane Society or State requirements regarding the leasing of animals.
- D. Animals kept in pet shops or kennels shall be kept in accordance with regulations for pet shops and kennels in addition to the regulations provided by this Ordinance.

24.02 DOMESTIC ANIMALS: The keeping of domestic animals, as defined in Section 2.2 of this Ordinance, is an allowed use in all zoning districts.

24.03 DOG KENNELS AND CAT SHELTERS:

- A. No person shall maintain or operate any kennel or shelter without a license.
- B. A minimum lot size of one (1) acre is required to be licensed for operation of a kennel or shelter.
- C. Every kennel or shelter shall be enclosed or fenced in such manner as to prevent the running at large or escape of animals confined therein.
- D. Both dog kennels or cat shelters shall be open for inspection by the City authorities at any time.
- E. It shall be unlawful for any person to own or keep four (4) or more dogs and/or cats (excluding farm cats) over six (6) months of age on his/her premises in the City without obtaining a kennel license pursuant to this Section.

24.04 FARM ANIMALS:

- A. The keeping and maintaining of farm animals, including livestock and horses, shall be an allowed use within the A-1 Zoning District and on sites qualifying as farms in all other zoning districts.
- B. The keeping and maintaining of farm animals, including livestock and horses, shall be allowed by administrative permit in the A-2 Zoning District, provided:
 - 1. The provisions of Section 6 of this Ordinance are considered and determined to be satisfied.
 - 2. The minimum lot size upon which animals are to be located shall be two and one-half (2 ½) acres.
 - 3. Farm animals may not be confined in a pen, feedlot, or building within two hundred (200) feet of any residential structure not owned or leased by the operator.

4. The keeping and care of animals is provided by City regulations.
5. The density per acre of farm animals specifically allowed must not exceed the maximum densities, as specified below, unless permitted by conditional use permit:

<u>Animals</u>	<u>Number/Acre</u>
a. Cattle, horses mules, donkeys	1
b. Goats, sheep	5
c. Swine	10
d. Turkeys, ducks, geese	25
e. Chickens, rabbits, guinea pigs, hamsters, pigeons	50

6. A shelter or stabling facility shall provide a minimum of one hundred (100) square feet per acre of enclosed area per animal, or fractions thereof, as based upon the number of animals per acre listed above (example: 100 square feet divided by five goats/acre = 20 square feet of enclosed area per goat).
- C. Manure application and stockpiling activities shall comply with applicable provisions of Section 23.07 of this Ordinance.
 - D. No manure or waste shall be deposited, stored, kept, or allowed to remain in or upon any site without reasonable safeguards adequate to prevent the escape or movement of such manure, waste, or a solution thereof from the site which may result in pollution of any public waters or any health hazard.
 - E. All regulations imposed by the Minnesota Pollution Control Agency (MPCA) relating to the keeping of farm animals shall be adhered to and animal feedlots shall comply with the applicable provisions of Section 23.07 of this Ordinance.

24.05 COMMERCIAL STABLES:

- A. Commercial stables (operations involving the boarding and care of ten (10) or more horses) shall be allowed only in the City's A-1 Zoning District by conditional use permit.
- B. The minimum lot size for a commercial stable shall be ten (10) acres.
- C. The density of equine allowed on a commercial riding stable shall be in accordance with Section 24.04.B.5.
- D. Manure and other waste materials shall be removed and distributed so as to

minimize unsightly odors, insect, and rodent problems or any condition which otherwise operates as a public or private nuisance. The storage of manure and other waste materials must be located a minimum of two hundred (200) feet from the property line of any residential structure, or any lake, pond, river, stream, or other body of water, well, or property line.

- E. All areas designated for equine sheltering shall be located at least two hundred (200) feet from the property line. Any agricultural building or shelter which was being used in a commercial stable prior to the effective date of this Section is not required to comply with the requirements of this subparagraph, provided, however, that such agricultural building or shelter does not constitute a public nuisance as determined by the City Council.
- F. Fences as regulated by Section 15.06 of this Ordinance shall be constructed and maintained so as to adequately and safely contain equine at all times.
- G. One (1) agricultural building upon the commercial stable property shall be permitted to contain no more than one (1) caretaker's unit, subject to a demonstrated need and to the approval of a conditional use permit as regulated by Section 4 of this Ordinance.
- H. All equine shall be provided shelter sufficient to protect against potentially injurious weather. All such shelters shall be structurally sound, provide sufficient ventilation, and be maintained in good repair.
- I. Equine stalls shall provide sufficient space for the equine to lie or roll with a minimum danger of injury to itself. Stalls shall be cleaned and kept dry to the extent that the animal is not required to lie or stand in fluids. Bedding shall be provided in all stalls, kept reasonably clean, and periodically changed. The nature of the bedding shall not pose a health hazard to the animal.
- J. The Zoning Administrator shall inspect every commercial stable as frequently as the City may deem necessary to ensure compliance with the terms of this Section and any conditions of the license for such commercial stable. Any person who operates a commercial stable shall, upon request of the Zoning Administrator and/or City Building Official, permit access to all parts of the commercial stable for the purpose of inspection. The Zoning Administrator shall prepare a report of every inspection of a commercial stable. A copy of such report shall be mailed to the person operating the commercial stable and forwarded to the City Council.

24.06 WILD OR EXOTIC ANIMALS:

- A. Conditional Use Permit.

1. Other than may be herein exempted, wild or exotic animals, as defined in Section 2.2 of this Ordinance shall require a conditional use permit prior to its being kept in the City.
 2. Determination of acceptability shall include but not be limited to:
 - a. The potential health or safety hazard posed.
 - b. The provisions of Section 4 of this Ordinance are considered and determined to be satisfied.
 3. Conditions and limitations governing wild or exotic animals shall include but not be limited to:
 - a. Full compliance with State Statutes and federal regulations governing such species.
 - b. Provisions for the adequate and safe confinement of such animal, as may be warranted by the potential adverse impact upon neighboring properties and by safe consideration of the property residents and neighboring uses.
 - c. Adequate screening, noise, and visual controls as deemed necessary by the City Council to maintain compatibility and protect the health, safety, and general welfare of the public.
 - d. Additional requirements and limitations as may be deemed necessary by the City Council so as to insure compatibility and maintain the health, safety and general welfare of the public.
- B. Zoological Programs. Wild or exotic animals being kept as part of the Minnesota Zoological Gardens, St. Paul Como Zoo, or similar institutional teaching programs are an allowed use in all zoning districts by administrative permit. Prior to permit issuance, the participant in the program shall notify the Zoning Administrator in writing of their participation in the program and identify all animals being kept.

