

ORDINANCE #22-00

**CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

AN AMENDMENT TO CHAPTER 10 WHICH IS KNOWN AS THE ANIMALS CHAPTER OF THE CITY CODE OF RAMSEY, MINNESOTA.

AN ORDINANCE AMENDING ARTICLE I. IN GENERAL, REDACTING ARTICLE II. – HORSES, AND AMENDING ARTICLE III. – DOGS, OF CHAPTER 10 OF THE CITY CODE OF RAMSEY, MINNESOTA.

The City of Ramsey ordains:

SECTION 1. AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2. AMENDMENTS

Article I. – In General, Sec. 10-1. – Keeping of certain animals, livestock, and poultry. shall be redacted in its entirety and replaced to read as follows:

Section 10-1. – Keeping of certain animals, livestock, and poultry.

(a) Prohibited animals

- (1) The following animals are prohibited within the City:
 - a. Any animal or species prohibited by state or federal law;
 - b. All large cats of the family Felidae, such as lions, tigers, jaguars, leopards, cougars and ocelots, except commonly accepted domesticated house cats.
 - c. All members of the family Canidae, such as wolves, foxes, coyotes, dingoes and jackals, except domesticated dogs.
 - d. All poisonous animals, including snakes; that upon touch or bite may cause hallucinations, alter cardiopulmonary functions, or even death;
 - e. Dangerous farm type animals, including bison, emus, and ostrich, except with a non-traditional animal license.
 - f. All other animals which are not listed explicitly above, but which can be easily defined in this chapter as an exotic animal, including bears, wolverines, and badgers;
- (2) Persons keeping animals for a public zoo as volunteers, docents, or otherwise, any bona fide research institution or veterinary hospital are exempt from the provisions of this chapter, provided protective devices adequate to prevent such animals from escaping or injuring the public are provided.

(b) Non-Domestic Animals

1. The schedule referred to in subsection (b) (1) of this section shall be used in the following manner:
 - a. The types of non-domestic animals kept or maintained shall be limited to those listed on the schedule.
 - b. The maximum number of animal units allowed, excluding domestic animals, for a specific acreage of land shall be determined by the following formula:

Maximum number of animal units allowed = Number of acres rounded down to the nearest quarter (.25) acre(s):

<i>Permitted Animal Types</i>	<i>Assigned Animal Unit Values</i>	<i>Minimum Acreage Required</i>
Cattle family except Bison	1 head = 1 unit	2.5 acres
Llama/Alpaca family	1 head = 1 unit	2.5 acres
Swine family	2 head = 1 unit	2.5 acres
Sheep/Goat family	2 head = 1 unit	0.50 acres
Poultry/Fowl families (chicken, duck)	25 head = 1 unit	No minimum
Poultry/Fowl families (turkey, goose)	8 head = 1 unit	2.5 acres
Horse/Mule family	See section 10-1 3. (c?)	1.5 acres
Animal units not addressed in this table will be determined by the City at the time of Non-Traditional Animal License consideration.		

2. Poultry/Fowl shall be subject to the following:
 - a. Poultry/Fowl are defined as chickens, turkeys, geese, ducks, or similar.
 - b. Poultry/Fowl must be provided an enclosure in accordance with City Code chapter 117, article II (Zoning) and MN State Building Code. The enclosure shall be counted as an accessory building when calculating total number of permitted accessory buildings on a property. The enclosure and surrounding grounds shall be maintained in a clean and sanitary condition and in good repair. Flies, rodents, and noxious odors shall be controlled. Poultry/Fowl may not run at large.
 - c. Poultry/Fowl, including any shelters, coops and/or containment fencing, must be located in side or rear yards only.
 - d. All enclosures must maintain a minimum setback of ten feet from all property lines and must maintain a minimum setback of 30 feet from all adjacent inhabited structures.
 - i. The enclosure shall remain completely enclosed to prevent unwanted intrusion by outside animals and migratory birds.
 - ii. If 100 percent opaque fencing (privacy fencing) is utilized for the exercise area, said fencing is subject to the standard fence regulations and setbacks within City Code chapter 117. If alternative fencing is used (for example, chain link fencing), then said fencing shall be no closer than ten feet to a property line.
 - e. Roosters may be kept and maintained only on parcels of at least two and a half (2.5) acres in size. Said properties are allowed a total of two (2) roosters.

- i. Setbacks for rooster enclosure and exercise area shall be fifty (50) feet from any neighboring place of human habitation and seventy-five (75) feet from neighboring property lines.
- 3. Cattle, and Swine families shall be subject to the following:
 - a. Cattle, llama/alpaca, and swine families may be kept and maintained only on parcels of at least two and a half (2.5) acres in size.
 - b. Sheep/Goats may be kept and maintained on parcels of at least a half (.50) acre in size.
 - c. Barns and stables subject to Section 10.3
- 4. Horses
 - a. Intent and purpose of section provisions. The intent of this section is to establish regulations for maintaining horses as defined in subsection (b) of this section exclusively on property. Section 10-3 (barns and stables) also applies to this article. The purpose of this section is:
 - i. To prohibit the maintaining of horses on lots or parcels of record less than 1.5 acres in size;
 - ii. To require the filing with the city of a sketch drawing prior to maintaining a horse; and
 - iii. To ensure proper handling, treatment and maintenance of horses.
 - b. Horse defined. As used in this section, the term "horse" shall mean any stallion, mare, gelding, foal, pony, donkey, ass, burro, mule or animal of horse kind.
 - c. Acreage requirements. The following chart prescribes the number of horses that can be maintained on lots of record of sizes as shown. The lease of property contiguous to the lot of record is eligible to meet acreage requirements provided the lot of record is at least 1.50 acres in size and evidence of a current lease is provided to the city.

<i>Acreage</i>	<i>Number of Horses Permitted</i>	<i>Comments</i>
Less than 1.5 acres	0	Not permitted.
1.5-3.0 acres	2	Sketch drawing required in property file.
Over 3 acres	2+	One additional horse for each full acre over 3 acres.

- d. Sketch drawing required Prior to maintaining and boarding a horse or horses on any parcel of land three acres or more in size, the landowner shall provide a sketch drawing to the city.
 - i. Required sketch drawing information shall include:
 - i. Name and address of the fee owner of the subject property where the horses are to be maintained and the name and address of occupant of subject property.
 - ii. Legal description of subject property.
 - iii. Acreage of subject property and acreage of enclosed roaming area.
 - iv. Number of horses to be maintained on subject property.
 - v. Sketch drawing showing, to scale:
 - 1. Location of all buildings on subject property;

2. Fenced in horse pasture area;
 3. Location and distance from subject property of all adjacent property's buildings; and
 4. Area on subject property where manure will be stored if the number of horses exceeds one horse per one-half acre of enclosed roaming area.
- e. Rodent and insect control
- i. Manure shall be handled or treated in such a manner as not to create a public nuisance which shall mean at a minimum that manure will be properly disposed of weekly when the number of horses on any one parcel exceeds one horse per one-half acre of enclosed roaming area.
 - ii. Corrals, pens, stables or similar enclosures shall be maintained in a manner to minimize fly breeding.
 - iii. Accumulations of horse manure on the paved portion of a street, sidewalk or alley shall not be permitted, and the horse owner shall be responsible to abate such nuisance.'
- f. Care and maintenance of horses.
- i. No horse shall be treated cruelly or inhumanely by any person or in violation of Minn. Stats. ch. 343, which provisions relate to preventing cruelty to animals.
 - ii. Proper care and maintenance of each horse shall be the responsibility of the person, firm or corporation designated as the owner, caretaker or custodian of such horse.
 - iii. No person shall keep a horse in a manner creating a public or private nuisance.
 - iv. Horses shall be provided adequate shelter.
 - v. Fences for pens, corrals or similar enclosures must be of sufficient height and strength to retain the horses enclosed. Extra care must be taken to ensure the stallions are properly enclosed.
- g. Control, trespass roadways and impoundment.
1. No person shall permit any horse of which they are the owner, caretaker or custodian to run at large within the city. Such animal will be deemed to run at large when it is off the premises owned or rented by its owner and unaccompanied by the owner, or an agent or employee of the owner.
 2. The chief of police or any designated agent of the city may impound any horse found at large and shall provide proper sustenance for such impounded horse. The chief of police or designated agent shall, within 24 hours after any such horse has been impounded, post written notice at the city hall describing such horse and stating that it has been impounded. If the owner of the impounded horse is known to the person impounding, personal service of notice of such impounding shall be served within 24 hours after impounding upon such owner in the manner prescribed by state law for the service or process.
 3. Costs incurred by the city in impounding horses running at large shall be paid by the horse owner prior to releasing the horse. An impounded

horse shall be released only to a person providing proof of ownership and displaying a receipt from the city administrator showing payment of the reasonable costs of impounding, cost of feeding and veterinarian care.

4. Any person who, without authority of law, and without first paying the costs due, shall take an impounded horse out of the enclosure in which it is impounded, shall be guilty of a misdemeanor.
 5. In the event a horse impounded by the city is not redeemed within 14 days, after its impoundment, the chief of police or designated agent shall give three days' notice of the time and place where such horse will be sold by posting and serving notices as required for notice herein. If such horse cannot be sold on the day stated, it may be sold as soon as possible thereafter without notice. The city treasurer shall deposit said proceeds in the general fund.
 6. If the previous owner of the horse which was sold makes a claim for the sale proceeds within one year from the sale date, the city finance officer, on order from the council, shall pay the previous horse owner the difference between the sale price and the cost of impounding, feeding and sales charges; otherwise, the sale proceeds shall be forfeited to the city.
 7. No person may ride or drive a horse after sunset and before sunrise along or crossing any public way without appropriate lighting or reflectorized clothing.
 8. The council shall designate and properly post those areas in public lands and parks where horses may be ridden.
 9. No person may ride or drive a horse in any public park, beach, golf course or other public property except within the right-of-way of public streets and highways and areas duly designated by the city as a trail or hitching area.
 10. Persons riding a horse or driving a horse-drawn vehicle upon a public road way shall be subject to those provisions of this Code and state law applicable to the driver of motor vehicles, except those provisions which by their nature have no application.
 11. Horses shall not be ridden or driven in any manner that would cause undue damage to any hard-surfaced road.
 12. No person shall ride or drive a horse upon private property without the prior written permission of the owner or occupant thereof.
 13. No person shall interfere with any horse ridden or kept in a lawful manner, and owners of domestic animals shall restrain their animal so as to not interfere.
5. Beekeeping. Bee hives may be maintained on a parcel with the issuance of a zoning permit.
- a. Hives may only be located on lots with an existing use.
 - b. The number of allowed hives shall be based on property size:

<i>Lot Size</i>	<i>Number of Hives</i>
0.25 acres or less	Up to 4 hives
0.25-0.99 acres	Up to 8 hives
1.00-1.99 acres	Up to 20 hives
2.00-3.99 acres	Up to 40 hives
4 acres or larger	Up to 40+ hives
(Up to 5 frame Nucleus colonies do not have quantity limits)	

- c. No hive shall exceed 20 cubic feet in volume.
- d. No hive shall be located closer than three feet from any property line or within any easement, whichever is more restrictive.
- e. No hive shall be located closer than ten feet from a neighboring, inhabited structure.
- f. A constant supply of water shall be supplied or available to all hives.
- g. A flyway barrier at least six feet in height shall shield any part of a property line that is within 25 feet of a hive. The flyway barrier shall consist of 100 percent opaque fencing, dense, year-round (coniferous) vegetation, existing structures, or combination thereof, and shall extend at least 25 feet beyond the hive.
- h. Colonies shall be maintained in moveable frame hives with adequate space and management techniques to prevent overcrowding and swarming.
- i. In any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition towards swarming, it shall be the duty of the beekeeper to requeen the colony. Queens shall be selected from stock bred for gentleness and nonswarming characteristics.
- j. Beekeeping zoning permit process.
 - i. *Application.* The application for a zoning permit shall contain the following information; name, address, and telephone number of applicant; the address of the location, and a sketch plan of the premises where the bee hives will be maintained include how the owner will demonstrate compliance with the standards of this section.
 - ii. *Processing application.* The application must be filed with the zoning administrator together with the permit fee.
 - iii. *Term and transfer.* The zoning permit shall be valid without renewal provided that the applicant complies with the terms of the zoning permit. Zoning permits under this chapter may not be transferred from person to person or from place to place.
 - iv. *Revocation.* The council may revoke any license issued under this article upon adequate notice and a hearing before the council, if requested, on the following grounds: any violation of this Code; material misstatement or misrepresentation in application for permit or renewal thereof; failure to keep the permittee's premises in an orderly, aesthetically pleasing manner as prescribed by the council and/or its designated representative; failure to comply with the terms of the permit.

6. Non-Traditional Animal License
- a. Non-traditional or exotic animals are those that are not normally considered to be domesticated but are not wild animals as defined in section 10-119. A person may keep a non-traditional or exotic animal as defined herein only upon issuance of non-traditional animal license. In determining whether an animal is considered non-traditional or exotic, it shall be the responsibility of the applicant to supply the city with the necessary data and information to reasonably prove that the animal is not dangerous in captivity. This information shall be part of the public record and shall be discussed as part of the non-traditional animal license.
 - b. In reviewing a request to keep non-traditional or exotic animals, the city may impose conditions and restrictions as it finds necessary, including but not limited to the following:
 - i. Restrictions on the number and type of animals;
 - ii. Setbacks greater than those required in section 10-23 or the underlying zoning district for the property in question;
 - iii. Restrictions on the size, height, and type of enclosures;
 - iv. Screening or landscaping of the proposed use.
 - c. The applicant must also submit a copy of all permits required from any other regulatory agencies.
 - d. License process.
 - i. *Application.* The application for a license shall contain the following information; name, address, and telephone number of applicant; the address of the location, and a sketch plan of the premises where the animals will be maintained include how the owner will demonstrate compliance with the standards of this section.
 - ii. *Processing application.* The application must be filed with the zoning administrator together with the permit fee 30 days prior to a city council meeting. Following an inspection of the premises proposed to be licensed, the zoning administrator shall make a recommendation to the city council to approve or deny the application. The city council shall hold a public comment period and make the final decision on the application.
 - iii. *Term and transfer.* The license shall be valid without renewal provided that the applicant complies with the terms of the license. Licenses under this Chapter may not be transferred from person to person or from place to place.
 - iv. *Revocation.* The council may revoke any license issued under this article upon adequate notice and a hearing before the council, if requested, on the following grounds: any violation of this Code; material misstatement or misrepresentation in application for license or renewal thereof; failure to keep the licensee's premises in an orderly, aesthetically pleasing manner as prescribed by the council and/or its designated representative; failure to comply with the terms of the license.

7. Miscellaneous maintenance standards.
 - a. On all parcels of land maintaining non-domestic animals, there shall be a roofed or covered structure with walls to protect the animals from the elements.
 - b. A confined exercise area must be provided for the animals. The exercise area shall be fenced off to prevent the animals from roaming at large. Chickens are exempt from fencing requirements
 - c. Manure shall be handled and treated in such a manner so as not to create a public nuisance or impact the environment or groundwater. Corrals, pens, stables, and similar enclosures shall be maintained in a manner to minimize fly breeding. No person shall leave accumulations of manure on any street or sidewalk.
 - d. No non-domestic animal shall be treated cruelly or inhumanely by any person or in violation of state statutes preventing cruelty to animals.
 - e. No animals of any type may be maintained on any parcel within the city, no matter what size the parcel, if the maintenance of said animals creates a nuisance as defined in chapter 30.

(c) *Domestic Animals*

- (1) Domestic animals are classified as:
 - a. Domestic dogs (excluding hybrids with wolves, coyotes or jackals);
 - i. Domestic dogs are limited to four (4) without a Private Kennel License;
 - ii. Domestic dogs shall be provided an enclosure protected from inclement weather during the winter months (November-March);
 - b. Domestic cats (excluding hybrids with ocelots or margays);
 - c. Rodents, such as hamsters, mice, gerbils, white rats, guinea pigs, chinchillas or hedgehogs, capable of being maintained continuously in a cage;
 - d. Rabbits;
 - e. Captive-bred species of common cage birds
 - f. Small non-venomous snakes;
 - g. Non-poisonous lizards, iguanas, chameleons, salamanders and turtles or other similar small reptiles, unless prohibited by state or federal law;
 - h. Fish, unless prohibited by state or federal law;
 - i. Domestically raised ferrets (must be vaccinated yearly);
 - j. Domestically raised pot-bellied pigs; or
- (2) Domestic animals shall be up to date on vaccines.
- (3) Domestic animals are permitted in all residential districts.

Article I. – In General, Sec. 10-2. – Animals at large. shall be amended to read as follows (additions indicated by underline, deletions indicated by ~~strikethrough~~):

Sec. 10.2. – Animals at large.

No person shall allow any animal of any type, ~~or fowl belonging to them or in their care~~, to run at large ~~or to be picketed on public grounds; but this prohibition shall not apply to cats or dogs, except as are by this Code forbidden to be at large.~~

1. The term “at large” means an animal that is off the premises of the owner and is:
 - a. Not on a leash held by a responsible person; or
 - b. Not accompanied by and under the direct control of a responsible person so as to be effectively restrained by command.
2. An animal shall not be determined to be at large if it is:
 - a. Engaged in wild game or animal hunting and under the control of its owner or a responsible person;
 - b. Engaged in obedience training and under the control of its owner or a responsible person; or
 - c. Running loose on the owner’s property, or property under the owner’s control and under the control of a responsible party.
3. If the animal is running loose on the owner’s property and runs onto adjacent public or private properties and does not respond to a person, then the animal is considered at large.

Article I. – In General, Sec. 10-3. – Barns and stables. shall be amended to read as follows (additions indicated by underline, deletions indicated by ~~strikethrough~~):

Sec. 10.3. – Barns and stables.

- (a) No stable or barn in which ~~sheep~~, cows, horses, roosters, goats, or other animals are kept may be located within 50 feet of a place of human habitation and 75 feet from neighboring property lines. Such stables and barns, where lawful, shall be kept clean. Manure shall be removed with sufficient frequency to avoid nuisance from odors or from the breeding of flies at least once every two weeks.

Article II. – Horses shall be redacted entirely.

Article III (Dogs), Division I, Sections 10-52, 10-56, 10-59; and Division II, Section 10-95 shall be amended to read as follows (additions indicated by underline, deletions indicated by ~~strikethrough~~):

ARTICLE III.- DOGS AND CATS

Sec. 10-52. Definitions

Cat means a mammal that is wholly or in part of the species Felis domesticus.

Sec. 10-56. - Number of dogs permitted.

- (a) On a parcel or series of contiguous parcels under the same ownership or occupancy as the dog owner, no more than ~~three~~ four dogs are permitted. A private kennel license is required for ~~four~~ five or more dogs.

Sec. 10-59. – Rabies vaccination.

- (a) Every owner or keeper of a dog and/or cat shall cause the same to be vaccinated by a licensed veterinary with anti-rabies vaccine at least once every three years and prior to the time such dog and/or cat shall reach the age of six months.
- (b) No dog and/or cat need be vaccinated when a licensed veterinarian has examined the animal and certified that, at such time, vaccination would endanger its health because of its age, infirmity, debility, illness, or other medical consideration; and such exception certificate is presented to the animal control officer within five days of such examination. The animal shall be vaccinated against rabies as soon as its health and age permit. Unvaccinated animals must be confined to the owner's property or a veterinary facility.

DIVISION 2. - IMPOUNDMENT

Sec. 10-95. - Procedure; reclaiming.

- (a) Impoundment. All dogs or cats picked up by the animal control officer or any of their duly authorized assistants shall be immediately transported to the designated pound. If the owner is known, they shall be immediately notified by telephone or personal contact and by written notice to their last known address. If the owner is unknown, written notice containing a description of the animal shall be posted at the pound and the city hall. The notice shall advise the owner that they have five regular business days to claim the dog or cat. The term "regular business day" means any day during which the pound is open to the public not less than four consecutive hours between the hours of 8:00 a.m. and 7:00 p.m.
- (b) Reclaiming. An owner may reclaim an impounded dog:
 - (1) If the dog or cat has a current license: by paying to the pound master an impounding fee plus a boarding fee in an amount determined by agreement between the city and the designated pound, for each day the animal was confined. There shall also be an added impounding fee for any dog or cat impounded twice within 12 months. Such fees shall be set by ordinance.
- (c) Unclaimed animals. Any animal not claimed within the allotted time shall be disposed of in accordance with the provisions of Minn. Stats. § 35.71, subd. 3.

Commented [BM1]: Does the Council want to remove inclusion of cats based on Chief's comments?

SECTION 3. SUMMARY

The following official summary of Ordinance #22-00 has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

Ordinance #22-00 amends sections of Article I, such as Section 10-1 with the purpose of reorganizing components of Chapter 10, and combining all non-domestic animal requirements into one section. This also updates and revises standards for maintaining animals in the City of Ramsey. Roosters will be allowed on properties that are at least two and a half (2.5) acres in size, and creating other poultry are addressed with new standards. Beekeeping will require a zoning permit in replacement of a land use application with larger hive allowances based on property size. Prohibited animals and domesticated animals are specifically addressed, and clarification of “at large” and “animal units” have also been provided, with additional clarification of maintenance standards for all animals.

Article II has been redacted entirely, and the standards for horses have been moved to Section 10.1 Article III has become Article II, and includes cats under the same provisions as dogs.

Commented [BM2]: Included with comment above.

SECTION 4. EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the _____ day of _____, 2022.

Mayor

ATTEST:

City Administrator

- Introduction date:
- Posting dates:
- Adoption date:
- Publication date:
- Effective date: