

Animal Ordinance Review
 Research for Animal Code Amendment – Agricultural Animals
 By: Bria Raines, Brian McCann and Grady Timmerman

The purpose of this research is analysis of peer community codes for standards and regulations regarding the allowable number of agricultural animals. Neighboring communities had the following ordinances:

Andover

Andover regulates the number of allowable agricultural animals by acreage. The animals included in the proposed ordinance (llamas, cows, mini-cows, bison, emu, rabbit, goats, pigs, sheep, lambs, turkey, roosters, and geese) were cross-referenced with Andover’s city code and standards were found for roosters and equines. Their standards were found in Title 5 and 12 and can be found below.

Permitted, Permitted Accessory, Conditional, Interim and Prohibited Uses	Zoning Districts							
	RR	R-1	R-2	R-3	R-4 ³	R-5	M-1	M-2
Animals								
Animal Therapy Facility-on properties larger than five acres in size	C	C	C	C	X	X	X	X
Commercial animal training (2.5 acre minimum residential lot size)	C	C	C	C	X	X	X	X
Commercial riding stables	C	C	X	X	X	X	X	X
Dog kennel license - Private (2.5 acre minimum lot size required) in compliance with City Code 5-1A	C	C	C	C	C	C	C	C
Dog kennel license - Commercial (minimum 2.5 acre lot size) in compliance with City Code 5-1A	C	C	C	C	C	C	X	X
Domestic animals in compliance with City Code Title 5	PA	PA	PA	PA	PA	PA	PA	PA
Farm animals up to 5 per acre, plus one additional farm animal per acre above 5 acres on residential properties 5 acres or greater up to a maximum of 20 animals ⁸ and definition under City Code 12-2	P	P	P	P	X	X	X	X
Farm animals greater than allowed as a permitted use on residential properties 5 acres or greater in compliance with City Code Title 5 ⁸ and definition under City Code 12-2	C	C	C	C	X	X	X	X
Feedlots, except Anoka Independent Grain and Feed Inc. which is a permitted use that predates the adoption of this ordinance.	X	X	X	X	X	X	X	X
Pleasure/recreation animals on residential properties at least 2.5 acres in size in compliance with City Code Title 5 and definition under City Code 12-2	PA	PA	PA	PA	PA	X	X	X
Poultry on residential properties with neither municipal sewer or water in compliance with City Code Title 5 and definition under City Code 12-2	P	P	P	P	X	X	X	X
Roosters on residential properties 5 acres or greater in size with neither municipal sewer or water in compliance with City Code Title 5 and definition under City Code 12-12	P	P	P	P	X	X	X	X

5-1B-4: **MINIMUM ACREAGE:**

A. The following chart prescribes the number of equines that can be maintained on residentially zoned parcels of land as shown:

<u>Acreage</u>	<u>Number Of Equines Permitted</u>
Less than 2.5 acres	0 equines (none permitted)
2.5 acres but less than 3 acres	1 to 3 equines
3 acres but less than 3.5 acres	1 to 4 equines
3.5 acres but less than 4 acres	1 to 5 equines
4 acres but less than 4.5 acres	1 to 6 equines
4.5 acres but less than 5 acres	1 to 7 equines
5 acres or more (Ord. 207, 3-18-1997)	No more than 3 equines per acre

B. Any foal is not considered to be a permanent part of the equine count and does not affect the number of equines permitted as established in the chart above. (Ord. 207, 3-18-1997; amd. 2003 Code)

Anoka

Anoka’s city code states that, “no person shall keep, harbor, or maintain care, custody, or control over any non-domesticated or farm animal within the city limits.” Farm animals are defined as, “animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, such animals shall include members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, and other animals associated with a farm.” So, because farm animals/agricultural animals are prohibited, no such regulations are in place in Anoka.

Blaine

Blaine regulates the number of allowable agricultural animals by animal unit per acre. “Raising of domestic farm animals, excluding hogs and fur bearing animals, not to exceed one (1) animal unit per acre. The following animals constitute one (1) animal unit equivalency: one (1) cow or steer, one (1) horse, donkey, or burro, one (1) bee hive consisting of one queen bee, three (3) sheep or goats, or one hundred (100) fowl, or an equivalent thereof.” Chickens are restricted to a maximum of six (6) hens.

Champlin

Champlin regulates the number of allowable agricultural animals by acreage. Section 10-12(b) states, “no person shall keep, harbor, or maintain care, custody, or control over any horse, cow, sheep, pig, goat, or any other hoofed animal, chicken, duck, goose or other agricultural animal or fowl any place in the city. This section shall not prohibit the keeping of such animals in a stable that complies with the zoning code. The maximum number shall not exceed one animal per one acre of land.”

Coon Rapids

Coon Rapids does not permit the keeping of non-domestic animals. Non-domestic animals are defined as, “cows, sheep, pigs, potbellied pigs, bees, goats, swine, llamas, mules, horses or other hoofed animal, ducks, or other agricultural animals or domestic fowl and any animal, reptile or fowl, which is not naturally tame or gentle but is of a wild nature or disposition or which, because of its vicious nature or other characteristics, would constitute a danger to human life or property.” So, because non-domestic animals/agricultural animals are prohibited, no such regulations are in place in Coon Rapids.

Dayton

Dayton regulates the number of allowable agricultural animals through zoning, acreage, and animal units. Their standards can be found below.

- a. Lots less than 25,000 sq. ft. are permitted 1.0 animal unit.

<i>Permitted Animal Types for Lots less than 25,000 sq. ft. in Agriculture and Large Lot Residential (A-1, A-2, S-A, R-E)</i>	<i>Assigned Animal Unit Values</i>
Poultry/fowl/bird families (of a size larger than the ordinary pigeon) except emu and ostrich	3 head = 1.0 unit
Poultry/fowl/bird families (of a size of the ordinary pigeon or smaller)	6 head = 1.0 unit
Small animals	6 head = 1.0 unit

- b. Lots greater than 25,001 sq. ft. but less than 90,000 sq. ft. are permitted 1.0 animal unit.

<i>Permitted Animal Types for Lots greater than 25,001 sq. ft. but less than 90,000 sq. ft. in Agriculture and Large Lot Residential (A-1, A-2, S-A, R-E)</i>	<i>Assigned Animal Unit Values</i>
Poultry/fowl/bird families (of a size larger than the ordinary pigeon) except emu and ostrich	12 head = 1.0 unit
Poultry/fowl/bird families (of a size of the ordinary pigeon or smaller)	25 head = 1.0 unit
Small animals	25 head = 1.0 unit

Lots greater than 90,001 sq. ft. are permitted animal units as follows:

- i. Lots greater than 90,001 sq. ft. but less than 5.0 acres are permitted 4.0 animal units.
- ii. Lots greater than 5.01 acres but less than 8.0 acres are permitted 6.0 animal units.

- iii. Lots greater than 8.01 acres but less than 12.0 acres are permitted 9.0 animal units.
- iv. Lots greater than 12.01 acres but less than 16.0 acres are permitted 12.0 animal units.
- v. Lots greater than 16.01 acres but less than 20.0 acres are permitted 16.0 animal units.
- vi. Lots greater than 20.01 acres of land shall have their animal units determined by the following formula:

Maximum animal unit value = Number of Acres (according to Hennepin County records) x 1.0

When added together the sum of the individual animal unit values as shown on the schedule shall not exceed the maximum animal value as determined by the formula.

<i>Permitted Animal Types for Lots Greater than 90,001 sq. ft. in Agriculture and Large Lot Residential (A-1, A-2, S-A, R-E)</i>	<i>Assigned Animal Unit Values</i>
Horse/mule families	1 head = 1.0 unit
Cattle family	1 head = 1.0 unit
Hog family, including nondomestic potbellied pigs	1 head = 1.0 unit
Sheep/goat families	2 head = 1.0 unit
Poultry/fowl/bird families (of a size larger than the ordinary pigeon) except emu and ostrich	25 head = 1.0 unit
Poultry/fowl/bird families (of a size of the ordinary pigeon or smaller)	50 head = 1.0 unit
Small animals	25 head = 1.0 unit

(3) Residential (R-O, R-1, R-2).

- a. R-1 and R-O zoned lots less than 50,000 sq. ft. are permitted 1.0 animal unit.

<i>Permitted Animal Types in R-1 and R-O Zoned Lots less than 50,000 sq. ft.</i>	<i>Assigned Animal Unit Values</i>
Poultry/fowl/bird families (of a size larger than the ordinary pigeon) except emu and ostrich	3 head = 1.0 unit
Poultry/fowl/bird families (of a size of the ordinary pigeon or smaller)	6 head = 1.0 unit
Small animals	6 head = 1.0 unit

- b. R-1 zoned lots greater than 50,000 sq. ft. and R-2 zoned lots are permitted 1.0 animal unit.

<i>Permitted Animal Types in R-1 Zoned Lots greater than 50,000 sq. ft. and R-2 Zoned Lots</i>	<i>Assigned Animal Unit Values</i>
Poultry/fowl/bird families (of a size larger than the ordinary pigeon) except emu and ostrich	25 head = 1.0 unit
Poultry/fowl/bird families (of a size of the ordinary pigeon or smaller)	50 head = 1.0 unit
Small animals	25 head = 1.0 unit

- c. R-E zoned district are permitted 4.0 animal units.

<i>Permitted Animal Types in R-E Zoned District</i>	<i>Assigned Animal Unit Values</i>
Horse/mule families	1 head = 1.0 unit
Cattle family	1 head = 1.0 unit
Hog family, including nondomestic potbellied pigs	1 head = 1.0 unit
Sheep/goat families	2 head = 1.0 unit
Poultry/fowl/bird families (of a size larger than the ordinary pigeon) except emu and ostrich	25 head = 1.0 unit
Poultry/fowl/bird families (of a size of the ordinary pigeon or smaller)	50 head = 1.0 unit
Small animals	25 head = 1.0 unit

Elk River

Elk River regulates the number of allowable agricultural animals by animal units per acre. “One animal unit per acre of fenced pasture land is allowed for properties 5 acres or larger, CUP required for properties less than 5 acres to have agricultural animals.” Animal type and their corresponding animal unit can be found below.

Animal	Animal Unit Value
Slaughter steer or heifer	1.0
Horse	1.0
Mature dairy cow	1.4
Swine under 55 pounds	0.5
Swine over 55 pounds	0.4
Sheep	0.1
Duck	0.2
Turkey	0.018
Chicken	0.01

Nowthen

Nowthen regulates the number of allowable agricultural animals by animal units per acre. Animal type and their corresponding animal unit can be found in Chapter 11 – Zoning – Section 11-4-15: Animals or below.

There is a three acre minimum requirement, three animal units allowed of agricultural animals (including ducks) with one additional unit per acre allowed. Chickens may be kept on properties less than three acres provided the number of chickens does not exceed ten chickens per acre.

Animal	Animal Units
Cow, Steer, Heifer, Horse, Buffalo, Donkey, Mule	1.0 (1 = 1 unit)
Swine, Llama, Emus, Ostrich	.5 (2 = 1 unit)
Goat, Sheep, Alpaca	.2 (5 = 1 unit)
Goose, Duck, Chicken, turkey or other types of fowl	.05 (20 = 1 unit)
For animals undefined, the animal unit factor as defined by the MN Pollution Control Agency shall apply.	

Ham Lake

Ham Lake regulates the number of allowable agricultural animals by acreage. Chapter 5-330– Animal Control states, “except domesticated pets, and as permitted under Chapter 5-200, no raising, breeding, keeping or occupancy of livestock, poultry or other animals shall be permitted on any lands other than those zoned R-A Rural Single Family Residential. In land zoned R-A such activities may be permitted on parcels in excess of three (3) contiguous acres, provided the occupant has obtained an Animal Permit. As many as three (3) such animals may be kept on a lot or parcel of land containing three (3) acres. One (1) additional such animal, per acre, may be kept upon lots or parcels of land containing more than three (3) acres.” No definition of livestock is provided for clarification on types of animals.

Osseo

Has no relevant agricultural animal ordinances.

Rogers

Rogers regulates the number of allowable agricultural animals by animal units and the zoning district’s maximum density. Sec. 125-326 – Animal, livestock, and farming operations states that animal units are dependent on a zoning district’s maximum density and that rural estate zoning districts (RE-2 and RE-5) require three acres for the first animal unit and one additional acre per each additional animal unit. Animal type and their corresponding animal unit can be found below.

	Animal Units
one mature dairy cow	1.4
one slaughter steer or heifer	1.0
one horse	1.0
one swine over 55 pounds	0.4
one goose or duck	0.02
one goat or sheep	0.1
one swine under 55 pounds	0.05
one turkey	0.018
one chicken	0.01
one llama	0.5

For animals not listed above, the number of animal units shall be defined as the average weight of the animal divided by 1,000 pounds.

Animal Ordinance Review
Research for Animal Code Amendment – Cats
By: Bria Raines, Brian McCann and Grady Timmerman

The purpose of this research is analysis of peer community codes regarding standards for the number of cats allowed. Neighboring communities had the following ordinances:

Andover

Dependent on land size:

- The City’s code limits the number of cats to 3 for properties less than 2.5 acres; no mention for properties over 2.5 acres.
- Donkey, horse, pony, mule, and foal permitted on property over 5 acres.

Anoka

Chapter 14-31 – Restriction on number of animals

- “No person shall keep more than three cats, or a mixture of dogs and cats, not to exceed three pets in total, at one residence within the city, except that a fresh litter of pups or kittens may be kept for a period of three months.”

Blaine

Chapter 6 – Control of animals other than dogs

- No section on cats or limitations

Champlin

Chapter 10 – Animals

- No more than 3 cats or dogs, or any combination of

Coon Rapids

Chapter 6 – Animal Control and Licensing

- Cats must be registered, no limitation to number

Dayton

Chapter 94 – Animals

- No section on cats or limits
- Permitted:
 - House pets: dogs, cats, birds, rodents (maintained continuously in a cage)

Elk River

Chapter 30-803. – Animals

- No requirements for cats.

Ham Lake

Chapter 5-330– Animal Control

- No requirements for cats – domesticated animals.

Nowthen

Chapter 11 – Zoning – Section 11-4-15: Animals

- Only mention of dogs/cats is in regards to Conditional Use Permits for breeding.

Osseo

Chapter 94 – Animals

- No relevant cat ordinances

Rogers

Chapter 10-27 – Limit of dogs or cats on one premises

- Not more than three dogs or cats over six months of age shall be kept on any one premises except at a licensed commercial kennel or a licensed residential kennel.

The purpose of this research is analysis of peer community codes regarding standards for roosters. Neighboring communities had the following ordinances:

Andover

The City's code defines poultry without naming roosters specifically.

- Definition
 - Poultry: "Domestic fowls, such as chickens, turkeys, ducks or geese, raised for meat or eggs"
 - Permitted in Single Family rural, Suburban, Estate, and Rural Reserve.
 - Prohibited in urban and multiple dwelling zones.

Anoka

Chapter 14-31 – Restriction on number of animals

- "(146) "A person may keep, harbor, or maintain care, custody, or control over no more than four chickens, ducks, geese or other fowl or poultry or combination as defined by this article within city limits. No roosters shall be permitted."

Blaine

Chapter 6 – Control of animals other than dogs

- No section on cats or limitations
- Exotic animals require a permit
 - Permitted: any animal of the species of horse, mule, ass, cattle, sheep, goat, domesticated fowl and exotic animals (except domesticated fowl maintained in a residence), including but not limited to duck, chicken, goose, turkey or peafowl or swine of any kind

Champlin

Chapter 10 – Animals

- (b) Hoofed and agricultural animals. No person shall keep, harbor, or maintain care, custody, or control over any horse, cow, sheep, pig, goat, or any other hoofed animal, chicken, duck, goose or other agricultural animal or fowl any place in the city. This section shall not prohibit the keeping of such animals in a stable that complies with the zoning code. The maximum number shall not exceed one animal per one acre of land.
 - Not permitted if not house pets or livestock

Coon Rapids

Chapter 6 – Animal Control and Licensing

- (702 (2)) Keeping of roosters is prohibited.

Dayton

Chapter 94 – Animals

- (1) No owner shall allow any animal to commit acts defined or described in this section or Dayton City Code Chapter 130 as a nuisance.
...
(3) The owning, keeping, or harboring of any animal which does any of the following is hereby declared to be an act of nuisance committed by the person owning, keeping or harboring the animal:
 - (f) Excessively makes disturbing noises;

Elk River

Chapter 30-803. – Animals

- One animal unit per acre of fenced pasture land is allowed for properties 5 acres or larger, CUP required for properties less than 5 acres to have agricultural animals
 - Agricultural animals include slaughter/steer/heifer (1 unit), horses (1 unit), mature dairy cows (1.4 units), swine under 55 pounds (0.5 units), swine over 55 pounds (0.4 units), sheep (0.1 units), ducks (0.2 units), turkey (0.018 units) and chickens (0.01 units).
- “Roosters are not permitted on parcels two and one-half acres to five acres in size, unless a conditional use permit is granted.”

Ham Lake

Chapter 5-330– Animal Control

- The following conditions shall apply to every person who owns, controls, keeps, or maintains chickens on a residential city lot in areas zoned R-1 and RS-1:
 - (b) No roosters or other poultry shall be allowed.

Nowthen

Chapter 11 – Zoning – Section 11-4-15: Animals

- Roosters not permitted on properties three acres or less – no other mention in Code.

Osseo

Chapter 94 – Animals

- No relevant rooster ordinances

Rogers

Chapter 10-22 – Restrictions on keeping certain animals

- (1) Chickens and other domestic fowl.
- (2) Any combination of animals and/or fowl of any age kept in such numbers or under conditions that reasonably annoy, injure, or endanger the health, safety, comfort, repose, or welfare of the public or of the animals or fowl.