

Key

Black text is copied verbatim from existing code regulations, though it may be in a different spot than it was previously.

Blue text is newly added to the code, typically using standards from other cities. I will add comments to explain which cities I'm referencing.

Gold text is paraphrased from another chapter of City Code to keep this chapter consistent with other recent updates.

Red strikethrough text is existing language proposed for removal.

Magenta text is a reference to myself for language that I need to wordsmith with assistance from other staff.

Chapter 10 ANIMALSⁱ

ARTICLE I. - IN GENERAL

Sec. 10-1. – Title.

This chapter may be known, cited, and referred to as the “Ramsey Animal Code” or “animal code”, except as referred to herein where it may be known as “this chapter.”

Sec. 10-2. – Purpose.

The purpose of this chapter is to protect and promote the general welfare, health, safety and order within the city through the establishment of a comprehensive and impartial series of standards, regulations and procedures governing the keeping and care of animals on all properties within the City of Ramsey. The provisions of this chapter are intended to encourage residents to keep, care for, and raise animals with a reasonable degree of freedom of choice, while at the same time assuring that the public health and welfare is not endangered.

Sec. 10-3. – Coordination with other codes.

This chapter is intended to work in tandem with the adopted city zoning code, state building codes, state fire codes, Minnesota Statutes, and any locally-adopted optional chapters as amended from time to time. It is also intended to work in tandem with the regulations set forth from the local watershed management organization and the Minnesota Pollution Control Agency. Nothing in this chapter is intended to preclude or supersede any requirements in those codes or regulations.

Sec. 10-4. – Rules of construction and interpretation.

- (1) Conflicting conditions. Where the conditions imposed by any provision of this chapter are either more or less restrictive than comparable conditions by another provision of this chapter or by other chapters of this Code, rule or regulation of the city, the provision which imposes the more restrictive condition, standard, or requirement shall prevail.
- (2) Language rules of construction. The language set forth in the text of this chapter shall be interpreted in accordance with the following rules of construction:

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- a. All measured distances expressed in feet shall be the nearest tenth of a foot. All measured areas expressed in acres shall be the nearest hundredth of an acre. All distances unless otherwise specified shall be measured horizontally.
 - b. The present tense includes the past and future tenses; and the future tense includes the present tense.
 - c. The singular number includes the plural; and the plural number includes the singular.
 - d. The words "shall" and "must" are mandatory and the words "should" and "may" are permissive.

Sec. 10-5. – Definitions.

Animal means every living creature except members of the human race as defined by Minnesota State Statute.

Animal control authority means an agency of the state, county, municipality, or other governmental subdivision of the state which is responsible for animal control operations in its jurisdiction.

Animal control officer means any city officer or employee designated to enforce any portion of this chapter.

Animal unit means the allowable number of animals for a specific acreage of land.

At large means an animal that is off the premises of the owner responsible person and is not under the direct physical or voice control of a responsible person.

- ~~1) Not accompanied by and under the direct control of a responsible person so as to be effectively restrained by command;~~
- ~~2) Running loose on the owner's property and running onto adjacent public or private properties and not responsive to a person;~~
- ~~3) Outside of its secondary enclosure, or when it is outside of its primary enclosure but within its secondary enclosure and not in the presence of the owner;~~
- ~~4) Not effectively constrained on private property;~~
- ~~5) Not effectively restrained, by chain or leash, to private property with the consent of the property owner;~~
- ~~6) Not effectively restrained by a chain or leash not to exceed six feet in length;~~
- ~~7) Not under the voice control of its owner.~~

~~An animal shall not be determined to be at large if it is:~~

- ~~8) Engaged in wild game or animal hunting and under the control of its owner or a responsible person;~~
- ~~9) Engaged in obedience training and under the control of its owner or a responsible person;~~
- ~~10) Running loose on the owner's property, or property under the owner's control and under the control of a responsible party.~~

Barn (or stable) means an accessory structure designed for the keeping of farm animals.

Boarding means providing for the care, shelter, or feeding of dogs animals not owned by the owner or occupant of the premises where said dogs animals are kept, for any period.

Dangerous dog means any dog that has:

- (1) Without provocation, inflicts substantial bodily harm on a human being on public or private property;
- (2) Has killed a domestic animal without provocation while off the owner's property;

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- (3) Has been found to be potentially dangerous, and, after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Dog means any male or female of the canine species.

~~*Dog owner* means the license holder or any other person, firm, association, or corporation owning, keeping or harboring a dog. Any person keeping or harboring a dog for five consecutive days shall, for the purposes of this definition, be deemed an owner. See definition of "owner" below.~~

Domestic animal means any of the following species:

- (1) Domestic dogs (excluding hybrids with wolves, coyotes or jackals);
- (2) Domestic cats (excluding hybrids with ocelots or margays);
- (3) Rodents, such as hamsters, mice, gerbils, white rats, guinea pigs, chinchillas or hedgehogs, capable of being maintained continuously in a cage;
- (4) Rabbits;
- (5) Captive-bred species of common cage birds;
- (6) Small non-venomous snakes;
- (7) Non-poisonous lizards, iguanas, chameleons, salamanders and turtles or other similar small reptiles, unless prohibited by state or federal law;
- (8) Fish, unless prohibited by state or federal law;
- (9) Domestically raised ferrets;
- (10) Domestically raised pot-bellied pigs.

Dwelling means a building or portion thereof designed or used exclusively for residential occupancy for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Fenced roaming area means a portion of outdoor enclosed property reserved and suitable for the keeping of animals, excluding wetlands and septic systems.

Great bodily harm means bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

Handling means feeding, manipulating, transporting, restraining, treating, training, working or performing any similar activity with respect to a wild animal.

Head means one of a number of animals.

Hen means a female chicken.

Horse means a large solid-hoofed mammal of the family Equidae, including any stallion, mare, gelding, foal, pony, donkey, ass, burro, or mule, ~~or animal of horse kind.~~

Impound means to seize and hold in legal custody.

Kennel, commercial, means a place where boarding and/or training is offered to any number of dogs not owned by the owner or occupant of the premises. Such boarding and/or training may also include, but is not limited to, related uses such as selling, breeding, showing, treating, or grooming. Pet shops, veterinary clinics, and pet grooming facilities are considered commercial uses but *as standalone uses* shall not be defined as commercial kennels.

Kennel, private, means a place where ~~a dog~~ an owner keeps four or more dogs and/or six or more cats, over six months of age on property owned by the dog owner for residential purposes and where the keeping of such dogs and/or cats is incidental to the occupancy of the premises, and may include breeding and selling of dogs or cats as a hobby.

Livestock means a typical farm animal kept for agricultural use, pleasure or profit, including but not limited to horses, mules, sheep, goats, cattle, swine, poultry, fowl, rabbits and mink.

Non-traditional animal (or exotic animal) means any animal that is not normally considered to be domesticated but are not wild animals as defined in this section.

Owner means ~~the license holder or any other person, firm, association, or corporation, or any other legal entity, or a combination of any of them, having sufficient legal proprietary interest in owning, keeping or harboring an animal-dog. Any person keeping or harboring an animal-dog for five consecutive days shall, for the purposes of this definition, be deemed an owner.~~

Portable primary enclosure means ~~the portable~~ a movable structure or vehicle used to confine a wild animal in a secure manner that prevents the running at large of a wild animal during transportation or temporarily confining such an animal during handling.

Potentially dangerous dog means any dog that:

- (1) When unprovoked, inflicts bites on a human or domestic animal on public or private property;
- (2) When unprovoked, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack;
- (3) Has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Poultry (or fowl) means any domesticated bird raised to live and breed in a tame condition and kept for agricultural purposes such as, but not limited to, chickens, turkeys, geese, ducks, guineas, pigeons, swans and doves or similar.

Primary enclosure means a structure designed to keep and shelter an animal from the outdoor elements, including at least three walls and a roof ~~an individual, partnership, firm, joint stock company, corporation, association, unincorporated association of individuals, trust, estate, or other entity.~~

Proper enclosure means securely confined indoors or in a securely enclosed and locked pen or structure to prevent the animal from escaping and providing protection from the elements for the dog animal. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the dog animal to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the dog animal from exiting.

Provocation means an act that an adult could reasonably expect may cause an dog animal to attack or bite.

Regular business day means any day during which the city hall 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.

Responsible person means a person liable for the control or care of an animal.

Restraint means a device that restricts movement of an animal ~~the portable structure to confine a wild animal in a secure manner that prevents the running at large of a wild animal during transportation or temporarily confining such an animal during handling.~~

Rooster means an adult male chicken. For the purposes of this definition, crowing hens and all poultry that vocalizes similarly to rooster shall be included.

Secondary enclosure means a structure such as a fence, wall or building, which entirely encloses the area in which the primary enclosures, exercise facilities and training facilities are located and all handling activities occur. Such secondary enclosure serves to contain ~~a wild~~ an animal from running at large to prevent any unauthorized public access.

Structure means any of the following:

- (1) Anything which is built, constructed or erected; an edifice or building of any kind; or any piece of work artificially built up and/or composed of parts joined together in some definite manner whether temporary or permanent in character, including towers, poles and other supporting appurtenances.
- (2) Anything manufactured, constructed or erected which is normally attached to or positioned on land, including fences, walls, buildings, portable structures, earthen structures, roads, parking lots, and paved storage areas.
- (3) Any building, sign, or appurtenance thereto, except aerial or underground utility lines, such as sewer, electrical, telephone, telegraph, or gas lines, including towers, poles, and other supporting appurtenances, and fences used to control livestock or delineate boundaries.

Substantial bodily harm means bodily injury that involves a temporary but substantial disfigurement, or that causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or that causes a fracture of any bodily member.

The keeping of wild animals means possessing and handling of wild animals on any property and providing such an animal with the necessities of life such as feeding and sheltering. The keeping of wild animals may include animals being used or intended to be used for research, training, breeding, boarding, as a personal pet, or for agricultural purposes. The keeping of a wild animal may also include wild animals intended to be used for exhibition providing that such animals are not exhibited within the city, such as in the case of a public showing, circus or zoo.

Wild animal means a large or dangerous species that, in their uncaptured wild state, have the physical capacity to be dangerous to the safety and welfare of any person or property. Example of such wild animals include but are not limited to the following examples: bears; lions; wolves; coyotes; cougars; bison; tigers; panthers; monkeys; apes; large alligators and crocodiles (~~greater than four feet in length~~); large snakes (~~capable of growing~~ greater than 6 feet in length), and; poisonous snakes.

Sec. 10-6. – Applicability and compliance.

From and after the effective date of the ordinance from which this chapter is derived, the keeping of any and all animals in the city shall be in conformity with the provisions of this chapter and after the lawful issuance of all required permits.

Sec. 10-7. – Administration.

The animal control officer, as defined in section 10-6 of Ramsey City Code, or their designee, shall be the administrator of all provisions in this chapter.

Sec. 10-8. – Enforcement.

- (1) *Duties of animal control officer.* The animal control officer shall perform the following duties:
 - a. Seize, impound, or restrain any ~~dog~~ animal found running at large within the city.
 - b. Investigate all cases of animal bites reported to ~~him~~ the city of Ramsey and supervise the quarantine of any such animal to ensure that it is kept under observation for a period of ten days.
 - c. Enforce all other provisions of this article.

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- (2) *No interference with animal control officer.* It shall be unlawful for any person to molest or in any way interfere with any peace officer, animal control officer, or any of their duly authorized assistants, or with any duly authorized agent while engaged in performing work under the provisions of this article.

Sec. 10-9. – Nonconformities.

Any animals prohibited by this chapter which have been regularly housed or kept within the city at the time this chapter is adopted, may be continued according to the following regulations:

- (1) Any nonconforming animal that dies may be replaced with a similar animal, if replaced within 180 days. If a nonconforming animal is not replaced within 180 days, all future animal on the property must be conforming. Any nonconforming animal that is removed from the property for a period of more than 180 days may not be replaced, and all future animals must be conforming.
- (2) The expansion or addition of more nonconforming animals to the property is prohibited.

Secs. 10-10–10-50. – Reserved.

ARTICLE II. – STANDARDS AND REGULATIONS

Sec. 10-51. – Purpose.

The following sections within this chapter set forth standards, regulations, procedures and processes for the keeping of any and all animals within Ramsey’s city limits. All procedures must be in conformance with applicable provisions of state law.

Sec. 10-52. – Permitted animals.

- (1) The following animals are permitted to be kept within Ramsey’s city limits, in accordance with all other applicable standards for each animal within Chapter 10 of Ramsey City Code and all applicable statutes:
- a. Domestic animals, as defined in Section 10-6 of Ramsey City Code;
 - b. Alpacas;
 - c. Bees;
 - d. Cattle family, except bison;
 - e. Goats;
 - f. Horses, including stallions, mares, geldings, foals, ponies, donkeys, asses, burros, and mules;
 - g. Llamas;
 - h. Poultry (or fowl);
 - i. Sheep;
 - j. Swine.
- (2) Any animal not explicitly permitted in the above list is hereby deemed prohibited, unless the animal’s owner obtains a non-traditional animal license as defined and regulated in this chapter. The above list of permitted animals shall not supersede any state or federal law prohibiting any animal or species.
- (3) 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.

Sec. 10-53. – Maximum number of animals allowed per property.

- (1) *Dogs and cats.* All residential properties shall be allowed to keep up to three dogs over the age of six months and up to five domesticated cats over the age of six months. Properties keeping four or more dogs and/or six or more cats must obtain a private kennel license as described in Section 10-59.
- (2) *Beekeeping.* All properties with an existing use shall be allowed to maintain beehives. The number of allowed hives shall be based on the total acreage of the property, in accordance with the following table:

Lot Size	Number of Hives
0.25 acres or less	Up to 4 hives
0.25 to 0.99 acres	Up to 8 hives
1.0 to 1.99 acres	Up to 20 hives
2.0 to 3.99 acres	Up to 40 hives
4.0 acres or larger	No limit to the number of beehives.

Note: up to 5 frame Nucleus colonies do not have quantity limits.

- (3) *All other permitted animals.* The maximum number (or head) of animals allowed, excluding domestic animals, for a specific acreage of land shall be equal to the total acreage of the property, as reflected by Anoka County’s property tax records. For example, a property measuring 1.2 acres in area would be allotted 1.2 animal units. Determined by the following formula: Maximum number of animal units allowed = Number of acres rounded down to the nearest quarter (.25) acre(s). Regulations for the maximum quantity of animals allowed to be kept on a given property are established in the following table:

Permitted Animal Types	Animal Units Per Acre	Minimum Acreage Required to Keep the Animal Type
1 alpaca, cow, horse, or llama	1.0	2.5 acres, with at least 1 acre reserved as a fenced roaming area for the animals.
1 chicken (rooster)	1.0	2.5 acres
1 goat, sheep, or swine	0.5	0.5 acre
1 large poultry and fowl (including geese, turkeys, and other poultry and fowl with an average adult weight of 5 pounds or more)	0.25	2.5 0.5 acres
1 small poultry and fowl (including chickens (hens), ducks, pheasants, and other poultry and fowl with an average adult weight of less than 5 pounds)	0.04	No minimum

Sec. 10-54. – Performance standards.

The following performance standards apply to the keeping of specific species:

- (1) In general.
 - a. All animals must be provided adequate shelter in accordance with city zoning code and Minnesota State Building Code. The enclosure shall be counted as an accessory building structure when calculating the total number and square footage of permitted accessory buildings structures on a property lot.

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- b. ~~No~~ All accessory structures, barns, coops, kennels, shelters, and ~~or~~ stables in which ~~cows, horses, roosters, or other animals are kept~~, except bee hives, ~~may be located within 50 feet of a place of human habitation~~ must meet the following setback requirements:
 - i. 10 feet from the dwelling on the subject property;
 - ii. 20 feet from any dwelling on all neighboring properties;
 - iii. All accessory structure setbacks as defined in Section 106-450 of City Code. ~~and 75 feet from neighboring property lines.~~
 - c. ~~Such~~ All accessory structures, barns, coops, kennels, shelters, ~~and~~ stables, and fenced roaming areas, where lawful, shall be kept and maintained in a clean and sanitary condition and in good repair. Flies, rodents, and noxious odors shall be controlled.
 - d. All fenced roaming areas, including pens, corrals or similar enclosures, shall consist of continuous fencing material of sufficient height and strength to retain the ~~horse~~ animal enclosed within the roaming area. Additionally, all fences shall meet all applicable requirements in Section 106-485 of City Code.
 - e. All animals must be provided a ~~constant~~ supply of water within their shelter or fenced roaming area.
 - f. All animals must be under the restraint of their owner or a responsible person, as defined in this chapter, while outside of their enclosure or fenced roaming area.
- (2) Alpacas, cattle, horses, and llamas.
- a. Extra care must be taken to ensure ~~the~~ stallions, bulls, or intact males of any species are properly enclosed, including having the ability to separately confine them from any mares, cows, or females of any species unless they are specifically paired for breeding.
 - b. All fenced roaming areas for alpacas, cattle, horses, and llamas shall include at least 1 acre of land unencumbered with septic systems or wetlands.
- (3) Bees.
- a. No hive shall exceed 20 cubic feet in volume.
 - b. No hive shall be located closer than 3 feet from any property line or within any easement, whichever is more restrictive.
 - c. No hive shall be located closer than 10 feet from a neighboring, inhabited structure.
 - d. A constant supply of water shall be supplied or available to all hives.
 - e. A flyway barrier at least 6 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.
 - f. Colonies shall be maintained in movable frame hives with adequate space and management techniques to prevent overcrowding and swarming.
 - g. 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 non-swarmed characteristics.
- (4) Chickens, ducks, geese, turkeys, and other poultry and fowl.

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- ~~a. Poultry and fowl, including any shelters, coops and/or containment fencing, must be located in side or rear yards only.~~
 - b. All enclosures shall remain completely enclosed to prevent unwanted intrusion by outside animals and migratory birds.
 - i. 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. If alternative fencing is used (for example, chain link fencing), then said fencing shall be no closer than 10 feet ~~to a~~ from all property lines.
 - c. Roosters may be kept and maintained only on parcels of at least 2.5 acres in size. Said properties are allowed a total of two roosters.
 - i. ~~Setbacks for rooster enclosure and exercise area shall be 50 feet from any neighboring place of human habitation and 75 feet from neighboring property lines.~~

(5) Domestic cats and dogs.

- a. Every owner or keeper of a dog or cat shall cause the same to be vaccinated by a licensed veterinarian with anti-rabies vaccine at least once every three years and prior to the time such dog or cat shall reach the age of six months. Proof of vaccination must be available for review upon request of the animal control officer within seven days of the request, unless in the case of a dog bite, in which proof of vaccination must be available for review immediately.
 - i. If the dog or cat is not currently vaccinated, the vaccination must occur as soon as possible, within a maximum of 30 days of the request, and proof of vaccination must be submitted to the animal control officer at that time.
- b. No dog or cat needs to 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 seven days of the request ~~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.
- c. All dogs and cats in public spaces shall have an identification tag with owner or veterinarian contact information affixed to their collar. In lieu of a physical tag, a microchip embedded in the dog or cat with the same information is sufficient for identification.

(6) Domestically raised ferrets.

- a. Ferrets raised and kept domestically must be vaccinated yearly.

(7) Other domestic animals.

- a. Domestic animals shall be up to date on all applicable vaccines.

Sec. 10-55. – Maintenance and care standards.

All animals shall be maintained and kept in accordance with the following standards:

- (1) Proper care and maintenance of each horse animal shall be the responsibility of the person, firm or corporation designated as the animal's owner, caretaker or custodian of such horse as defined in this chapter.
- (2) On all parcels of land maintaining non-domestic animals, there shall be an adequate shelter, such as a roofed or covered structure with walls, provided on the parcel to protect the animals from the elements.

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- (3) A confined exercise or roaming area must be provided for ~~the all~~ animals kept outdoors. The exercise area shall be fenced off to prevent the animals from roaming at large. Fences must be of sufficient design to retain and confine the animals. ~~Chickens are exempt from fencing requirements.~~
 - (4) Manure and excrement shall be handled and treated in such a manner so as not to create a public nuisance or impact the environment or groundwater. ~~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. Manure shall be removed from corrals, pens, stables, and similar enclosures with sufficient frequency to avoid nuisance from odors or to minimize the breeding of flies at least once every two weeks. Manure shall be removed by hauling beyond the city limits unless used for fertilizer, in which case it shall be spread upon the ground evenly and turned under at once or as soon as the frost leaves the ground.~~ No person shall leave accumulations of manure or excrement on any street or sidewalk. ~~accumulations of horse manure on the paved portion of a street, sidewalk or alley shall not be permitted, and. The animal's owner shall be responsible to abate such nuisance.~~
 - (5) No ~~non-domestic~~ animal shall be treated cruelly or inhumanely by any person or in violation of Minnesota state statutes preventing cruelty to animals.
 - (6) Notwithstanding any other provision of this chapter, any animal taken into custody by an animal control officer under this chapter may be humanely destroyed and immediately disposed of, at the expense of the owner, when the animal is suffering and is beyond cure through reasonable care and treatment.
 - (7) No person shall abandon or ~~release neglect~~ any ~~dog, cat, or other~~ animal within the boundaries of the city.
 - (8) No person may ride or drive a horse or other animal utilized for transportation after sunset and before sunrise along or crossing any public way without appropriate lighting or reflectorized clothing.
 - (9) No person may ride or drive a horse or other animal utilized for transportation 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 other animal utilized for transportation 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 or others animal utilized for transportation shall not be ridden or driven in any manner that would cause undue damage to any hard-surfaced road.

Sec. 10-56. – Nuisances.

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 or within this chapter.

- (1) *Animals at large.* No person shall permit any horse animal of which they are the owner, caretaker or custodian to run at large within the city as defined in this chapter. ~~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) *Noisy animals.* It shall be unlawful for any person to own, keep, have in possession, or harbor any dog animal that ~~howls, yelps, or barks to the reasonable annoyance of another person~~ barks, cries, howls or makes any other noise continuously for a period of 10 minutes or intermittently for one half hour or more. Any person violating this section, ~~who upon first requested by a police officer or animal control officer to stop or prevent the annoyance, and refuses to comply with the request will~~ may be issued a citation or ~~arrested in accordance with Minnesota Rules of Criminal Procedure, and~~, if the officer deems it

necessary to stop the annoyance, may have the ~~dog~~ animal taken to the city animal containment facility. Any ~~dog~~ animal placed in the containment facility may be reclaimed by the owner upon payment of the fee prescribed in ~~subsection 10-95(b)~~ the adopted rates and charges schedule, and if not reclaimed may be disposed of in the manner provided in ~~subsection 10-95(c)~~ this chapter.

- (3) *Removal of excrement and manure.* It is unlawful for any person who owns or has custody of an animal ~~dogs~~ to cause or permit such animal to defecate on any private property without the consent of the property owner or on any public property unless such person immediately removes the excrement and places it in a proper receptacle. The provisions of this section shall not apply to seeing-eye dogs under the control of a blind person or dogs while being used in city police activity.

~~a.—It is unlawful for any person who owns or has custody of a dog to cause or permit accumulations of manure and animal excrement, except that any manure maintained in conformance with state law and City Code for use as fertilizer.~~

- (4) *Removal of carcasses.* It is unlawful for any person who owns or has custody of an animal ~~dog~~ to cause or permit carcasses of animals not buried at least 3 feet deep, ~~picked up and removed from city limits~~, or destroyed within 24 hours after death.

Sec. 10-57 – Impoundment.

- (1) *Impoundment.* All animals, excluding wild animals, ~~dogs~~ picked up by the animal control officer or any of their duly authorized assistants shall be immediately transported to the designated animal containment facility or facility suited to appropriately house said animal. 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 in a reasonable manner, including social media. at the pound and the city hall.~~ The notice ~~should~~ shall advise the owner that they have five regular business days to claim the dog. The term "regular business day" shall follow the definition stated in this chapter.

- (2) *Reclaiming.* An owner may reclaim an impounded animal ~~dogs: If the dog has a current license:~~ by paying to the city 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 impounded twice or more within 12 months. Such fees shall be set by ordinance.

~~a.—If the dog does not have a current license: By first obtaining a license from the city administrator and paying the costs to the pound master.~~

- (3) *Unclaimed animals.* Any animal not claimed within the allotted time shall be disposed of in accordance with the provisions of Minnesota Statutes. ~~§ 35.71, subd. 3.~~

~~Control, trespass roadways and impoundment.~~

~~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.~~

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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.~~
 8. ~~The council shall designate and properly post those areas in public lands and parks where horses may be ridden.~~
 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.~~

Sec. 10-58. – Dangerous and potentially dangerous dogs.

Cities may regulate potentially dangerous and dangerous dogs, in accordance with the regulations stated in Minn. Stat. § 347. The language within this section describes the regulations and procedures for dangerous and potentially dangerous dogs kept within the City of Ramsey.

(1) *Potentially dangerous dogs.*

- a. The animal control officer will provide the owner of a dog that has been deemed potentially dangerous, per [this section](#), with a potentially dangerous dog notice.
- b. If the dog has [met any of the criteria for potentially dangerous dogs as defined in this chapter](#) ~~inflicted bites on a human or domestic animal on public or private property~~, a quarantine notice will also be provided to the owner advising of a ten-day quarantine period.
- c. If a proper enclosure cannot be provided for the dog, the animal control officer can seize the dog for the quarantine period. All costs of the care, keeping, and disposition of the dog are the responsibility of the [owner](#) or person claiming an interest in the dog.
- d. Any person knowing of a human being bitten by a dog shall immediately notify the animal control officer ~~or the police department~~ and said dog shall then be confined and kept under observation for a period of ten days before being removed from [the owner's property](#) or [destroyed](#). [Alternately, the dog shall be euthanized and immediately tested for rabies at the owner's expense.](#)

(2) *Dangerous dogs.*

- a. The animal control officer will provide the owner of a dog that has been deemed dangerous, per [this section](#), with a dangerous dog notice.
- b. If the dog has [met any of the criteria for dangerous dogs as defined in this chapter](#) ~~inflicted bites on a human or domestic animal on public or private property~~, a quarantine notice will also be provided to the owner advising of a ten-day quarantine period.

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- c. If a proper enclosure cannot be provided for the dog, the animal control officer can seize the dog for the quarantine period. All costs of the care, keeping, and disposition of the dog are the responsibility of the **owner or** person claiming an interest in the dog.
 - d. Any person knowing of a human being bitten by a dog shall immediately notify the animal control officer ~~or the police department~~ and said dog shall then be confined and kept under observation for a period of ten days before being removed from the owner's property or **destroyed**. **Alternately, the dog shall be euthanized and immediately tested for rabies at the owner's expense.**
 - e. An owner of a dangerous dog shall keep the dog, while on the owner's property, in a proper enclosure. If the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle must be made in a manner that will prevent the dog from biting any person or animal but that will not cause injury to the dog or interfere with its vision or respiration.
 - f. An owner of a dangerous dog must renew the registration of the dog annually until the dog is deceased. If the dog is removed from the jurisdiction, it must be registered as a dangerous dog in its new jurisdiction.
 - g. An owner of a dangerous dog must notify the animal control authority in writing of the death of the dog or its transfer to a new location where the dog will reside within 30 days of the death or transfer, and must, if requested by the animal control authority, execute an affidavit under oath setting forth either the circumstances of the dog's death and disposition or the complete name **with date of birth**, **mailing** address, **email address**, and telephone number of the person to whom the dog has been transferred or the address where the dog has been relocated.
 - h. An animal control authority shall require a dangerous dog to be sterilized at the owner's expense. If the owner does not have the animal sterilized within 30 days, the animal control authority shall seize the dog and have it sterilized at the owner's expense.
 - i. A person who owns a dangerous dog and who rents property from another **owner or entity** where the dog will reside must disclose to the property owner prior to entering the lease agreement and at the time of any lease renewal that the person owns a dangerous dog that will reside at the property.
 - j. A person who transfers ownership of a dangerous dog must notify the new owner that the animal control authority has identified the dog as dangerous. The current owner must also notify the animal control authority in writing of the transfer of ownership and provide the animal control authority with the new owner's complete name **with date of birth**, **mailing** address, **email address**, and telephone number.

(3) *Dangerous dog registration.*

- a. *Requirement.* No person may own a dangerous dog in this state unless the dog is registered as provided in this section.
- b. *Registration.* An animal control authority shall issue a certificate of registration to the owner of a dangerous dog if the owner presents sufficient evidence that:
 - i. A proper enclosure exists for the dangerous dog and a posting on the premises with a clearly visible warning sign that there is a dangerous dog on the property, including a warning symbol to inform children;
 - ii. A surety bond issued by a surety company authorized to conduct business in this state in a form acceptable to the animal control authority in the sum of at least **the minimum allowed by Minnesota Statute \$300,000.00**, payable to any person injured by the dangerous dog, or a policy of public liability insurance issued by an insurance company authorized to conduct

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- business in this state in the amount of at least [the minimum allowed by Minnesota Statute § 300.000.00](#), insuring the owner for any personal injuries inflicted by the dangerous dog;
- iii. The owner has paid an annual fee [as established by an annual fee schedule and regulated per Minn. Stat. § 347](#) ~~of not more than \$500.00, in addition to any regular dog licensing fees,~~ to obtain a certificate of registration for a dangerous dog under this section; and
 - iv. The owner has had microchip identification implanted in the dangerous dog with the name of the microchip manufacturer and identification number of the microchip provided to the animal control authority. If the microchip is not implanted by the owner, it may be implanted by the animal control authority. In either case, all costs related to purchase and implantation of the microchip must be borne by the dog's owner.
- c. *Warning symbol.* If an animal control authority issues a certificate of registration to the owner of a dangerous dog pursuant to [this chapter subdivision \(b\)](#), the animal control authority must provide, for posting on the owner's property, a copy of a warning symbol to inform children that there is a dangerous dog on the property. The warning symbol must be the uniform symbol provided by the commissioner of public safety. The commissioner shall provide the number of copies of the warning symbol requested by the animal control authority and shall charge the animal control authority the actual cost of the warning symbols received. The animal control authority may charge the registrant a reasonable fee to cover its administrative costs and the cost of the warning symbol.
 - d. *Fee.* The animal control authority may charge the owner an annual fee [as established by an annual fee schedule](#), ~~in addition to any regular dog licensing fees,~~ to obtain a certificate of registration for a dangerous dog under this section.
 - e. *Dangerous dog designation review.* [In accordance with Minn. Stat. § 347](#), beginning six months after a dog is declared a dangerous dog; an owner may request annually that the animal control authority review the designation. The owner must provide evidence that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the animal control authority finds sufficient evidence that the dog's behavior has changed, the authority may rescind the dangerous dog designation.
 - f. *Law enforcement; exemption.* The provisions of this section do not apply to dangerous dogs used by law enforcement, [fire suppression, or emergency medical](#) officials for [public safety duties](#) ~~police work~~.
 - g. *Exemption.* Dogs may not be declared dangerous if the threat, injury, or damage was sustained by a person:
 - i. Who was committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the dog;
 - ii. Who was ~~provoking~~, tormenting, abusing, or assaulting the dog or who can be shown to have repeatedly, in the past, ~~provoked~~, tormented, abused, or assaulted the dog; or,
 - iii. Who was committing or attempting to commit a crime.
 - h. *Tag.* A dangerous dog registered under this section must have a standardized, easily identifiable tag identifying the dog as dangerous and containing the uniform dangerous dog symbol, affixed to the dog's collar at all times.
- (4) *Hearing for dogs deemed dangerous or potentially dangerous.* The owner of a dog that a dog that has been deemed dangerous or potentially dangerous may request a hearing to determine the validity of the dangerous or potentially dangerous dog declaration. If such a request is made, the owner must

immediately comply with the provisions ~~1 of the notice~~ outlined in Minn. Stat. § 347, until the hearing examiner issues an opinion. To appeal the dangerous or potentially dangerous dog declaration:

- a. A request, identifying with specificity the basis for the dog owner's objection to the declaration shall be filed in writing with the office of the chief of police within the allotted time per Minn. Stat. § 347 ~~14 days after the date of the service of the notice~~. Failure to do so within the allotted time ~~14 days~~ will terminate the owner's right to a hearing.
- b. A ~~\$250.00~~ filing fee as established by an annual fee schedule shall be submitted with the appeal request. In the event that the dangerous dog declaration is not upheld by the hearing examiner, the filing fee will be refunded to the dog's owner. Per Minn. Stat. § 347.541, if the dangerous dog declaration is upheld by the hearing examiner, actual expenses of the hearing up to a maximum allowed by Minnesota Statute ~~of \$1,000.00~~ will be the responsibility of the dog's owner.
- c. A hearing shall be conducted within the allotted time per Minn. Stat. § 347 ~~ten days, unless a later date is mutually agreed to by the hearing examiner, the dog owner and the city~~.
- d. The hearing officer shall issue a decision on the matter within the allotted time per Minn. Stat. § 347 ~~ten days~~ after the hearing. The decision must be delivered to the dog's owner by hand delivery or registered mail as soon as practical and a copy must be provided to the animal control authority.
- e. If the hearing officer affirms the dangerous dog declaration, the owner will have 14 days from receipt of that decision to comply with all requirements of the notice.
- f. Any costs incurred for the care, keeping, and disposition of the dog are the responsibility of the person claiming an interest in the dog, except to the extent that a court or hearing officer finds that the seizure or impoundment was not substantially justified by law.

(5) *Failure to restrain an attack by a dog.*

- a. It shall be unlawful for an owner to fail to restrain a dog from inflicting or attempting to inflict bodily injury to any person or other animal. Violation of this section shall be a misdemeanor. The court, upon a finding of the defendant's guilt hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:
 - i. The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an attack without warning, or multiple attacks; or
 - ii. The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent injury to persons or other animals.
- b. If the court does not order the destruction of the dog, the court, as an alternative, may order the defendant to provide, and show proof to the court of public liability insurance in the minimum amount allowed by Minnesota Statute ~~of \$300,000.00~~.

(6) *Stopping an attack.*

- a. If any ~~police officer or~~ animal control officer is witness to an attack by a dog upon a person or another animal, the officer may take whatever means they deem appropriate to bring the attack to an end and prevent further injury to the victim.

(7) *Grounds for seizure and impoundment.*

- a. The animal control authority shall immediately seize any dog if:
 - i. The animal control authority has reason to believe that the dog is a dangerous or potentially dangerous dog and is kept or maintained under conditions or circumstances creating an unacceptable risk of harm to physical persons or other domesticated animals.

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- ii. The dog meets the definition in this chapter of either a dangerous or potentially dangerous dog, pending a determination whether the animal is dangerous or potentially dangerous at the owner's request and expense.
 - iii. After 14 days after the owner has notice that the dog is dangerous, the dog is not validly registered and in compliance under this chapter or applicable state law.
 - iv. For any other reason authorized by law.
- b. A dangerous dog seized under this section may be reclaimed by the owner of the dog upon payment of impounding and boarding fees, and presenting proof to the appropriate animal control authority that the requirements of this chapter and state law are met. A dog not reclaimed under this section within seven days may be disposed of in a manner permitted by law, and the owner is liable for costs incurred in confining and disposing of the dog.

Sec. 10-59. – Report of dog bites; rabies quarantine.

- (1) An owner or custodian of a dog which does not have an appropriate anti-rabies vaccination and which bites or otherwise exposes a person to rabies virus may be penalized per state law.
- (2) Whenever a domestic animal such as a dog, cat, or other domestic animal capable of transmitting rabies bites a person causing a puncture, laceration, abrasion or similar type wound or break in the skin or any time the saliva of such animal comes into contact with a puncture, laceration, abrasion or similar type wound or break in the skin of a person, the animal shall be placed under quarantine for a ten-day period from the date of the bite or saliva exposure.
- (3) An animal under quarantine may be kept on the premises of the owner under the following conditions:
 - a. The animal must be kept confined in a building or other suitable structure or enclosure from which the animal cannot escape, and which prohibits contact with other animals or persons other than immediate family members. An outside kennel or fenced yard is not a suitable structure or enclosure for quarantine purposes.
 - b. The animal may not be removed or released from the building or structure, except the animal may be taken to a veterinary hospital to receive emergency veterinary care or animal may be taken outside (limited to the premises of the owner) to urinate and defecate, provided the animal is securely leashed and under the immediate supervision and control of a responsible person. When outside, the animal shall not be allowed to come into contact with any animals or persons other than immediate family members. When an animal has finished urinating, defecating, or receiving emergency veterinary care, it shall be immediately returned to the building where it is being confined for the quarantine period.
 - c. The animal may not be vaccinated against rabies virus during the quarantine period.
 - d. The animal must be made available to animal control officer or state health department for inspection at reasonable times during the quarantine period.
 - e. If the animal becomes sick or dies during the quarantine period, the animal control officer shall be notified immediately. The carcass of any animal that dies during the quarantine period shall be immediately turned over to the animal control officer or state health department.
- (4) If the owner fails to comply with any of the above conditions, the animal shall be immediately impounded for the duration of the quarantine period at the city animal containment facility at the expense of the owner. The owner of an animal may impound the animal at the city animal containment facility for the quarantine period if they choose, at their own expense.

Sec. 10-60. – Private kennel license.

All property owners that want to keep more than three dogs and/or more than five cats over six months in age must be granted a private kennel license.

- (1) *Application.* All private kennel license applications must include the following information:
 - a. The name, address, email address, and telephone number of the applicant.
 - b. The address of the property where the dogs and/or cats will be kept.
 - c. The number of dogs and/or cats proposed to be maintained on the property.
 - d. The breeds of the dogs and/or cats to be maintained.
 - e. A copy of rabies vaccination records for all dogs and/or cats to be maintained.
 - f. Upon request, a sketch plan of the property showing where the dogs and/or cats will be maintained.
- (2) *Process.*
 - a. Private kennel license applications must be filed with the ~~zoning administrator~~ animal control officer with the permit fee as defined by the annual rates and charges ordinance and all required information listed in this section.
 - b. The deadline to submit an application will be at least 30 days prior to a city council meeting.
 - c. Following an inspection of the exterior of the property proposed to be licensed, including all outdoor areas where the dogs and/or cats are regularly kept and maintained, the ~~zoning administrator~~ animal control officer shall make a recommendation to the city council to approve or deny the application.
 - d. Public hearing notice mailing distance is 350 feet.
 - e. The city council shall hold a public hearing and make the final decision on the application. The private kennel license is approved by the city council by resolution.
 - f. The city council may attach reasonable conditions or modifications to the property to mitigate any adverse effects of the site.
- (3) *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.
- (4) *Revocation.* The city council may revoke any license issued under this chapter upon adequate notice and a hearing before the council, if requested, on the following grounds:
 - a. Any violation of this Code;
 - b. Material misstatement or misrepresentation in application for the license ~~or renewal thereof~~;
 - c. Failure to keep the licensee's property in an orderly, aesthetically pleasing manner as prescribed by the city council and/or its designated representative;
 - d. Failure to comply with the terms of the license.

Sec. 10-61. – Non-traditional animal license.

All property owners that want to keep a non-traditional animal or other animal not explicitly permitted in this chapter must be granted a non-traditional animal license.

- (1) *Application.* All non-traditional license applications must include the following information:

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- a. The name, address, email address, and telephone number of the applicant.
 - b. The name, address, email address, and telephone number of the licensed veterinarian hired to provide veterinary care for the non-traditional animal(s).
 - c. The address of the property where the non-traditional animal(s) will be kept.
 - d. The number of non-traditional animals proposed to be maintained on the property.
 - e. The species and breeds of the non-traditional animal(s) to be maintained.
 - f. A sketch plan of the property showing where the non-traditional animal(s) will be maintained.
 - i. Note: the city reserves the right to require a certificate of survey.
 - g. A letter explaining in detail the proposal that addresses all regulations and review criteria in this chapter.
 - h. A prescribed plan for the maintenance and care of each non-traditional species proposed to be kept on the property, per written advice from a licensed veterinarian.
 - i. A copy of all permits required from the state department of natural resources, United States Department of Agriculture, United States Fish and Wildlife Service, and/or any other government agency.
 - j. A copy of the owner's qualifications, list of professional references and any other background materials as required by the zoning administrator animal control officer.
 - k. A copy of building plans for primary and secondary enclosures, as defined within this chapter.
 - l. Any additional information found necessary by the zoning administrator animal control officer.

(2) *Process.*

- a. Non-traditional animal license applications must be filed with the zoning administrator animal control officer with the permit fee as defined by the annual rates and charges ordinance and all required information listed in this section.
- b. The deadline to submit an application will be at least 30 days prior to a city council meeting before the next regularly scheduled planning commission meeting.
- c. Upon submittal of a completed application, the zoning administrator animal control officer shall schedule a public hearing at the next planning commission a subsequent city council meeting. The police chief animal control officer shall receive a copy of the application and forward any recommendations to the zoning administrator who shall then review the application alongside any applicable city staff or contracted official. and police comments and may make recommendations to the planning commission. The planning commission shall consider the application for a conditional use permit and thereafter make recommendations to the council. The council shall then approve, with modifications, or deny the application for a conditional use permit by resolution that shall set forth in detail any conditions and restrictions to which the approval is subject or reasons for denial.
- d. Review criteria includes, but is not limited to, the following items:
 - i. Surrounding land uses.
 - ii. Structural soundness and security of all primary and secondary enclosures.
 - iii. Design, size, location and configuration of all primary and secondary enclosures.
 - iv. Maintenance of the primary and secondary enclosures and all other structures and areas used in relation to the keeping of any wild animal.

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- v. Nuisances such as noise and odors, *or anything classified as a nuisance in City Code.*
 - vi. Aesthetics, including the appearance of the *property* and structure where an ~~wild~~ animal is kept.
 - vii. Compliance with all sections of this Code.
 - viii. Regulations of the state department of natural resources, United States Department of Agriculture, United States Fish and Wildlife *Service, and/or* any other governmental agency.
 - ix. Nature and characteristics of each type of animal being proposed *to be kept on the property,* such as its size, strength, disposition, and its ability to harm a person or property.
 - x. Other criteria found relevant by the city.
- e. Following an inspection of the *property* proposed to be licensed *while accompanied by a licensed veterinarian,* the ~~zoning administrator~~ *animal control officer* shall make a recommendation to the city council to approve or deny the application.
 - f. *Public hearing notice mailing distance is 350 feet.*
 - g. The city council shall hold a public hearing and make the final decision on the application. *The non-traditional animal license is approved by the city council by resolution.*
 - h. *The city council may attach reasonable conditions or modifications to the property to mitigate any adverse effects of the site.*
- (3) *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.*
- (4) *Revocation.* The city council may revoke any license issued under this chapter upon adequate notice and a hearing before the council, if requested, on the following grounds:
- a. *Any violation of this Code;*
 - b. *Material misstatement or misrepresentation in application for the license;*
 - c. *Failure to keep the licensee's property in an orderly, aesthetically pleasing manner as prescribed by the city council and/or its designated representative;*
 - d. *Failure to comply with the terms of the license.*
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