

Chapter 10 ANIMALS

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:

 - 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.

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

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

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

6 Dangerous dog means any dog that has:

7 (1) Without provocation, inflicted substantial bodily harm on a human being on public or private property;
8 (2) Killed a domestic animal without provocation while off the owner's property;
9 (3) Been found to be potentially dangerous, and, after the owner has been given notice that the dog is
10 potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic
11 animals.

12 Dog means any male or female of the canine species.

13 Domestic animal means any of the following species:

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

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

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

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

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

35 Head means one of a number of animals.

36 Hen means a female chicken.

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

39 Impound means to seize and hold in legal custody.

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

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

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

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

14 Owner means any person, firm, association, or corporation, or any other legal entity, or a combination of any of
15 them, having sufficient legal proprietary interest in owning, keeping or harboring an animal. The definition of
16 owner shall also include the parents or guardians of a person under 18 years of age who owns, harbors, keeps or
17 has custody of an animal.

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

21 Potentially dangerous dog means any dog that:

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

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

30 Primary enclosure means a structure designed to keep and shelter an animal from the outdoor elements, including
31 at least three walls and a roof.

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

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

38 Regular business day means any day during which the city hall is open to the public not fewer than four
39 consecutive hours between the hours of 8:00 a.m. and 7:00 p.m.

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

41 Restraint means a device that restricts movement of an animal.

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

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

5 Structure means the definition in Chapter 106 of City Code.

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

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

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

19 **Sec. 10-6. – Applicability and compliance.**

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

23 **Sec. 10-7. – Administration.**

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

26 **Sec. 10-8. – Enforcement.**

27 (1) Duties of animal control officer. The animal control officer shall perform the following duties:

- 28 a. Seize, impound, or restrain any animal found running at large within the city.
29 b. Investigate all cases of animal bites reported to the city of Ramsey and supervise the quarantine of
30 any such animal to ensure that it is kept under observation for a period of ten days.
31 c. Enforce all other provisions of this article.

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

35 **Sec. 10-9. – Nonconformities.**

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

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

1 **Secs. 10-10-10-50. – Reserved.**

2 **ARTICLE II. – STANDARDS AND REGULATIONS**

3 **Sec. 10-51. – Purpose.**

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

7 **Sec. 10-52. – Permitted animals.**

- 8 (1) The following animals are permitted to be kept within Ramsey’s city limits, in accordance with all other
9 applicable standards for each animal within Chapter 10 of Ramsey City Code and all applicable statutes:
- 10 a. Domestic animals, as defined in Section 10-6 of Ramsey City Code;
 - 11 b. Alpacas;
 - 12 c. Bees;
 - 13 d. Cattle family, except bison;
 - 14 e. Goats;
 - 15 f. Horses, including stallions, mares, geldings, foals, ponies, donkeys, asses, burros, and mules;
 - 16 g. Llamas;
 - 17 h. Poultry (or fowl);
 - 18 i. Sheep;
 - 19 j. Swine.
- 20 (2) Any animal not explicitly permitted in the above list is hereby deemed prohibited, unless the animal’s
21 owner obtains a non-traditional animal license as defined and regulated in this chapter. The above list of
22 permitted animals shall not supersede any state or federal law prohibiting any animal or species.
- 23 (3) Persons keeping animals for a public zoo as volunteers, docents, or otherwise, any bona fide research
24 institution or veterinary hospital are exempt from the provisions of this chapter, provided protective
25 devices adequate to prevent such animals from escaping or injuring the public are provided.

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

- 27 (1) Dogs and cats. All residential properties shall be allowed to keep up to three dogs over the age of six
28 months and up to five domesticated cats over the age of six months. Properties keeping four or more
29 dogs and/or six or more cats must obtain a private kennel license as described in Section 10-60.
- 30 (2) Beekeeping. All properties with an existing principal use as defined in Chapter 106 shall be allowed to
31 maintain beehives. The number of allowed hives shall be based on the total acreage of the property, in
32 accordance with the following table:

<u>Lot Size</u>	<u>Number of Hives</u>
<u>0.25 acres or less</u>	<u>Up to 4 hives</u>
<u>0.25 to 0.99 acres</u>	<u>Up to 8 hives</u>
<u>1.0 to 1.99 acres</u>	<u>Up to 20 hives</u>
<u>2.0 to 3.99 acres</u>	<u>Up to 40 hives</u>
<u>4.0 acres or larger</u>	<u>No limit to the number of beehives.</u>
<u>Note: up to 5 frame Nucleus colonies do not have quantity limits.</u>	

(3) All other permitted animals. The maximum number (or units) 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. If a property is allotted a fraction of the allowable animal unit listed below for a given animal, that fraction shall not allow the property owner to obtain such animal. Regulations for the maximum quantity of animals allowed to be kept on a given property are established in the following table:

<u>Permitted Animal Types</u>	<u>Animal Units Per Head</u>	<u>Minimum Acreage Required to Keep the Animal Type</u>
<u>1 alpaca, cow, horse, or llama</u>	<u>1.0</u>	<u>2.5 acres, with at least 1 acre reserved as a fenced roaming area for the animals.</u>
<u>1 chicken (rooster)</u>	<u>1.0</u>	<u>2.5 acres</u>
<u>1 goat, sheep, or swine</u>	<u>0.5 (2 per acre)</u>	<u>0.5 acre</u>
<u>1 large poultry and fowl (including geese, turkeys, and other poultry and fowl with an average adult weight of 5 pounds or more)</u>	<u>0.25 (4 per acre)</u>	<u>0.5 acre</u>
<u>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)</u>	<u>0.04 (25 per acre)</u>	<u>No minimum</u>

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 structure when calculating the total number and square footage of permitted accessory structures on a lot.
- b. All accessory structures, barns, coops, kennels, shelters, and stables in which animals are kept, except bee hives, 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.
- c. All accessory structures, barns, coops, kennels, shelters, 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 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 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.

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- 1 a. Extra care must be taken to ensure stallions, bulls, or intact males of any species are properly
2 enclosed, including having the ability to separately confine them from any mares, cows, or females of
3 any species unless they are specifically paired for breeding.
- 4 b. All fenced roaming areas for alpacas, cattle, horses, and llamas shall include at least 1 acre of land
5 unencumbered with septic systems or wetlands.

6 (3) Bees.

- 7 a. No hive shall exceed 20 cubic feet in volume.
- 8 b. No hive shall be located closer than 3 feet from any property line or within any easement, whichever
9 is more restrictive.
- 10 c. No hive shall be located closer than 10 feet from a neighboring, inhabited structure.
- 11 d. A constant supply of water shall be supplied or available to all hives.
- 12 e. A flyway barrier at least 6 feet in height shall shield any part of a property line that is within 25 feet of
13 a hive. The flyway barrier shall consist of 100 percent opaque fencing, dense, year-round (coniferous)
14 vegetation, existing structures, or combination thereof, and shall extend at least 25 feet beyond the
15 hive.
- 16 f. Colonies shall be maintained in movable frame hives with adequate space and management
17 techniques to prevent overcrowding and swarming.
- 18 g. In any instance in which a colony exhibits unusually aggressive characteristics by stinging or
19 attempting to sting without due provocation or exhibits an unusual disposition towards swarming, it
20 shall be the duty of the beekeeper to remove or destroy the colony.

21 (4) Chickens, ducks, geese, turkeys, and other poultry and fowl.

- 22 a. All enclosures shall remain completely enclosed to prevent unwanted intrusion by outside animals
23 and migratory birds.
- 24 i. If 100 percent opaque fencing (privacy fencing) is utilized for the exercise area, said fencing
25 is subject to the standard fence regulations and setbacks within City Code. If alternative
26 fencing is used (for example, chain link fencing), then said fencing shall be no closer than 10
27 feet from all property lines.
- 28 b. Roosters may be kept and maintained only on parcels of at least 2.5 acres in size. Said properties are
29 allowed a total of two roosters.

30 (5) Domestic cats and dogs.

- 31 a. Every owner or keeper of a dog or cat shall cause the same to be vaccinated by a licensed
32 veterinarian with anti-rabies vaccine at least once every three years and prior to the time such dog or
33 cat shall reach the age of six months. Proof of vaccination must be available for review upon request
34 of the animal control officer within seven days of the request, unless in the case of a dog bite, in
35 which proof of vaccination must be available for review immediately.
- 36 i. If the dog or cat is not currently vaccinated, the vaccination must occur as soon as possible,
37 within a maximum of 30 days of the request, and proof of vaccination must be submitted to
38 the animal control officer at that time.
- 39 b. No dog or cat needs to be vaccinated when a licensed veterinarian has examined the animal and
40 certified that, at such time, vaccination would endanger its health because of its age, infirmity,
41 debility, illness, or other medical consideration; and such exception certificate is presented to the
42 animal control officer within seven days of the request. The animal shall be vaccinated against rabies
43 as soon as its health and age permit. Unvaccinated animals must be confined to the owner's property
44 or a veterinary facility.

1 c. All dogs and cats in public spaces shall have an identification tag with owner or veterinarian contact
2 information affixed to their collar. In lieu of a physical tag, a microchip embedded in the dog or cat
3 with the same information is sufficient for identification.

4 (6) Domestically raised ferrets.

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

6 (7) Other domestic animals.

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

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

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

10 (1) Proper care and maintenance of each animal shall be the responsibility of the animal's owner, as defined
11 in this chapter.

12 (2) On all parcels of land maintaining animals, there shall be an adequate shelter, such as a roofed or covered
13 structure with walls, provided on the parcel to protect the animals from the elements.

14 (3) A confined exercise or roaming area must be provided for all animals kept outdoors. The exercise area
15 shall be fenced to prevent the animals from roaming at large. Fences must be of sufficient design to retain
16 and confine the animals.

17 (4) Manure and excrement shall be handled and treated in such a manner so as not to create a public
18 nuisance or impact the environment or groundwater. No person shall leave accumulations of manure or
19 excrement on any street or sidewalk. The animal's owner shall be responsible to abate such nuisance.

20 (5) No animal shall be treated cruelly or inhumanely by any person or in violation of Minnesota state statutes
21 preventing cruelty to animals.

22 (6) Notwithstanding any other provision of this chapter, any animal taken into custody by an animal control
23 officer under this chapter may be humanely destroyed and immediately disposed of, at the expense of
24 the owner, when the animal is suffering and is beyond cure through reasonable care and treatment.

25 (7) No person shall abandon or neglect any animal within the boundaries of the city.

26 (8) No person may ride or drive a horse or other animal utilized for transportation after sunset and before
27 sunrise along or crossing any public way without appropriate lighting or reflectorized clothing.

28 (9) No person may ride or drive a horse or other animal utilized for transportation in any public park, beach,
29 golf course or other public property except within the right-of-way of public streets and highways and
30 areas duly designated by the city as a trail or hitching area.

31 (10) Persons riding a horse or other animal utilized for transportation or driving a horse-drawn vehicle upon a
32 public road way shall be subject to those provisions of this Code and state law applicable to the driver of
33 motor vehicles, except those provisions which by their nature have no application.

34 (11) Horses or others animal utilized for transportation shall not be ridden or driven in any manner that would
35 cause undue damage to any hard-surfaced road.

36 **Sec. 10-56. – Nuisances.**

37 No animals of any type may be maintained on any parcel within the city, no matter what size the parcel, if the
38 maintenance of said animals creates a nuisance as defined in Chapter 30 or within this chapter.

39 (1) Animals at large. No person shall permit any animal of which they are the owner, caretaker or custodian
40 to run at large within the city as defined in this chapter.

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- 1 (2) Noisy animals. It shall be unlawful for any person to own, keep, have in possession, or harbor any animal
2 that barks, cries, howls or makes any other noise continuously for a period of 10 minutes or intermittently
3 for one half hour or more. Any person violating this section may be issued a citation or, if the officer
4 deems it necessary to stop the annoyance, may have the animal taken to the city animal containment
5 facility. Any animal placed in the containment facility may be reclaimed by the owner upon payment of
6 the fee prescribed in the adopted rates and charges schedule, and if not reclaimed may be disposed of in
7 the manner provided in this chapter.
- 8 (3) Removal of excrement and manure. It is unlawful for any person who owns or has custody of an animal to
9 cause or permit such animal to defecate on any private property without the consent of the property
10 owner or on any public property unless such person immediately removes the excrement and places it in
11 a proper receptacle. The provisions of this section shall not apply to seeing-eye dogs under the control of
12 a blind person or dogs while being used in city police activity.
- 13 (4) Removal of carcasses. It is unlawful for any person who owns or has custody of an animal to cause or
14 permit carcasses of animals not buried at least 3 feet deep, picked up and removed from city limits, or
15 destroyed within 24 hours after death.

16 **Sec. 10-57 – Impoundment.**

- 17 (1) Impoundment. All animals, excluding wild animals, picked up by the animal control officer or any of their
18 duly authorized assistants shall be immediately transported to the designated animal containment facility
19 or facility suited to appropriately house said animal. If the owner is known, they shall be immediately
20 notified by telephone or personal contact and by written notice to their last known address. If the owner
21 is unknown, written notice containing a description of the animal shall be posted in a reasonable manner,
22 including social media. The notice should advise the owner that they have five regular business days to
23 claim the dog. The term "regular business day" shall follow the definition stated in this chapter.
- 24 (2) Reclaiming. An owner may reclaim an impounded animal by paying to the city an impounding fee plus a
25 boarding fee for each day the animal was confined. There shall also be an added impounding fee for any
26 dog impounded twice or more within 12 months. Such fees shall be set by ordinance.
- 27 (3) Unclaimed animals. Any animal not claimed within the allotted time shall be disposed of in accordance
28 with the provisions of Minnesota Statutes.

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

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

- 33 (1) Potentially dangerous dogs.
- 34 a. The animal control officer will provide the owner of a dog that has been deemed potentially
35 dangerous, per this section, with a potentially dangerous dog notice.
- 36 b. If the dog has met any of the criteria for potentially dangerous dogs as defined in this chapter, a
37 quarantine notice will also be provided to the owner advising of a ten-day quarantine period.
- 38 c. If a proper enclosure cannot be provided for the dog, the animal control officer can seize the dog for
39 the quarantine period. All costs of the care, keeping, and disposition of the dog are the responsibility
40 of the owner or person claiming an interest in the dog.
- 41 d. Any person knowing of a human being bitten by a dog shall immediately notify the animal control
42 officer and said dog shall then be confined and kept under observation for a period of ten days before
43 being removed from the owner's property or destroyed. Alternately, the dog shall be euthanized and
44 immediately tested for rabies at the owner's expense.
- 45 (2) Dangerous dogs.

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- 1 a. The animal control officer will provide the owner of a dog that has been deemed dangerous, per this
2 section, with a dangerous dog notice.
- 3 b. If the dog has met any of the criteria for dangerous dogs as defined in this chapter, a quarantine
4 notice will also be provided to the owner advising of a ten-day quarantine period.
- 5 c. If a proper enclosure cannot be provided for the dog, the animal control officer can seize the dog for
6 the quarantine period. All costs of the care, keeping, and disposition of the dog are the responsibility
7 of the owner or person claiming an interest in the dog.
- 8 d. Any person knowing of a human being bitten by a dog shall immediately notify the animal control
9 officer and said dog shall then be confined and kept under observation for a period of ten days before
10 being removed from the owner's property or destroyed. Alternately, the dog shall be euthanized and
11 immediately tested for rabies at the owner's expense.
- 12 e. An owner of a dangerous dog shall follow all requirements for dangerous dogs as stated in Minn. Stat.
13 § 347.
- 14 (3) Dangerous dog registration.
- 15 a. Requirement. No person may own a dangerous dog in this state unless the dog is registered as
16 provided in this section.
- 17 b. Registration. An animal control authority shall issue a certificate of registration to the owner of a
18 dangerous dog if the owner presents sufficient evidence that:
- 19 i. A proper enclosure exists for the dangerous dog and a posting on the premises with a clearly
20 visible warning sign that there is a dangerous dog on the property, including a warning
21 symbol to inform children;
- 22 ii. A surety bond issued by a surety company authorized to conduct business in this state in a
23 form acceptable to the animal control authority in the sum of at least the minimum allowed
24 by Minnesota Statute, payable to any person injured by the dangerous dog, or a policy of
25 public liability insurance issued by an insurance company authorized to conduct business in
26 this state in the amount of at least the minimum allowed by Minnesota Statute, insuring the
27 owner for any personal injuries inflicted by the dangerous dog;
- 28 iii. The owner has paid an annual fee as established by an annual fee schedule and regulated
29 per Minn. Stat. § 347 to obtain a certificate of registration for a dangerous dog under this
30 section; and
- 31 iv. The owner has had microchip identification implanted in the dangerous dog with the name
32 of the microchip manufacturer and identification number of the microchip provided to the
33 animal control authority. If the microchip is not implanted by the owner, it may be
34 implanted by the animal control authority. In either case, all costs related to purchase and
35 implantation of the microchip must be borne by the dog's owner.
- 36 c. Warning symbol. If an animal control authority issues a certificate of registration to the owner of a
37 dangerous dog pursuant to this chapter, the animal control authority must provide, for posting on the
38 owner's property, a copy of a warning symbol to inform children that there is a dangerous dog on the
39 property. The warning symbol must be the uniform symbol provided by the commissioner of public
40 safety. The commissioner shall provide the number of copies of the warning symbol requested by the
41 animal control authority and shall charge the animal control authority the actual cost of the warning
42 symbols received. The animal control authority may charge the registrant a reasonable fee to cover
43 its administrative costs and the cost of the warning symbol.
- 44 d. Fee. The animal control authority may charge the owner an annual fee as established by an annual
45 fee schedule to obtain a certificate of registration for a dangerous dog under this section.
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- 1 e. Dangerous dog designation review. In accordance with Minn. Stat. § 347, beginning six months after a
2 dog is declared a dangerous dog; an owner may request annually that the animal control authority
3 review the designation. The owner must provide evidence that the dog's behavior has changed due
4 to the dog's age, neutering, environment, completion of obedience training that includes
5 modification of aggressive behavior, or other factors. If the animal control authority finds sufficient
6 evidence that the dog's behavior has changed, the authority may rescind the dangerous dog
7 designation.
- 8 f. Law enforcement; exemption. The provisions of this section do not apply to dangerous dogs used by
9 law enforcement, fire suppression, or emergency medical officials for public safety duties.
- 10 g. Exemption. Dogs may not be declared dangerous if the threat, injury, or damage was sustained by a
11 person:
- 12 i. Who was committing, at the time, a willful trespass or other tort upon the premises
13 occupied by the owner of the dog;
- 14 ii. Who was tormenting, abusing, or assaulting the dog or who can be shown to have
15 repeatedly, in the past, tormented, abused, or assaulted the dog; or,
- 16 iii. Who was committing or attempting to commit a crime.
- 17 h. Tag. A dangerous dog registered under this section must have a standardized, easily identifiable tag
18 identifying the dog as dangerous and containing the uniform dangerous dog symbol, affixed to the
19 dog's collar at all times.

20 (4) Hearing for dogs deemed dangerous or potentially dangerous. The owner of a dog that a dog that has
21 been deemed dangerous or potentially dangerous may request a hearing to determine the validity of the
22 dangerous or potentially dangerous dog declaration. If such a request is made, the owner must
23 immediately comply with the provisions outlined in Minn. Stat. § 347, until the hearing examiner issues an
24 opinion. To appeal the dangerous or potentially dangerous dog declaration:

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

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

- 43 a. It shall be unlawful for an owner to fail to restrain a dog from inflicting or attempting to inflict bodily
44 injury to any person or other animal. Violation of this section shall be a misdemeanor. The court,
45 upon a finding of the defendant's guilt hereunder, is authorized to order, as part of the disposition of

1 the case, that the animal be destroyed based on a written order containing one or more of the
2 following findings of fact:

3 i. The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an
4 attack without warning, or multiple attacks; or

5 ii. The owner of the animal has demonstrated an inability or unwillingness to control the
6 animal in order to prevent injury to persons or other animals.

7 b. If the court does not order the destruction of the dog, the court, as an alternative, may order the
8 defendant to provide, and show proof to the court of public liability insurance in the minimum
9 amount allowed by Minnesota Statute.

10 (6) Stopping an attack.

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

14 (7) Grounds for seizure, impoundment, and destruction.

15 a. The animal control authority shall immediately seize any dog if:

16 i. The animal control authority has reason to believe that the dog is a dangerous or potentially
17 dangerous dog and is kept or maintained under conditions or circumstances creating an
18 unacceptable risk of harm to physical persons or other domesticated animals.

19 ii. The dog meets the definition in this chapter of either a dangerous or potentially dangerous
20 dog, pending a determination whether the animal is dangerous or potentially dangerous at
21 the owner's request and expense.

22 iii. After 14 days after the owner has notice that the dog is dangerous, the dog is not validly
23 registered and in compliance under this chapter or applicable state law.

24 iv. For any other reason authorized by law.

25 b. A dangerous dog seized under this section may be reclaimed by the owner of the dog upon payment
26 of impounding and boarding fees, and presenting proof to the appropriate animal control authority
27 that the requirements of this chapter and state law are met. A dog not reclaimed under this section
28 within seven days may be disposed of in a manner permitted by law, and the owner is liable for costs
29 incurred in confining and disposing of the dog.

30 c. Notwithstanding any conflicting section of state law, a dog may be destroyed in a proper and humane
31 manner by the animal control authority if the dog behaves in any manner stated in Minn. Stat. §
32 347.56.

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

34 (1) An owner or custodian of a dog which does not have an appropriate anti-rabies vaccination and which
35 bites or otherwise exposes a person to rabies virus may be penalized per state law.

36 (2) Whenever a domestic animal such as a dog, cat, or other domestic animal capable of transmitting rabies
37 bites a person causing a puncture, laceration, abrasion or similar type wound or break in the skin or any
38 time the saliva of such animal comes into contact with a puncture, laceration, abrasion or similar type
39 wound or break in the skin of a person, the animal shall be placed under quarantine for a ten-day period
40 from the date of the bite or saliva exposure.

41 (3) An animal under quarantine may be kept on the premises of the owner under the following conditions:

42 a. The animal must be kept confined in a building or other suitable structure or enclosure from which
43 the animal cannot escape, and which prohibits contact with other animals or persons other than

1 immediate family members. An outside kennel or fenced yard is not a suitable structure or enclosure
2 for quarantine purposes.

3 b. The animal may not be removed or released from the building or structure, except the animal may be
4 taken to a veterinary hospital to receive emergency veterinary care or animal may be taken outside
5 (limited to the premises of the owner) to urinate and defecate, provided the animal is securely
6 leashed and under the immediate supervision and control of a responsible person. When outside, the
7 animal shall not be allowed to come into contact with any animals or persons other than immediate
8 family members. When an animal has finished urinating, defecating, or receiving emergency
9 veterinary care, it shall be immediately returned to the building where it is being confined for the
10 quarantine period.

11 c. The animal may not be vaccinated against rabies virus during the quarantine period.

12 d. The animal must be made available to animal control officer or state health department for
13 inspection at reasonable times during the quarantine period.

14 e. If the animal becomes sick or dies during the quarantine period, the animal control officer shall be
15 notified immediately. The carcass of any animal that dies during the quarantine period shall be
16 immediately turned over to the animal control officer or state health department.

17 (4) If the owner fails to comply with any of the above conditions, the animal shall be immediately impounded
18 for the duration of the quarantine period at the city animal containment facility at the expense of the
19 owner. The owner of an animal may impound the animal at the city animal containment facility for the
20 quarantine period if they choose, at their own expense.

21 **Sec. 10-60. – Private kennel license.**

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

24 (1) Application. All private kennel license applications must include the following information:

25 a. The name, address, email address, and telephone number of the applicant.

26 b. The address of the property where the dogs and/or cats will be kept.

27 c. The number of dogs and/or cats proposed to be maintained on the property.

28 d. The breeds of the dogs and/or cats to be maintained.

29 e. A copy of rabies vaccination records for all dogs and/or cats to be maintained.

30 f. Upon request, a sketch plan of the property showing where the dogs and/or cats will be maintained.

31 (2) Process.

32 a. Private kennel license applications must be filed with the animal control officer with the permit fee as
33 defined by the annual rates and charges ordinance and all required information listed in this section.

34 b. The deadline to submit an application will be at least 30 days prior to a city council meeting.

35 c. Following an inspection of the exterior of the property proposed to be licensed, including all outdoor
36 areas where the dogs and/or cats are regularly kept and maintained, the animal control officer shall
37 make a recommendation to the city council to approve or deny the application.

38 d. Public hearing notice mailing distance is 350 feet.

39 e. The city council shall hold a public hearing and make the final decision on the application. The private
40 kennel license is approved by the city council by resolution.

41 f. The city council may attach reasonable conditions or modifications to the property to mitigate any
42 adverse effects of the site.

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- 1 (3) Term and transfer. The license shall be valid without renewal provided that the applicant complies with
2 the terms of the license. Licenses under this chapter may not be transferred from person to person or
3 from place to place.
- 4 (4) Revocation. The city council may revoke any license issued under this chapter upon adequate notice and a
5 hearing before the council, if requested, on the following grounds:
- 6 a. Any violation of this Code;
7 b. Material misstatement or misrepresentation in application for the license;
8 c. Failure to keep the licensee's property in an orderly, aesthetically pleasing manner as prescribed by
9 the city council and/or its designated representative;
10 d. Failure to comply with the terms of the license.

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

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

- 14 (1) Application. All non-traditional license applications must include the following information:
- 15 a. The name, address, email address, and telephone number of the applicant.
16 b. The name, address, email address, and telephone number of the licensed veterinarian hired to
17 provide veterinary care for the non-traditional animal(s).
18 c. The address of the property where the non-traditional animal(s) will be kept.
19 d. The number of non-traditional animals proposed to be maintained on the property.
20 e. The species and breeds of the non-traditional animal(s) to be maintained.
21 f. A sketch plan of the property showing where the non-traditional animal(s) will be maintained.
22 i. Note: the city reserves the right to require a certificate of survey.
23 g. A letter explaining in detail the proposal that addresses all regulations and review criteria in this
24 chapter.
25 h. A prescribed plan for the maintenance and care of each non-traditional species proposed to be kept
26 on the property, per written advice from a licensed veterinarian.
27 i. A copy of all permits required from the state department of natural resources, United States
28 Department of Agriculture, United States Fish and Wildlife Service, and/or any other government
29 agency.
30 j. A copy of the owner's qualifications, list of professional references and any other background
31 materials as required by the animal control officer.
32 k. A copy of building plans for primary and secondary enclosures, as defined within this chapter.
33 l. Any additional information found necessary by the animal control officer.
- 34 (2) Process.
- 35 a. Non-traditional animal license applications must be filed with the animal control officer with the
36 permit fee as defined by the annual rates and charges ordinance and all required information listed in
37 this section.
38 b. The deadline to submit an application will be at least 30 days prior to a city council meeting.

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- 1 c. Upon submittal of a completed application, the animal control officer shall schedule a public hearing
2 at a subsequent city council meeting. The animal control officer shall review the application alongside
3 any applicable city staff or contracted official.
- 4 d. Review criteria includes, but is not limited to, the following items:
- 5 i. Surrounding land uses.
- 6 ii. Structural soundness and security of all primary and secondary enclosures.
- 7 iii. Design, size, location and configuration of all primary and secondary enclosures.
- 8 iv. Maintenance of the primary and secondary enclosures and all other structures and areas
9 used in relation to the keeping of any animal.
- 10 v. Nuisances such as noise and odors, or anything classified as a nuisance in City Code.
- 11 vi. Aesthetics, including the appearance of the property and structure where an animal is kept.
- 12 vii. Compliance with all sections of this Code.
- 13 viii. Regulations of the state department of natural resources, United States Department of
14 Agriculture, United States Fish and Wildlife Service, and/or any other governmental agency.
- 15 ix. Nature and characteristics of each type of animal being proposed to be kept on the property,
16 such as its size, strength, disposition, and its ability to harm a person or property.
- 17 x. Other criteria found relevant by the city.
- 18 e. Following an inspection of the property proposed to be licensed while accompanied by a licensed
19 veterinarian, the animal control officer shall make a recommendation to the city council to approve
20 or deny the application.
- 21 f. Public hearing notice mailing distance is 350 feet.
- 22 g. The city council shall hold a public hearing and make the final decision on the application. The non-
23 traditional animal license is approved by the city council by resolution.
- 24 h. The city council may attach reasonable conditions or modifications to the property to mitigate any
25 adverse effects of the site.
- 26 (3) Term and transfer. The license shall be valid without renewal provided that the applicant complies with
27 the terms of the license. Licenses under this chapter may not be transferred from person to person or
28 from place to place.
- 29 (4) Revocation. The city council may revoke any license issued under this chapter upon adequate notice and a
30 hearing before the council, if requested, on the following grounds:
- 31 a. Any violation of this Code;
- 32 b. Material misstatement or misrepresentation in application for the license;
- 33 c. Failure to keep the licensee's property in an orderly, aesthetically pleasing manner as prescribed by
34 the city council and/or its designated representative;
- 35 d. Failure to comply with the terms of the license.