



**City of Long Lake
Hennepin County, Minnesota
Ordinance No. 2023-03**

OPTION A

**An Ordinance Amending Chapter 6 – Animals of the
City of Long Lake Code of Ordinances**

The City Council of the City of Long Lake does hereby ordain as follows:

Section 1. The City Code of Ordinances, Chapter 6 – Animals, is repealed in its entirety.

Section 2. The City Code of Ordinances, Chapter 6 – Animals, is adopted as follows:

Chapter 6

ANIMALS

ARTICLE I. IN GENERAL

Sec. 6-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal control officer means the person designated as such by the city administrator or chief of police to perform duties described by this chapter.

At large means off of the property of the owner and not under the restraint of the owner, a member of the owner's immediate family, or in the custody of an individual appointed by the owner.

Kenel means a premises where three or more dogs six months of age and older are kept or where the business of raising, selling, boarding, breeding, showing, or treating dogs is conducted, except that this term does not include veterinary clinics.

Owner means any person owning, keeping, harboring or having custody of an animal within the city.

Premises means any building, dwelling, structure, shelter or land wherein animals are kept or confined.

Under restraint means controlled by a physical or electric fence, leash or owner's or owner's appointed custodian's command within the confines of the owner's property; by a leash not exceeding six feet in length while outside of the owner's property so as to be effectively restrained; or within a vehicle being driven or parked on a public street. Use of an e-collar does not meet the definition of *under restraint* at any time.

Veterinary clinic means a place that is operated by a duly licensed veterinarian for the treatment, hospitalization, surgery, care and boarding of animals and birds.

Sec. 6-2. Enforcement.

It shall be the duty of the chief of police together with the animal control officer and any peace officer whose duties include the enforcement of the law within the city to enforce the provisions of this chapter and to transport or cause to be transported to impound any animal kept within the city contrary to the provisions of this chapter. The above-described animal control officer and peace officer is authorized and empowered to issue citations and sign complaints against any person in violation of the provisions of this chapter.

Sec. 6-3. Public nuisance animal(s).

Any animal which does any of the following three or more times in any 12 month period will be declared a public nuisance. Citations may be issued by the animal control officer and/or police department for individual occurrences of any of the following, and the animal(s) may be impounded at the expense of the owner.

- (a) The animal is found to be at large.
- (b) The animal damages the property of anyone other than its owner.
- (c) The animal causes unsanitary conditions of enclosures or surroundings, which conditions are not corrected by the owner within two days after personal or written notice.
- (d) The animal disturbs or annoys a person or persons residing in the vicinity by loud and frequent barking, howling, yelping, or other such noises if such noise occurs for repeated intervals of at least three minutes with less than one minute of silence intervals and is audible off the owner's or caretaker's premises.
- (e) The animal molests or attacks passersby or passing vehicles.
- (f) The animal attacks other domestic animals or protected wildlife.
- (g) The animal is fierce, dangerous, or vicious, or is dangerous to the public health, safety and welfare.
- (h) The animal aggressively chases a person and the pursuit occurs outside of the owner's or caretaker's premises.

Sec. 6-4. Certain animals prohibited.

It shall be unlawful to keep or harbor in the city any horses, cows, sheep, goats, swine, animals of the genus Reptilia or allied genera which are venomous or of the constrictor type, or any other animals of which the keeping in captivity is prohibited by state or federal law.

Sec. 6-5. State statutes adopted; discovery of rabies.

The provisions of Minn. Stats. §35.67 through §35.69, as amended from time to time, dealing with procedures to be followed on the discovery of rabies in the city are hereby adopted by reference and are made a part of this chapter as if set out in full.

Sec. 6-6. Rabies inoculation required.

No person shall own, harbor, keep or have custody of any dog or cat over six months of age within the city unless the animal has a current rabies vaccination. Every owner of a dog and/or cat shall maintain a certificate of each animal's vaccination and shall, upon request, display it to the chief of police, animal control officer, or investigating peace officer.

Sec. 6-7. Animals unattended in motor vehicles.

A person may not leave a dog, cat, or other animal unattended in a standing or parking motor vehicle in a manner that endangers the animal's health or safety. A peace officer, a humane agent, or a member of the city's fire department may use reasonable force to enter a motor vehicle and remove an animal which has been left in the vehicle in violation of this section, and shall use reasonable means to contact the owner of the animal to arrange for its return home. If the animal's owner is unable to be reached, the peace officer, humane agent, or member of the city's fire department may take the dog, cat, or other animal to an animal shelter. A violation of this section may be cited as a petty misdemeanor consistent with Minn. Stat. §346.57.

Secs. 6-8 – 6-20. Reserved.

ARTICLE II. DOGS

Sec. 6-21. Exemption for police dogs.

Any dog deployed by the city's designated law enforcement department shall be exempt from the requirements and prohibitions of this chapter.

Sec. 6-22. License required.

No person shall own, harbor, keep or have custody of a dog over six months of age within the city unless a current license for the dog has been obtained and the tag affixed as provided under this article. Licenses shall be issued every two years. A late payment charge per dog shall be assessed for failure to timely purchase or renew a license as required by this section. The payment of such penalty for a late license purchase shall be in addition to any other penalties provided by law. A transient dog need not be licensed if it will be in the city less than 45 days in a calendar year, confined in a suitable enclosure or maintained on a leash, and accompanied by a health and rabies vaccination certificate.

Sec. 6-23. License fees; application.

The fees for licenses, replacement licenses, and late payment penalties shall be set forth by resolution of the city council for inclusion in the city fee schedule. When licenses are issued for less than the full biannual license period, license fees may be prorated by half if the license application is made during the second year of the license term. Application for licensing shall be on a form provided by the city clerk and will require owner contact information, a detailed physical description

of each dog being licensed, and veterinarian information. An application for licensing will not be complete unless it is accompanied by a certificate of inoculation for rabies which is not more than two years old. The certificate is required to show both the rabies tag number and the date the inoculation was administered. Rabies vaccination information must also be recorded on the license application form.

Sec. 6-24. License tags.

Upon receipt of a completed license application and payment of all applicable license and late payment fees, City staff shall provide and furnish for each licensed dog a metal or plastic tag upon which there shall be stamped or engraved the registered number for each dog, the words "city of Long Lake", and the years of the current license period in effect at the time of licensing. City staff shall keep a registry of all licensed dogs and the registry shall contain the owner's name, address, contact information, description of the dog, and number of each license. Every owner shall place and keep around the neck of each dog a collar made of durable material on which the license tag is securely affixed. If a license tag is lost or stolen, the owner may obtain a new tag by submitting a request to the city clerk, and the first replacement will be issued at no cost to the owner. Any additional replacements would be subject to a replacement license fee. No person shall counterfeit any license tag, and a license tag is not transferable unless a transfer request has been approved by the city clerk.

Sec. 6-25. License cancellation.

The city administrator or his/her designee may cancel the license of any dog which the city administrator and/or police department determines to be a public nuisance animal, as defined by this chapter. Upon such determination, the owner shall be immediately notified by personal delivery or US mail, addressed to the owner's last known address, that the dog is determined to be a public nuisance animal and the reasons therefore. Notice shall be deemed given on the date of personal delivery or, in the event of mailing, three days after deposit in the mail. The notice shall further advise the owner that the cancellation of the license shall be effective ten (10) days following receipt of the notice. Notwithstanding any other provisions of this chapter, the owner of any dog whose license has been cancelled and is impounded by the city or the city's police department shall pay an additional impound fee as set by resolution of the city council prior to release of the dog. It shall be unlawful for any person to own, harbor, have in his or her custody, or keep on his or her premises a dog whose license has been cancelled pursuant to this chapter.

Sec. 6-26. Kennels.

No person, breeding operation or business shall own, harbor, keep, or have custody of three or more dogs over six months old on their property without first having secured a kennel permit as required herein. Veterinary clinics operated by a duly licensed veterinarian are exempt from kennel permit requirements. A permit license shall be issued on an annual basis and applications shall be made for the whole or unexpired portion of the year ending on December 31 following the first effective date of the permit. Residential and commercial kennel permit fees will be set forth by resolution of the city council for inclusion in the city fee schedule. Residential and commercial kennels shall be kept in a clean and healthful condition at all times and shall be open for inspection by police department or city staff at any time. No kennel permit or renewal shall be issued by the city clerk except upon review of the kennel permit application by the chief of police or his/her designee. As a condition of obtaining and holding a kennel permit, all kennel permit holders must comply with this article and this chapter; and failure to comply with this chapter may constitute grounds for denial of a new kennel permit or permit renewal. If kennel permit issuance or renewal

is denied, an applicant may appeal to the city council for review; however, the city council's decision will be deemed final. To appeal a kennel permitting decision, the applicant must file a written notice of appeal with the city clerk within fifteen (15) days of receipt of notice of the city's decision. Notice by the city shall be deemed given on the date of personal delivery or, in the event of mailing, three days after deposit in the mail. A kennel permit may be revoked by the city council due to any violation of the provisions of this chapter, or any health or nuisance order, laws or regulations.

Sec. 6-27. Leashing and restraint required; custodial duties.

- (a) All dogs in the city are required to be controlled by:
 - (1) A fence, leash, picketed by means of a chain or cable to a secure object confining the dog to a specified area, or owner's command when within the confines of the owner's property.
 - (2) Being within a vehicle being driven or parked on a public street.
 - (3) A leash not exceeding six feet in length while outside of the owner's property and under the control and direction of the owner or a member of the immediate family. An e-collar is not an acceptable leash under this section.
- (b) No person having custody or control of any dog shall permit the dog to be on any unfenced area or lot abutting a street, public park, public place, or upon any private land in the city outside the owner's premises without being restrained as required by this chapter.
- (c) No person having custody or control of any dog shall permit the dog at any time to be on any street, public park, or public place in the city without being restrained or secured by a chain or leash not exceeding six feet in length. An e-collar is not an acceptable leash.
- (d) While located in any public park area, all dogs are required to be secured by physical leash not exceeding six feet in length, unless a city installed "Dog Park" or "Pet Area" sign is present and states that off-leash activity is permitted in the signed area. Dogs are prohibited and not allowed to be present at any time on the sand blanket and in the swimming beach areas at Nelson Lakeside Park. Neither an e-collar or clicker training device is an acceptable leash for dogs on public park property, and physical leashing is required.
- (e) Any person having custody or control of any dog shall remove the feces of the dog over which they have custody or control, which is deposited upon any street, public park (including designated "Pet Areas"), or public place in the city and shall dispose of the feces in city waste receptacles or shall otherwise properly and sanitarily dispose of the feces in accordance with city solid waste regulations.
- (f) Any person having control or custody over a dog while the dog is off the owner's or custodian's private property shall have suitable equipment for pickup, removal and sanitary disposal of feces.

Sec. 6-28. State statutes adopted; dangerous dogs.

The provisions of Minn. Stats. §347.50 through §347.55, as amended from time to time, dealing with the regulation of dangerous dogs, are hereby adopted by reference and are made a part of this chapter as if set out in full.

Sec. 6-29. Violations; impoundment.

- (a) No dog owner or custodian shall permit a dog to be at large within the city. Any dog found to be at large may be impounded by the animal control officer or duly empowered peace officer. The impounding officer shall give notice of the impounding to the owner of the dog, if known.
- (b) A dog owner or custodian shall keep each dog under restraint at all times.
- (c) The animal control officer and duly empowered peace officers are hereby authorized to impound any fierce, dangerous or vicious dog endangering the safety of the general public or any other animal life.
- (d) The animal control officer and duly empowered peace officers are hereby authorized to impound any dog found at large, or any dog found without a license.
- (e) Fierce, dangerous, vicious, or public nuisance dogs are not permitted on any city park property.
- (f) No owner or custodian shall permit his/her dog(s) to damage or foul any lawn, garden, property of another person, or city owned property.
- (g) No person shall keep, own, harbor or otherwise possess any dog which has been declared a public nuisance animal as set forth in this chapter. The animal control officer or duly empowered peace officers may impound any dog which they have reason to believe is in violation of this chapter if the owner is not present at the premises and it is the only way to reasonably abate the nuisance.
- (h) Whenever a dog is picked up by the animal control officer or a peace officer and such dog has a city license tag or identification tag, notification of the owner shall be attempted immediately. Any dog impounded shall be kept with humane treatment and sufficient food and water for the animal's comfort for at least five regular business days, unless sooner reclaimed by the owner. Any owner reclaiming an impounded dog must remit payment of maintenance costs as established by the impounding entity; must pay the applicable impound release fee set forth by resolution of the city council for inclusion in the city fee schedule; and if the dog is unlicensed, must pay applicable license fees and license the dog with the city immediately. Any dog not claimed by the owner within five business days may be disposed of in a manner permitted by law.

Secs. 6-30 – 6-40. Reserved.

ARTICLE II. CHICKENS

Sec. 6-41. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chicken or domesticated chicken means a subspecies of the species *Gallus domesticus*.

Coop means the structure for the keeping or housing of chickens. A coop is also an accessory structure, and no property owner or occupant of property within the city may exceed the number of accessory structures permitted by the city's zoning ordinances.

Hen means a female chicken.

Rooster means a male chicken

Run means an enclosed and covered area attached to the coop where the chickens can roam unsupervised.

Sec. 6-42. Purpose.

The purpose of this article is to provide minimum standards for the keeping of domesticated chickens. This article enables residents to keep chickens on a non-commercial basis as an accessory use to a single family residence, while limiting the potential for adverse effects upon surrounding properties. Such adverse effects can include noise, odors, unsanitary conditions, attraction of predators, chickens running at large, unsightly conditions, and similar adverse conditions.

Sec. 6-43. Permit required.

No person shall maintain or keep domesticated chickens without a permit issued by the city. Application for a permit required by this article shall be made to the city upon a form furnished by the city. A permit fee in an amount established by resolution of the city council shall be paid to the city with the application. In order to be issued a permit, the applicant and the property on which the chickens are proposed to be maintained must comply with the following requirements and standards.

- (a) The property's principal use must be a single family residential dwelling and the property must be located in the R-1A, R-1, R-2, or R-3 Single Family Residential zoning district. Properties with more than one single family residential dwelling are not eligible for a permit.
- (b) The applicant must submit a sworn and notarized statement stating that the applicant has informed all immediate neighbors to the front, rear, and sides of the property on which the chickens are proposed to be maintained. This statement must be included with the permit application in order for the application to be considered complete. Misrepresentation within this required statement shall be grounds for denial or revocation of a permit.
- (c) The applicant must not have had a prior chicken permit revoked by the city.
- (d) No person is permitted to keep more than four chickens on any lot within the city.
- (e) The required coop and attached run must be located in the rear yard and must be set back a minimum of 25 feet from all adjacent neighboring residences, and be set back a minimum of five feet from any lot line and a minimum of 25 feet from the nearest point of any city right-of-way.

Sec. 6-44. Requirements of chicken keeping practices.

- (a) No roosters or crowing hens are allowed.

- (b) No outdoor butchering of chickens is allowed.
- (c) Chickens must be kept in a coop or run whenever they are unsupervised; however, while directly and continuously supervised, they are allowed in a fenced in area outside of a coop or run.
- (d) The coop must be maintained in good condition; be compliant with city zoning standards; be constructed to accessory structure standards; be enclosed and constructed of durable materials to prevent entry by predators or the escape of chickens; be built to protect the chickens from extreme heat or cold; and provide at least four square feet of area per chicken.
- (e) The run must be maintained in good condition; be compliant with city zoning standards; be constructed to accessory structure standards; be attached to the coop; be enclosed and constructed of durable materials to prevent entry by predators or the escape of chickens; and provide at least four square feet of area per chicken.
- (f) The chickens living area must be maintained in a clean and sanitary condition. Odor shall not be perceptible at the property's lot line. All stored manure shall be placed within a fully enclosed container. All manure not used for composting or fertilizing shall be removed weekly. The coop, run and property must be kept free from trash and accumulated manure.
- (g) Feed must be stored in a rodent-proof container inside of a structure.
- (h) No person may keep chickens inside any residence.

Sec. 6-45. Revocation of permit; enforcement authority.

A chicken permit issued by city staff under this article may be revoked by the city administrator or his/her designee if it is determined after an inspection by city staff, the animal control officer, or duly empowered peace officer that the permit holder has not maintained the standards set forth in this article or that chickens are being kept in such a manner as to constitute a public nuisance. The animal control officer and peace officers are empowered to conduct enforcement activities related to this article. If the city denies or revokes a chicken permit, the applicant or permit holder may appeal to the city council for review; however, the city council's decision will be deemed final. To appeal a chicken permit denial or revocation, the applicant must file a written notice of appeal with the city clerk within fifteen (15) days of receipt of notice of the city's decision. Notice by the city shall be deemed given on the date of personal delivery or, in the event of mailing, three days after deposit in the mail.

Secs. 6-46 – 6-50. Reserved.

Section 3. This Ordinance shall be effective upon adoption and publication according to law.

Adopted by the City Council of the City of Long Lake this 19th day of September 2023.

Date of Adoption:	September 19, 2023
Date of Publication:	September 30, 2023
Effective Date:	September 30, 2023

BY:

Charlie Miner, Mayor

ATTEST:

Jeanette Moeller, City Clerk