



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

**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 The City Code of Ordinances, Chapter 6 – Animals, is repealed in its entirety.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-____. 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 or a member of the owner's immediate family.

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 fence, leash or owner'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-____. Enforcement.

It shall be the duty of the chief of police together with the animal control officer and any police officer 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 animal control officer is authorized and empowered to issue citations and sign complaints against any person for violation of the provisions of this chapter.

Sec. 6-____. Right of entry.

The chief of police, animal control officer, and any police officer shall have the right to enter upon any premises at all reasonable times for the purpose of discharging the duties imposed upon them by this chapter where there is a belief, report, or complaint that a violation of this chapter has been committed.

Sec. 6-____. 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 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.

Sec. 6-____. 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-____. 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-____. 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 police officer. Citations may be issued for a violation of this section.

ARTICLE II. DOGS

Sec. 6-____. Exemption for police dogs.

The city's police department and any dog owned or used by it shall be exempt from the requirements and prohibitions of this chapter, exception for the provisions relating to treatment of dogs.

Sec. 6-____. 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 purchase 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-____. 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 will also be recorded on the license application form.

Sec. 6-____. 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-____. 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 certified mail, addressed to the owner’s last known address, that the dog is determined to be a public nuisance animal and the reasons therefore. 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 subsequently 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-____. 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. 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-____. 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 without being restrained so that it does not enter beyond such area or lot.
- (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) No person having custody or control of any dog shall permit the dog to be in any public park area not marked with city "Pet Area" signage. While located in any public park area marked with "Pet Area" signs, all dogs are required to be secured by a chain or leash not exceeding six feet in length. An e-collar is not an acceptable leash.
- (e) Any person having custody or control of any dog shall remove the feces of the dog over which they have custody or control, 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 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-____. 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-____. 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 police officer and 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 police 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 police 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 their 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 police 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 police officer and such dog has a city license tag or identification tag, the owner shall be notified immediately. Any dog impounded shall be kept with humane treatment and sufficient food and water for their 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 pound; 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 accordance with Minn. Stat. 35.71.

ARTICLE II. CHICKENS

Sec. 6-____. 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 more than two accessory structures are permitted per single family residential property.

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-____. 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-____. 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 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 to apply.
- (b) The applicant must submit a notarized statement stating that they have informed all immediate neighbors to the front, rear, and sides of their property that they intend to keep chickens. This statement must be included with the permit application in order for the application to be considered complete.
- (c) The applicant may 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. In the event the property is a corner lot, the setback for the side yard bordering any street right-of-way is 10 feet. ****NOTE: Would it just be safer to prohibit owning chickens at corner lots, since they abut 2 street rights of way? ****

Sec. 6-____. 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, when supervised, they are allowed in a fenced in area.
- (d) The coop must be maintained in good condition; 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 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-____. Revocation of permit; enforcement authority.

A chicken permit issued by city staff under this article may be removed by the city administrator or his/her designee if it is determined after an inspection by city staff, the animal control officer, or police 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 police officers are empowered to conduct enforcement activities and issue citations for any violation of this article.

Sec. 6-____ – 6-____. 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 ____th day of September 2023.

Date of Adoption:	_____	, 2023
Date of Publication:	_____	, 2023
Effective Date:	_____	, 2023

BY:

Charlie Miner, Mayor

ATTEST:

Jeanette Moeller, City Clerk