

**SPRING LAKE PARK
ORDINANCE 513**

NOW THEREFORE, be it ordained by the Council of the Spring Lake Park, in the State of Minnesota, as follows:

SECTION 1: **REPEAL** “9.12 ANIMALS” of the Spring Lake Park Municipal Code is hereby *repealed* as follows:

~~9.12 ANIMALS~~ (*Repealed*)

~~9.12.010 General Provisions~~ (*Repealed*)

~~9.12.020 Potentially Dangerous And Dangerous Dog Or Cat~~ (*Repealed*)

SECTION 2: **ADOPTION** “9.12 ANIMALS, DOMESTICATED BIRDS AND HONEYBEES” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12 ANIMALS, DOMESTICATED BIRDS AND HONEYBEES(*Added*)

SECTION 3: **ADOPTION** “9.12.010 Definitions” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.010 Definitions(*Added*)

For purposes of this Chapter, the following definitions shall apply unless the context clearly indicates otherwise:

ANIMAL. Any mammal, bird, reptile, amphibian, fish, or other vertebrate, excluding humans.

ANIMAL CONTROL AUTHORITY. The City, its Police Department, an employee or official designated by the City, or an agency or person under contract with the City to perform animal control functions.

ANIMAL CONTROL OFFICER. Any peace officer, City employee, contractor, or other person designated by the City to enforce this Chapter or applicable state animal-control laws.

APIARY. The location where one or more colonies of honeybees are kept.

BEEKEEPER. A person who owns, keeps, maintains, or has charge of one or more colonies of honeybees.

COLONY. An aggregate of honeybees consisting principally of worker bees and ordinarily containing a queen, drones, brood, comb, and honey.

COMMERCIAL KENNEL. A premises used primarily or regularly for the boarding, breeding, training, sale, or keeping of dogs for compensation or other commercial purposes. Veterinary clinics, animal hospitals, pet shops, and pet grooming facilities shall not be considered commercial kennels solely by reason of those uses.

DOMESTICATED BIRD. A chicken or quail, as defined by this Section, kept for noncommercial purposes pursuant to SLPC 9.12.070.

HIVE. A manufactured receptacle designed and used for housing a colony of honeybees.

HONEYBEE. Any life stage or caste of the common domestic honeybee, *Apis mellifera*.

MULTIPLE PET LOCATION. A residential premises at which four or more dogs, cats, or any combination thereof over six months of age are kept for the personal use of the owner or occupant and not for breeding, boarding, sale, training for compensation, or other commercial purposes.

OWNER. Any person owning, keeping, harboring, maintaining, having custody of, or having control over an animal.

QUAIL. Domesticated Coturnix or Japanese quail (*Coturnix japonica*). The term does not include bobwhite quail or another protected game bird.

RUNNING AT LARGE. An animal that is off the premises of its owner and is not restrained by a leash, confined within a vehicle or enclosure, or otherwise under the immediate control of a responsible person. An animal located on private property without the permission of the property owner or occupant shall also be considered running at large.

SWARM. A group of honeybees, usually accompanied by a queen, that has left a colony to establish a new colony.

SECTION 4: ADOPTION “9.12.020 General Animal Regulations” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.020 General Animal Regulations(*Added*)

- A. *Running at large.* No owner shall permit an animal to run at large within the City. An animal off the premises of its owner shall be under the immediate custody and control of a responsible person by leash or other effective means of restraint.
- B. *Control on owner's property.* An animal kept outdoors on the owner's property shall be contained by a fence, enclosure, tether, or other effective means of restraint, or shall be under the immediate supervision and control of the owner or another responsible person.
- C. *Animal noise.* No owner shall keep or harbor an animal that repeatedly or habitually barks, howls, yelps, cries, crows, calls, or otherwise makes noise that unreasonably interferes with the use or enjoyment of neighboring property. In determining whether a violation exists, consideration may be given to the duration, frequency, time of day, volume, nature of the surrounding area, and whether the animal was reasonably provoked.
- D. *Animal waste.*
 - 1. An owner shall promptly remove and properly dispose of animal excrement deposited on public property or private property not owned or occupied by the owner.
 - 2. Animal waste shall not be allowed to accumulate on private property in a manner that creates offensive odors, attracts flies or rodents, contaminates stormwater, or otherwise creates a nuisance.
- E. *Humane treatment.* Animals shall be kept and cared for in compliance with M.S. Chapter 343, as may be amended from time to time. No person shall cruelly or unnecessarily abuse, neglect, injure, or deprive an animal of necessary food, potable water, shelter, or veterinary care.
- F. *Interference with enforcement.* No person shall intentionally obstruct or interfere with an Animal Control Officer or peace officer lawfully performing duties under this Chapter or state law.
- G. *Nuisances.* Compliance with a license or other provision of this Chapter does not authorize the maintenance of a public nuisance or preclude enforcement under SLPC 9.20.020.

SECTION 5: **ADOPTION** “9.12.030 Dogs And Cats; Licensing, Rabies And Animal Bites” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.030 Dogs And Cats; Licensing, Rabies And Animal Bites(*Added*)

- A. License required. All dogs and cats kept, harbored, or maintained within the City shall be licensed by the City unless otherwise exempt by law.
- B. Application. Applications shall be made on forms prescribed by the City Administrator or designee and shall contain information reasonably necessary to identify the animal and owner and administer this Chapter.
- C. License term and fee. Dog licenses shall be issued annually. Cat licenses shall be perpetual and need be purchased only one time. License fees shall be as established pursuant to SLPC 3.16.030.
- D. Rabies vaccination. No dog or cat shall be licensed unless the owner provides evidence of a current rabies vaccination administered by a licensed veterinarian, except where a veterinarian certifies that vaccination should be deferred because of the animal's health.
- E. Bites and rabies exposure.
 - 1. Any person knowing that an animal has bitten a human shall promptly notify the Police Department or Animal Control Authority.
 - 2. The owner of an animal that has bitten a person or is suspected of exposure to rabies shall comply with all applicable quarantine, observation, testing, or confinement requirements established by M.R. 1721.0570 and M.R. 1721.0580, as they may be amended from time to time, or other applicable public-health requirements.
 - 3. Upon lawful demand of an Animal Control Officer or peace officer, an owner shall produce or surrender an animal for quarantine, observation, examination, or testing when required by law.
 - 4. Costs associated with quarantine, veterinary examination, testing, impoundment, or other required care shall be the responsibility of the animal's owner to the extent permitted by law.

SECTION 6: **ADOPTION** “9.12.040 Potentially Dangerous And Dangerous Dogs” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.040 Potentially Dangerous And Dangerous Dogs(*Added*)

- A. State Law adopted. The regulatory and procedural provisions of M.S. §§ 347.50 through 347.565, as may be amended from time to time, relating to potentially

dangerous and dangerous dogs are adopted by reference and shall be administered and enforced by the City.

- B. Authority to declare. A peace officer, Animal Control Officer, or other City official designated by the City Administrator may declare a dog potentially dangerous or dangerous when the official determines that the dog meets the applicable criteria established by Minnesota law.
- C. Registration. A dog declared potentially dangerous shall be registered annually with the City for so long as the designation remains in effect. A dog declared dangerous shall be registered with the City in accordance with M.S. §§ 347.50 through 347.565, as may be amended from time to time. The owner shall provide such information and documentation as reasonably required by the City to administer the registration. Applicable registration fees shall be as established pursuant to SLPC 3.16.030.
- D. Inspection. Prior to issuance of a registration required by this Section, the City shall inspect the enclosure and exterior areas where the dog will be kept to determine compliance with applicable requirements. The owner shall make such areas reasonably available for inspection upon reasonable notice. Nothing in this Section authorizes entry onto private property without consent, an administrative search warrant, or other authority provided by law.
- E. Hearing. An owner of a dog declared dangerous shall be provided the notice and hearing rights required by M.S. § 347.541. An owner of a dog declared potentially dangerous may appeal the declaration by submitting a written request to the City within fourteen (14) days after notice of the declaration. The hearing on a potentially dangerous dog declaration shall be conducted by an impartial hearing officer designated by the City.
- F. Fees and costs. Registration, hearing, impoundment, boarding, veterinary, administrative, and other City fees authorized by law shall be as established pursuant to SLPC 3.16.030, provided that the annual dangerous dog registration fee shall not exceed the maximum permitted by M.S. § 347.51. The owner shall be responsible for costs of care, keeping, and disposition of a dog to the extent provided by law.
- G. Other requirements. Nothing in this Section limits or supersedes any requirement, restriction, remedy, seizure authority, penalty, or other provision contained in M.S. §§ 347.50 through 347.565, as may be amended from time to time.

SECTION 7: ADOPTION “9.12.050 Animal Control And Impoundment” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.050 Animal Control And Impoundment(*Added*)

- A. Animal control authority. The City may provide animal control services directly or by contract.
- B. Authority to impound. An Animal Control Officer or peace officer may impound an animal when authorized by this Chapter or state law, including:

1. an animal found running at large;
 2. an animal requiring lawful quarantine or observation;
 3. an animal whose seizure is authorized under state dangerous-dog or animal-welfare law; or
 4. an animal whose seizure is otherwise reasonably necessary and authorized by law to protect public health or safety.
- C. Notice. When the owner of an impounded animal is known or reasonably ascertainable, notice shall be provided as required by applicable law.
- D. Reclaiming an animal. An owner may reclaim an impounded animal within the applicable holding period upon:
1. providing satisfactory proof of ownership;
 2. obtaining any required City license;
 3. providing evidence of any required vaccination;
 4. satisfying any lawful conditions applicable to the animal; and
 5. paying applicable impoundment, boarding, veterinary, licensing, and administrative fees or charges.
- E. Unclaimed animals. Animals not reclaimed within the applicable holding period may be transferred, adopted, or otherwise disposed of in accordance with M.S. § 346.47, applicable Minnesota Rules, and other applicable law, as they may be amended from time to time.
- F. Costs. The owner shall be responsible for lawful costs incurred by the City or Animal Control Authority relating to capture, impoundment, boarding, veterinary care, quarantine, or disposition of the animal.

SECTION 8: ADOPTION “9.12.060 Multiple Pet Locations and Commercial Kennels” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.060 Multiple Pet Locations and Commercial Kennels(*Added*)

- A. Multiple pet license required. No person shall maintain a multiple pet location within the City without first obtaining an annual multiple pet license.
- B. Application. An application for a multiple pet license shall be made on forms prescribed by the City and shall include:
1. the name and address of the applicant;
 2. identification of each dog and cat kept on the premises;
 3. evidence that each dog and cat is properly licensed and vaccinated as required by this Chapter;
 4. information regarding the means by which the animals will be confined and cared for;
 5. written permission of the property owner if the applicant is not the property owner; and
 6. the applicable fee established pursuant to SLPC 3.16.030.

- C. Standards. A multiple pet location shall:
1. be maintained in a clean and sanitary condition;
 2. provide adequate shelter, food, water, exercise, and care for all animals;
 3. provide effective means of preventing animals from running at large;
 4. be maintained so that animal waste, odors, noise, or other conditions do not constitute a nuisance; and
 5. comply with all other applicable provisions of this Chapter.
- D. Inspection. Inspections of an applicant or licensed multiple pet location shall be conducted in accordance with SLPC 9.12.120, Paragraph E.
- E. License term. A multiple pet license shall be issued annually. The applicable initial and renewal fees shall be established pursuant to SLPC 3.16.030.
- F. Denial, suspension, nonrenewal, or revocation.
1. A multiple pet license may be denied, suspended, refused renewal, or revoked for:
 - a. false or materially incomplete information in an application;
 - b. failure to comply with this Chapter;
 - c. repeated substantiated animal-control or nuisance violations;
 - d. failure to maintain required dog or cat licenses or vaccinations; or
 - e. conditions creating a substantial threat to public health or safety.
 2. Except where immediate action is authorized by law because of an imminent threat to health or safety, the license holder shall be provided notice of the violation and a reasonable opportunity to correct the condition before suspension, nonrenewal, or revocation.
- G. Appeal. A person aggrieved by the denial, suspension, nonrenewal, or revocation of a multiple pet license may appeal the decision in the manner provided in SLPC 9.12.120, Paragraph H.
- H. Commercial kennels.
1. A multiple pet license does not authorize a commercial kennel.
 2. Commercial kennels shall comply with all applicable requirements of SLPC Chapter 16 and any other applicable provisions of this Code or state law.
 3. Any City license or fee applicable to a commercial kennel shall be as established pursuant to SLPC 3.16.030.
 4. Issuance of any City approval or license does not relieve the operator from obtaining any license or approval required by the Minnesota Board of Animal Health or other state agency.

SECTION 9: ADOPTION “9.12.070 Keeping Of Chickens And Quail” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.070 Keeping Of Chickens And Quail(*Added*)

- A. License required. No person shall keep chickens or quail within the City without first obtaining an annual domesticated bird license.
- B. Eligible property.
 - 1. Chickens and quail may be kept only as an accessory use to a detached single-family dwelling.
 - 2. The license holder shall reside on the premises.
 - 3. If the license holder is not the property owner, written permission from the property owner shall be required.
 - 4. Issuance of a City license does not supersede private covenants, homeowners' association requirements, lease provisions, or other private restrictions.
- C. Maximum number. No more than four chickens or quail, in any combination, may be kept on a property.
- D. Roosters prohibited. Roosters are prohibited.
- E. Education required. Before issuance of an initial license, the applicant shall provide evidence of completion of a backyard poultry education course or equivalent training approved by the Administrator, Clerk/Treasurer or designee. The training shall address appropriate housing, sanitation, disease prevention, predator protection, feeding, and responsible care of poultry.
- F. Initial application. An initial application shall include:
 - 1. the name and contact information of the applicant and property owner;
 - 2. written property-owner permission, if applicable;
 - 3. proof of required education;
 - 4. a site plan identifying the dwelling, property lines, proposed coop and run, and required setbacks; and
 - 5. the applicable initial license fee established pursuant to SLPC 3.16.030.
- G. Resident notification.
 - 1. Upon receipt of a complete initial application, the City shall provide mailed notice to the owners of record and occupants of properties immediately abutting the applicant's property.
 - 2. The notice shall describe the proposed licensed use and provide at least ten calendar days for submission of comments to the City.
 - 3. Neighbor approval or consent shall not be required.
 - 4. Comments shall be considered only to the extent they relate to compliance with this Chapter or other applicable provisions of this Code.
 - 5. Resident notification shall not be required for annual renewal unless the location of the coop or run is materially changed.
- H. Coop and run standards.

1. Chickens and quail shall be provided with a secure, weather-resistant coop and an enclosed outdoor run appropriate for the number and type of birds.
 2. The coop and run shall be located entirely within the rear yard.
 3. The coop and run shall be located at least ten (10) feet from any property line.
 4. The coop and run shall be located at least twenty five (25) feet from a dwelling located on another property.
 5. The coop shall provide at least three (3) square feet of floor area for each bird.
 6. The coop and run shall be constructed and maintained to prevent the birds from escaping and to reasonably protect the birds from predators.
 7. The run shall have secure overhead protection.
 8. Chickens and quail shall be secured within the coop from sunset to sunrise.
 9. Coops and runs shall comply with all other applicable accessory-structure requirements of this Code.
- I. Containment. Chickens and quail shall not run at large. Birds may be outside the coop and run only when under direct supervision within a securely fenced rear yard.
- J. Sanitation and feed.
1. The coop, run, and surrounding area shall be maintained in a clean and sanitary condition.
 2. Manure, bedding, uneaten feed, feathers, and other waste shall not be allowed to accumulate so as to create offensive odors, attract rodents or insects, or otherwise constitute a nuisance.
 3. Feed shall be stored in rodent-resistant containers.
 4. Manure and bedding shall be properly disposed of or composted in compliance with applicable City regulations.
- K. Disposal of dead birds. Dead birds shall be promptly and lawfully disposed of and shall not be maintained outdoors in a manner that creates a nuisance.
- L. Slaughtering. Slaughtering or processing chickens or quail on the premises is prohibited.
- M. Commercial use. This Section authorizes residential hobby keeping of chickens and quail only and does not authorize a commercial poultry operation.

SECTION 10: **ADOPTION** “9.12.080 Keeping Of Honeybees” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.080 Keeping Of Honeybees(*Added*)

- A. License required. No person shall establish or maintain an apiary or keep a colony of honeybees within the City without first obtaining an annual beekeeping license.
- B. Eligible property.
1. Honeybees may be kept only as an accessory use to a detached single-family dwelling.

2. The license holder shall reside on the premises.
 3. If the license holder is not the property owner, written permission from the property owner shall be required.
 4. Issuance of a City license does not supersede private covenants, homeowners' association requirements, lease provisions, or other private restrictions.
- C. *Maximum number.* No more than two (2) colonies, including nucleus colonies, may be maintained on a property, except as provided in Paragraph N relating to captured swarms.
- D. *Education required.* Before issuance of an initial license, an applicant shall provide evidence of completion of a beekeeping education course or equivalent training approved by the Administrator, Clerk/Treasurer or designee. The training shall address colony management, honeybee diseases and mites, swarm prevention and control, and responsible urban beekeeping practices.
- E. *Initial application.* An initial application shall include:
1. the name and contact information of the applicant and property owner;
 2. written property-owner permission, if applicable;
 3. proof of required education;
 4. a site plan showing property lines, the dwelling, proposed hive locations, hive entrances, required setbacks, any required flyway barrier, and the proposed water source; and
 5. the applicable initial license fee established pursuant to SLPC 3.16.030.
- F. *Resident notification.*
1. Upon receipt of a complete initial application, the City shall provide mailed notice to the owners of record and occupants of properties immediately abutting the applicant's property.
 2. The notice shall describe the proposed licensed use and provide at least ten (10) calendar days for submission of comments to the City.
 3. Neighbor approval or consent shall not be required.
 4. Comments shall be considered only to the extent they relate to compliance with this Chapter or other applicable provisions of this Code.
 5. Resident notification shall not be required for annual renewal unless the apiary is materially relocated.
- G. *Location.*
1. Hives shall be located entirely within the rear yard.
 2. A hive shall be located at least ten (10) feet from any property line.
 3. A hive shall be located at least twenty five (25) feet from a public sidewalk, trail or other public pedestrian walkway.
 4. Hive entrances shall face toward the interior of the beekeeper's property to the greatest extent reasonably practical.
- H. *Flyway barrier.*
1. When a hive is located less than sixteen (16) feet from a property line, the beekeeper shall establish and maintain a flyway barrier at least six feet in height.
 2. A flyway barrier may consist of a wall, fence, dense vegetation, or combination thereof sufficiently dense to cause honeybees to fly over rather than through the barrier.

3. The flyway barrier shall extend at least ten (10) feet in each direction from the hive, measured generally parallel to the affected property line, or shall otherwise enclose the hive area with a barrier at least six feet in height.
- I. Water. A convenient and continuous source of clean water shall be maintained on the licensed premises whenever colonies are active outside the hive.
- J. Hive construction. Honeybee colonies shall be maintained in hives containing removable frames. Hives shall be maintained in sound and usable condition.
- K. Equipment and materials.
 1. Wax comb, syrup, honey, or other materials likely to encourage robbing by honeybees shall not be left exposed on the premises.
 2. Such materials shall be stored within sealed containers, a building, or other insect-resistant enclosure.
 3. Unused beekeeping equipment shall be maintained and secured against weather, deterioration, and unintended occupation by swarms.
- L. Colony management. Colonies shall be maintained in accordance with generally accepted beekeeping practices. The beekeeper shall take reasonable measures to:
 1. maintain healthy colonies;
 2. manage disease and mites;
 3. reduce unnecessary swarming; and
 4. prevent unusually defensive or aggressive behavior from substantially interfering with neighboring properties or public areas.
- M. Problem colonies. When credible evidence demonstrates that a colony is unusually defensive, aggressive, diseased, or otherwise creates a substantial nuisance or public-safety concern, the City may require reasonable corrective action, including requeening, treatment, relocation, reduction, or removal of the colony.
- N. Temporary swarm exception. A licensed beekeeper who captures or removes a honeybee swarm may temporarily exceed the two-colony maximum for a period not exceeding six months from the date the swarm was acquired, provided the beekeeper otherwise complies with this Section to the greatest extent practicable.
- O. Nuisances. Compliance with this Section does not authorize maintenance of a nuisance. A licensed apiary remains subject to SLPC 9.20.020.
- P. Commercial use. This Section authorizes residential hobby beekeeping. Any retail or other commercial activity conducted from the premises shall comply with applicable zoning and home-occupation requirements.

SECTION 11: ADOPTION “9.12.120 License Administration, Enforcement And Appeals” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.120 License Administration, Enforcement And Appeals(*Added*)

- A. Administrative approval. Multiple pet, domesticated bird, and beekeeping licenses shall be administered and issued by the City Administrator or designee. City Council

approval or a public hearing shall not be required.

B. License period. Multiple pet, domesticated bird, and beekeeping licenses shall be issued annually and shall expire on December 31 of each year.

C. Fees.

1. Initial and annual renewal license fees shall be as established pursuant to SLPC 3.16.030.
2. Fees may reflect the City's reasonable costs associated with administration, licensing, resident notification, inspection, and code enforcement.

D. Renewal.

1. A complete application for annual renewal shall be submitted to the City on or before December 1.
2. An applicant for annual renewal shall:
 - a. pay the applicable renewal fee established pursuant to SLPC 3.16.030;
 - b. certify that the information previously provided to the City remains accurate or identify any material changes;
 - c. certify continued compliance with this Chapter; and
 - d. correct any outstanding substantiated violations before renewal.
3. A new site plan, education requirement, or resident notification shall not be required for renewal unless required by the City because of a material change in the licensed activity or premises.
4. If a complete renewal application is submitted on or before December 1, the existing license shall remain in effect until the City approves or denies the renewal, unless the license is otherwise suspended or revoked pursuant to this Chapter.

E. Inspection. As a condition of issuance of an initial multiple pet, domesticated bird, or beekeeping license, the licensed premises and areas associated with the proposed licensed activity shall be subject to inspection by the City to determine compliance with this Chapter. The applicant shall make such areas reasonably available for inspection upon reasonable notice. The City may also conduct an inspection in connection with a license renewal when there has been a material change to the licensed activity or when the City has a reasonable basis to believe that the licensed activity does not comply with this Chapter. The City may also conduct an inspection during the license period when there has been a material change to the licensed activity, when the City has a reasonable basis to believe that the licensed activity does not comply with this Chapter, or to verify correction of a previously identified violation. No initial license shall be issued until any required inspection has been completed and the City determines that the proposed licensed activity complies with this Chapter. Nothing in this Section authorizes entry onto private property without consent, an administrative search warrant, or other authority provided by law.

F. Material changes.

1. A license holder shall notify the City within ten calendar days of any material change to information submitted with the license application.
2. For purposes of this Paragraph, a material change includes a change in the license holder's contact information, property ownership or property-owner permission, the number or type of animals or colonies maintained under the

- license, or another change that may affect compliance with this Chapter.
3. A proposed relocation of a coop, run, hive, or other structure or enclosure identified on an approved site plan shall be submitted to the City for review before the relocation occurs. The City may require an updated site plan, inspection, or resident notification when reasonably necessary because of the proposed change.
- G. Denial, suspension, nonrenewal or revocation. The Administrator, Clerk/Treasurer or designee may deny, suspend, refuse to renew or revoke license for:
1. false or materially incomplete information in an application;
 2. failure to satisfy the requirements of this Chapter;
 3. failure to correct a substantiated nuisance or code violation within a reasonable period established by the City;
 4. repeated violations of this Chapter; or
 5. conditions creating a substantial threat to public health or safety.
- H. Corrective order.
1. The Animal Control Officer, Code Enforcement Official, or peace officer may issue a written corrective order upon determining that a violation of this Chapter exists.
 2. The corrective order shall identify the violation, the corrective action required, a reasonable period for compliance, and the potential consequences of failure to comply.
 3. Except where immediate action is authorized by law because of an imminent threat to health or safety, a license holder shall be provided a reasonable opportunity to correct the violation before the City suspends, refuses to renew, or revokes the license. Failure to comply with a lawful corrective order within the time specified constitutes a separate violation of this Chapter and may constitute grounds for administrative citation, license suspension, nonrenewal, revocation, or other enforcement authorized by law.
- I. Notice. A notice, decision, or corrective order required by this Chapter may be personally delivered, sent by first-class mail to the last address provided to the City by the applicant or license holder, or transmitted electronically to an electronic address provided by the applicant or license holder for City communications. The City may use more than one method of notice.
- J. Appeal. An applicant or license holder may appeal an administrative denial, suspension, nonrenewal, revocation, or corrective order by filing a written appeal with the City Administrator within ten calendar days after notice of the decision. The appeal shall be heard by the City Council or a hearing officer designated by the City Council. The applicant or license holder shall be provided notice and an opportunity to be heard. The decision following the appeal shall constitute the City's final administrative decision.
- K. Nontransferability. A multiple pet, domesticated bird, or beekeeping license is issued to the applicant for the specific premises identified in the application and shall not be transferred to another person or property.

SECTION 12: **ADOPTION** “9.12.130 Violations And Penalties” of the Spring Lake Park Municipal Code is hereby *added* as follows:

A D O P T I O N

9.12.130 Violations And Penalties(*Added*)

- A. *Violation.* It is unlawful to violate any provision of this Chapter or fail to comply with a lawful order issued pursuant to this Chapter.
- B. *Remedies.* The City may enforce this Chapter through criminal prosecution, administrative citation where otherwise authorized by City Code, license suspension, nonrenewal or revocation, nuisance abatement, injunctive relief, or any other remedy available by law. Remedies are cumulative.
- C. *Penalty.* Unless another penalty is specifically established by state law or City Code, a violation of this Chapter shall be subject to the penalties provided in SLPC 1.04.200.

SECTION 13: **AMENDMENT** “9.20.020 Public Nuisances, Paragraph B” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

A M E N D M E N T

9.20.020 Public Nuisances

- B. *Public Nuisances Affecting Health, Safety, Comfort, Or Repose.* The following are hereby declared to be public nuisances affecting health, safety, comfort, or repose:
 - 1. The exposed accumulation of decayed or unwholesome food or vegetable matter;
 - 2. All diseased animals running at large;
 - 3. All ponds or pools of stagnant water;
 - 4. Carcasses of animals not buried or destroyed within twenty-four (24) hours after death;
 - 5. Accumulation of manure, refuse or other debris;
 - 6. Privy vaults and garbage cans which are not rodent-free or fly-tight, or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;
 - 7. The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste, hazardous substances or other substances;
 - 8. Dumping the contents of any cesspool, privy vault, garbage or rubbish can (as definition of garbage is limited; see SLPC 5.08 for definition of “garbage”) except at places authorized by law;
 - 9. All noxious weeds, tall grasses defined as anything over eight inches in height, and other rank growths upon public or private property, with the exception of managed natural landscapes pursuant to M.S. § 412.925, as may

- be amended from time to time, wetlands, and natural wooded areas;
10. Dense smoke, noxious fumes, gas, soot, or cinders in unreasonable quantities;
 11. Any offensive trade or business as defined by statute or ordinance not operating under local license. For purpose of this provision, **OFFENSIVE TRADE OR BUSINESS** means a trade, employment or business that is hurtful to inhabitants within the city, dangerous to the public health, injurious to neighboring property or from which offensive odors arise.
 12. The distribution of samples of medicines or drugs unless those samples are placed in the hands of an adult person by someone properly licensed;
 13. All other acts, omissions of acts, occupations, and uses of property which are deemed by the Board of Health to be a menace to the health of the inhabitants of the city or a considerable number thereof;
 14. The keeping, maintaining, or harboring of livestock, farm animals, poultry, fowl or honeybees, chickens, cows, horses, and other domestic animals or fowl except chickens and quail lawfully kept in compliance with SLPC 9.12.070, honeybees lawfully kept in compliance with SLPC 9.12.080, or animals otherwise lawfully permitted by the City;
 15. The keeping, maintaining, or harboring of live wild animals, whether native to this state or not, which in their wild state pose a threat to humans or domestic animals; and
 16. The keeping, maintaining, or harboring ~~of any combination~~ of animals ~~or fowl~~, domesticated birds, or honeybees ~~kept~~ in numbers or under conditions that unreasonably annoy, injure, or endanger the health, safety, comfort, repose, or welfare of the public.

SECTION 14: AMENDMENT TO FEE SCHEDULE. Section 14.D. of the City Fee Schedule is amended as follows:

Item	Fee
Spayed or neutered – Cats and Dogs	\$10.00/yr
Unsprayed or Unneutered – Cats and Dogs	\$25.00/yr
Duplicate tags	\$2.00 per tag
Dangerous Dog Registration	\$500.00/yr
<u>Potentially Dangerous Dog Registration</u>	<u>\$250.00/yr</u>
~~Kennel – Residential~~	~~\$50.00/yr~~
<u>Multiple Pet License</u>	<u>\$100.00 – Initial (includes first year)</u> <u>\$50.00/year -- Renewal</u>
Kennel – Commercial	\$100.00/yr
<u>Domesticated Bird License</u>	<u>\$100.00 – Initial (includes first year)</u> <u>\$50.00/year -- Renewal</u>
<u>Beekeeping License</u>	<u>\$100.00 – Initial (includes first year)</u> <u>\$50.00/year -- renewal</u>
Criminal Background ~~Investigation Fee~~ <u>Check</u> – <u>Commercial</u> Kennel License (first time)	\$50.00

Item	Fee
applicant)	
Impound Fee	1 st offense - \$75.00 plus Animal Hospital fees as outlined in Animal Control agreement 2 nd offense - \$125.00 plus Animal Hospital fees as outlined in Animal Control agreement 3 rd offense - \$175.00 plus Animal Hospital fees as outlined in Animal Control agreement 4 th and subsequent offense - \$325.00 plus Animal Hospital Fees as outlined in Animal Control agreement

SECTION 15: AMENDMENT TO FEE SCHEDULE. Section 13, Administrative Offenses, of the City Fee Schedule is amended as follows:

A. Police Administrative Citations

Item	Fee 0-14 Days	Fee 15-31 Days	Reference
Animal Violations			
Dog Running at Large	\$75.00	\$90.00	~~§9.12.010,~~ ~~A(1)9.12.020(A)~~
Barking Dog	\$75.00	\$90.00	~~§9.12.010,~~ ~~A(3)9.12.020(C)~~

B. Code Enforcement

Item	Fee	Reference
Animals		
Dog/Cat Must be Vaccinated	\$75.00	~~§9.12.010~~ 9.12.030(D)
Dog/Cat Must be Licensed	\$75.00	~~§9.12.010~~ 9.12.0300(A)
<u>Multiple Pet License Required</u>	<u>\$100.00</u>	<u>§9.12.060(A)</u>
<u>Domesticated Bird License Required</u>	<u>\$100.00</u>	<u>§9.12.070(A)</u>
<u>Beekeeping License Required</u>	<u>\$100.00</u>	<u>§9.12.080(A)</u>
<u>Other Animal Ordinance Violation</u>	<u>\$75.00</u>	<u>§9.12</u>

SECTION 16: EFFECTIVE DATE. This Ordinance shall take effect upon publication as provided by law.

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL
_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Wendling	_____	_____	_____	_____
Councilmember Goodboe-Bisschoff	_____	_____	_____	_____
Councilmember Dircks	_____	_____	_____	_____
Councilmember Moran	_____	_____	_____	_____
Mayor Nelson	_____	_____	_____	_____

Presiding Officer

Attest

Robert Nelson, Mayor, Spring Lake
Park

Daniel R. Buchholtz, Administrator,
Clerk/Treasurer, Spring Lake Park