

CITY OF INVER GROVE HEIGHTS

A G E N D A

CITY COUNCIL WORK SESSION

OCTOBER 1, 2018

**INVER GROVE HEIGHTS
COUNCIL CHAMBER**

A. CALL TO ORDER – MAYOR TOURVILLE

- 1. WELLNESS COMMITTEE**
- 2. 2019 BUDGET**
- 3. 2040 POLICING PLAN**
- 4. DISCUSS ORDINANCES AND RULES RELATED TO DOGS, DOG
LEASHES, AND DOG PARK**

B. ADJOURN

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Wellness Committee Presentation and Expenditure Policy Review

Meeting Date: October 1, 2018
 Item Type: Work Session
 Contact: Janet Shefchik – 651.450.2512
 Prepared by: Janet Shefchik
 Reviewed by: Joe Lynch

Fiscal/FTE Impact:

☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☐	Other

PURPOSE/ACTION REQUESTED

To provide an overview of the Wellness Committee and review a draft of the revised public expenditure policy to accommodate wellness related expenses and other employee and volunteer events.

SUMMARY

The City formed an Employee Wellness Committee in August of 2017. This committee is made up of representatives from each department. It is a working committee led by its members, who conduct surveys, research, partner with wellness professionals, coordinate and organize events, market and communicate wellness ideas, events, and programming. The committee has developed a mission statement and specific goals toward increasing employee health and wellness. The Committee allows employees who are interested and energized by health and wellness, a productive way to utilize their passion for the subject, and an opportunity to work with staff from departments that they normally would not interact with. The Wellness Committee will show a brief PowerPoint presentation at the work session, to highlight some of its accomplishments as well as its future goals.

To-date, City funding for Wellness Committee activities has been limited to events that could be combined with employee recognition or other City sanctioned events. Committee members have also donated their own time, money, and resources toward wellness efforts, and have been very resourceful in securing speakers and organizations willing to provide services at no cost to the City. While the Committee has been fairly successful, it will require a modest amount of City resources to have an on-going impact on employee well-being. To that end, \$2,000 has been included in the 2019 proposed budget for such expenses. In comparison, Cottage Grove which is a similar sized City has allotted approximately \$4,000 for its wellness program. The Wellness Committee members would like to assure Council that they will continue to be resourceful and good stewards of City funds.

The City already has an established expenditure policy for employee meetings and events. The Wellness Committee together with the Administration and Finance departments have been working to revise the City's existing policy to be compliant with State Statute regarding wellness and employee recognition programs, as well as to reference other types of City events not previously included (e.g. retirement and volunteer events).

Attached is a draft of the revised policy for Council review and discussion, prior to placement on a regular council agenda. For your reference, the added language has been underlined.

PUBLIC EXPENDITURE POLICY FOR EMPLOYEE MEETINGS, EVENTS AND PROFESSIONAL MEMBERSHIPS

I. PURPOSE

Describe the policies and procedures of the City in regard to public expenditures for certain employee functions, other events, and professional memberships.

II. POLICY

The City requires that all expenditures be valid based on the public purpose for which it is purchased and the specific or implied authority for the expenditure found in City Code. The following procedures must be adhered to for City expenditures that fall under Section 3 (III) below.

III. PROCEDURE

A. Employee Recognition Program and Other Sponsored Events

The City of Inver Grove Heights recognizes the hard work and service performed by its employees through an Employee Recognition Program. The City believes the benefits of attracting, retaining and motivating employees through an Employee Recognition Program that supports employee job satisfaction, which in turn influences customer service and productivity.

The Employee Recognition Program is considered “additional compensation” for work performed by employees but is entirely dependent on year-to-year funding. No provision of this policy or its administration shall be subject to review under the grievance or arbitration provisions of any collective bargaining agreement.

The Program will include:

1. Employees reaching 5, 10, 15, and 20 years of service will receive an engraved or printed item of recognition thanking them for their dedicated years of service to the community.
2. Employees reaching 25, 30 and above years of service will receive a commemorative gift thanking them for their additional dedicated years of service to the community. Certain gifts such as those with a cash value may be a taxable event for the employee, as determined by the Finance Department.
3. Annually, the City will sponsor an Employee Recognition Day at which employees reaching the work milestones indicate above will be recognized.
4. When an employee has given notice of their intent to retire, a department may coordinate a gathering to recognize that employee’s service to the organization. To be consistent, departments should limit the expenses for the food, beverages and mementos to \$250 per retiree, or an amount as annually determined by Administration.
5. The City may sponsor annual events to recognize Volunteers and members of Council Commissions for their service to the community and the City.

The City may sponsor other events such as certain Employee Wellness or Health Fair Events that are in keeping with the stated goals of the Wellness Committee and its programming, as allowed under Minn. Stat. §15.46.

The City supports other events that are planned for and paid for by its employees.

B. Meeting Food, Beverages and Meals

The City recognizes that situations in which City business needs to be discussed, can and do occur during meal hours (i.e. City Council study sessions). In addition, there are public and employee meetings and events in which reasonable refreshments may add to the success of the meeting and/or event and create a more productive work force. The following items are deemed to meet the Council definition of public purpose expenditures regarding food, beverages, and meals.

Meals and refreshments are allowed at City meetings and events that have a purpose of discussing City issues. These meetings would normally have a pre-planned agenda or purpose.

Meals and refreshments are allowed when they are part of a breakfast/lunch/dinner meeting for official City business when it is the only practical time to meet. Usually these meals involve meeting with City Council members or Committee/Commission members.

During official meetings of the City Council, council committees, advisory boards/commissions, and task forces.

Travel expenses for employees are outlined in the City of Inver Grove Heights' Administrative Code.

No purchase of alcoholic beverages is allowed.

C. Memberships and Dues

The City has determined that the City will fund memberships and dues in professional community organizations when the purpose is to promote, advertise, communicate, improve or develop the City's resources and advantages, and not for personal interest or gain.

D. Coding

The cost of items outlined in Section A above are included in the **Administration** Department's budget under expense code ending in 55075.

The cost of items detailed in Sections B are included in the **department's** meals/lodging line item expense code ending in 55075 of the City's budget.

The cost of items detailed in Sections C are included in the **department's** membership/dues line item expense code ending in 55070 of the City's budget.

Line items are approved annually by the City Council as part of the overall budget process.

e. Preventive health and employee recognition (plaques, dinners, parties)

Minn. Stat. § 15.46.

Office of the Minnesota State Auditor, Statement of Position:
Employee Recognition Programs and Events, Feb. 2014.

MN State Auditor, Petition Report: City of Becker.

State law allows a statutory or home rule charter city to (1) establish and operate a program of preventive health and employee recognition services for its employees; (2) to provide necessary staff, equipment, and facilities and (3) to expend funds, as necessary, to achieve the objectives of the program. The state auditor has released a statement of position that narrowly interprets this statute, requiring the programs to be in writing and to state clear wellness and recognition objectives. The city council must approve the program, with the council determining the amount necessary to achieve the objectives of the program. The state auditor also cautions that “in-kind” benefits to employees of statutory cities must have express authorizations by statute. Cities should consult with their city attorneys before offering in-kind benefits, such as employee privileges (like free rounds of golf) or discounts on items (like season passes) as part of wellness programs.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

2019 Budget – Review and Update on Tax Increment Financing (TIF) Districts

Meeting Date: October 1, 2018
 Item Type: Work Session
 Contact: Kristi Smith 651-450-2521
 Prepared by: Kristi Smith, Finance Director
 Reviewed by: Joe Lynch, City Administrator
 Janice Gundlach, CD Director

Fiscal/FTE Impact:

☐	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☒	Other – 2019 Budget

PURPOSE/ACTION REQUESTED

To provide a review and update of the City's TIF district.

SUMMARY

At the November 4, 2013 Work Session, Council reviewed the TIF Management Plan. The following includes a review of the one remaining TIF district.

TIF 4-1 Southeast Quadrant (map below) was authorized with special legislation on May 28, 1991 and is set to decertify December 31, 2019. Increment from 4-1 had been used to fund deficits in TIF 2-1. In addition, increment generated by Brentwood Hills has been pledged through the term of the District to pay principal and interest on a developer note. Development was not completed on the Southeast Quadrant property by December 31, 2014, therefore, the City is no longer obligated to pay the developer 90% of increment generated on that property. At this time staff is reviewing options regarding the excess increment that will likely be available at the end of 2019 and will bring forth a budget modification outlining how to utilize these funds in the future.



Memo

To: Joe Lynch, City of Inver Grove Heights
From: Steve Apfelbacher, Ehlers
Date: September 27, 2018
Subject: Fire Station #2 Financing

The City intends to issue Capital Improvement Plan (CIP) Bonds pursuant to Minnesota Statute 475.521 to finance land acquisition and project costs for Fire Station #2. In December 2017, the City Council held the required public hearing and approved the Bond CIP, thereby authorizing issuance of the bonds.

The approved CIP authorized issuance of up to \$12,500,000 in CIP Bonds. Based on the bids received for the project, we understand the City will need to issue the maximum amount authorized to cover project costs. The purpose of this memorandum is to summarize the proposed plan for issuing \$12,500,000 in CIP bonds, quantify the difference between issuing the bonds for a 20-year term versus a 25-year term, and provide property tax impact information. Ehlers is seeking direction from the City Council about the desired term of the financing (i.e. 20 or 25 years).

Financing Summary

Through consultation with City staff, we propose issuing the bonds in two series. The Series 2018A bonds in the amount of \$10,000,000 would be closed in 2018. The Series 2019A bonds in the amount of \$2,500,000 would be closed in 2019. By staying at, or below, \$10,000,000 in total issuance in each calendar year, the bonds can be sold as "Bank Qualified".

Bank qualified status broadens the market for the bonds, which can result in lower interest rates. Based on current market interest rates, issuing the bonds in two bank qualified series is the lowest cost option for the City. Ehlers will further detail the proposed bond transactions in a formal Presale Report that will be presented for consideration to the City Council at a future meeting.

Term

Ehlers projected the total cost and average annual debt service associated with the issuance of \$12,500,000 in CIP bonds over 20 and 25-year terms. We assumed current market rates for AA+ rated issuers and added 0.25% to allow for rate fluctuation between now and the time of sale. The table on the following page compares the result.

Fire Station CIP Bonds	20 Year Term	25 Year Term	Difference
Total Interest Expense	4,898,953	6,515,402	1,616,448
Average Annual Debt Levy	927,944	805,336	(122,609)

As the table indicates, the total projected interest expense with a 25-year term is just over \$1.6 million more than a 20-year issue. Spreading the issue out over 25 years, however, would mean an estimated average annual debt levy that is \$122,609 lower than the 20-year term.

Tax Impacts

The table below compares the **monthly** property tax impacts associated with both options, based on the projected average annual debt levies from the tables above. The shaded home value indicates the current median home value in Inver Grove Heights.

TAX IMPACT ANALYSIS					
Type of Property	Estimated Market Value	Market Value Exclusion	Taxable Market Value	Proposed Monthly Tax Increase	
				20 Year Term	25 Year Term
Residential Homestead	\$ 150,000	\$ 23,740	\$ 126,260	\$ 2.69	\$ 2.34
	200,000	19,240	180,760	3.86	3.35
	225,000	16,990	208,010	4.44	3.85
	251,600	14,596	237,004	5.06	4.39
	300,000	10,240	289,760	6.18	5.37
	350,000	5,740	344,260	7.34	6.37
	400,000	1,240	398,760	8.51	7.38
	450,000	-	450,000	9.60	8.33
Commercial/Industrial	\$ 500,000	\$ -	\$ 500,000	\$ 12.33	\$ 10.70
	1,000,000	-	1,000,000	25.66	22.27
	1,500,000	-	1,500,000	39.00	33.84
	2,000,000	-	2,000,000	52.33	45.41
Apartments (4 or more units)	\$ 500,000	\$ -	\$ 500,000	\$ 13.33	\$ 11.57
	1,000,000	-	1,000,000	26.67	23.14
	1,500,000	-	1,500,000	40.00	34.72

Pending discussions with the City Council on the proposed financing, Ehlers can proceed with either option as directed. If you have any questions or need any additional information, please contact us.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Meeting Date: October 1, 2018
 Item Type: Information/Discussion
 Contact: Paul Schnell, Police Chief
 Prepared by: Paul Schnell, Police Chief
 Reviewed by:

Fiscal/FTE Impact:

☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☐	Other

PURPOSE/ACTION REQUESTED

Presentation of and discussion about future police policing needs and service delivery policy guidance.

SUMMARY

Over the past several months, police department personnel have been analyzing a range of data that is regarded as worthwhile for the purpose of determining police staffing needs. The goal of this initiative was to provide City policymakers and community members with a general perspective on the level of police department staffing that may be required to meet City demand for police services in or by 2040. The plan is based on a range of assumptions, including, but not limited to current crime data, call for service demand, and other notable factors that may influence future demand.

For the beginning, we rejected the use of “police officer to population ratios” for developing this plan. While this effort is not intended to be predictive, it might provide a mechanism for monitoring variability or changes in potentially influencing factors.

A separate but closely related component of this effort is the need for policy guidance that affects service demand and delivery. These are challenging but necessary discussions to have for there to be orderly and guided departmental growth. All future growth should correspond with and reflect the community's base-level police service needs compared with more complex police service wishes. These decisions should be grounded in clear guidance around service outcome targets (i.e. crime reduction), response expectations (i.e. que and response times), measurable prevention efforts, levels of engagement in problem-solving efforts, and the very real economic realities.

Policy discussions will and should be on-going. Along the way, it will become important to more deeply engage a broader cross-section of the Inver Grove Heights community in these discussions. It is intended that the information shared during this workshop serve only as a starting point.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

Dog Related Issues

Meeting Date: October 1, 2018
 Item Type: Work Study Session
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Paul Schnell
 Tracy Petersen

☐	Fiscal/FTE Impact:
☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☐	Other

PURPOSE/ACTION REQUESTED

The Council is asked to review and provide direction to staff regarding dogs, dog licensing, dog leashes, and the off-leash dog park.

SUMMARY

There are a number of issues that need clarification, amendment, addition/deletion as it relates to dogs, dog licensing, dog leashes, and the soon to be open dog park. They are as follows:

1. Proposed dog leash ordinance changes

- Dogs can be off leash on the owners' property, in the owners' vehicle, or at the Heritage Village Dog Park.
- Dogs can be in any city park, trail, or public sidewalk as long as they are on a 6' leash (or 6' retractable leash) at all times
- Dogs are not allowed on athletic fields (i.e. soccer fields/courts) and can not be inside a fenced athletic field
- Owners of dogs in a manufactured home park must keep their dog(s) on a 6' leash (or 6' retractable leash) at all times the animal is outside

2. Proposed dangerous dog ordinance changes

- Police Department still handles all dangerous dog situations/process
- Clear identification of chief of police or designee as the city's responsible animal control authority
- Differentiation of ownership conditions for dogs deemed dangerous vs. potentially dangerous dogs
- Establishment of a third party of a third party hearing officer
- Establishment of a moderate hearing fee for appeals of dangerous and potentially dangerous dog designations

3. Proposed dog licensing ordinance changes

- Dog license can be purchased on-line or at the Parks and Recreation Office in the Veterans Memorial Community Center Monday – Friday 9:00am – 5:30pm
- Dog license is good for one year from the date of issuance
- Dog license can be purchased using cash, check, debit card or credit card
- Recommended fee is to cover staff time, bank charges, IT, tag/certificate, postage

	Resident
Spayed/Neutered	\$15
Not spayed/Not Neutered	\$20

- Survey average is \$10.00 per year for altered dogs and \$14.00 per year for unaltered dogs
- Park and Recreation staff will provide the owner a license certificate and tag after dog owner provides payment and a copy of proof of rabies vaccination and distemper in person, mail or email
- Dog owner will receive an email from the City approximately 1 month prior to the expiration date to remind them to renew their license
- Inver Grove Heights Police Department will have access to the dog license data base through their own secure login/password so they can access the data 24/7/365

4. Review of registration process for dog park passes

- Dog park pass can be purchased on-line or at the Parks and Recreation Office in the Veterans Memorial Community Center Monday – Friday 9:00am – 5:30pm
- Dog park pass is good for one year from the date of purchase
- Dog park pass can be purchased using cash, check, debit card or credit card
- Recommended fees to cover staff time, bank charges, IT, tag/certificate, postage

	Resident	Non-Resident
Dog 1	\$20	\$30
Dog 2	\$15	\$25

- Survey average is \$25.00 per year for residents and \$27.50 per year for non-residents
- Park and Recreation staff will provide a dog park pass tag after dog owner provides payment and a copy of dog licensing in Inver Grove Heights
- Dog owner will receive an email from the City approximately 1 month prior to their expiration date to remind them to renew their dog park pass
- Must have a pass to use the dog park, no daily use permitted.

5. Dog park rules

- See attached rules, one version is for posting at the dog park and one version dog owners will get when they register their dog for pass
- Dog park rules will also be posted on the City's website

6. Overall marketing strategy/implementation

- Market/advertise the need for dog license on web site, social media, email reminders through our data base, goal to grow compliance of dog licensing to 15% in the first year
- Dog licensing and dog park marketing plan is attached

7. Miscellaneous

- Currently there are about 625 dog licenses in Inver Grove Heights and there are about 8,000 dogs in the City or about 8% compliance (based on Census Bureau/American Veterinarian Medical Association estimates)
- Friends of Our Dog Park would be responsible to help P & R put on annually rabies clinic
- Some of the proceeds from the rabies clinic would get to be directed to the dog park for capital improvements on behalf of the "Friends"



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CITY OF INVER GROVE HEIGHTS Police – Administration Parks & Recreation

8150 Barbara Avenue, Inver Grove Heights, MN 55077

651-450-2500

www.invergroveheights.org



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CITY OF INVER GROVE HEIGHTS Dog Related Issues

8150 Barbara Avenue, Inver Grove Heights, MN 55077

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City Mission/Values

The City Mission:

The mission of the City of Inver Grove Heights is to provide services and facilities that enhance the quality of life in our vibrant community.

The City Values:

- Ethical decisions by doing the right thing
- Engaged people by delivering collaborative results
- Excellence by setting high standards and exceeding expectations

Framing Decisions:

- Ability to remain fiscally stable
- Improve or stabilize operational efficiencies
- Improve customer service
- Staying attentive to our regulatory environment



Agenda

- Proposed dog leash ordinance changes
- Proposed dangerous dog ordinance changes
- Proposed dog licensing registration/ordinance changes
- Proposed dog park registration
- Dog park rules
- Overall marketing strategy/implementation

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Proposed Dog Leash Ordinance Changes

- Dogs can be off leash on the owners' property, in the owners' vehicle, or at the Heritage Village Dog Park; otherwise must be on a leash held by a dog handler
- Dogs can be in any city park, trail, or public sidewalk as long as they are on a 6' leash (or 6' retractable leash) at all times
- Dogs are not allowed on athletic fields (i.e. soccer fields/courts) and can not be inside a fenced athletic field
- Owners of dogs in a manufactured home park must keep their dog(s) on a 6' leash (or 6' retractable leash) at all times the animal is outside



Proposed Dangerous Dog Ordinance Changes

- Police Department still handles all dangerous dog situations/process
- Clear identification of chief of police or designee as the city's responsible animal control authority.
- Differentiation of ownership conditions for dogs deemed dangerous vs. potentially dangerous dogs.
- Establishment of a third party of a third party hearing officer.
- Establishment of a moderate hearing fee for appeals of dangerous and potentially dangerous dog designations.

Proposed Dog Licensing Registration/Ordinance Changes

- Dog license can be purchased on-line or at the Parks and Recreation Office in the Veterans Memorial Community Center Monday – Friday 9:00am – 5:30pm
- Dog license is good for one year from the date of issuance
- Dog license can be purchased using cash, check, debit card or credit card
- Park and Recreation staff will provide the owner a license certificate and tag after dog owner provides payment and a copy of proof of rabies vaccination and distemper in person, mail or email
- Dog owner will receive an email from the City approximately 1 month prior to the expiration date to remind them to renew their license
- Inver Grove Heights Police Department will have access to the dog license data base through their own secure login/password so they can access the data 24/7/365

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Proposed Dog License Fees

	Resident
Spayed/Neutered	Proposed City Fee \$15 for 1 year Current City Fee \$12 for 2 years Surrounding Community Average \$10 for 1 year
Not spayed/Not Neutered	Proposed City Fee \$20 for 1 year Current City Fee \$20 for 2 years Surrounding Community Average \$14 for 1 year

Proposed Dog Park Registration

- Dog park pass can be purchased on-line or at the Parks and Recreation Office in the Veterans Memorial Community Center Monday – Friday 9:00am – 5:30pm
- Dog park pass is good for one year from the date of purchase
- Dog park pass can be purchased using cash, check, debit card or credit card
- Park and Recreation staff will provide a dog park pass tag after dog owner provides payment and a copy of dog licensing in Inver Grove Heights
- Dog owner will receive an email from the City approximately 1 month prior to their expiration date to remind them to renew their dog park pass
- Must have a pass to use the dog park, no daily use permitted.

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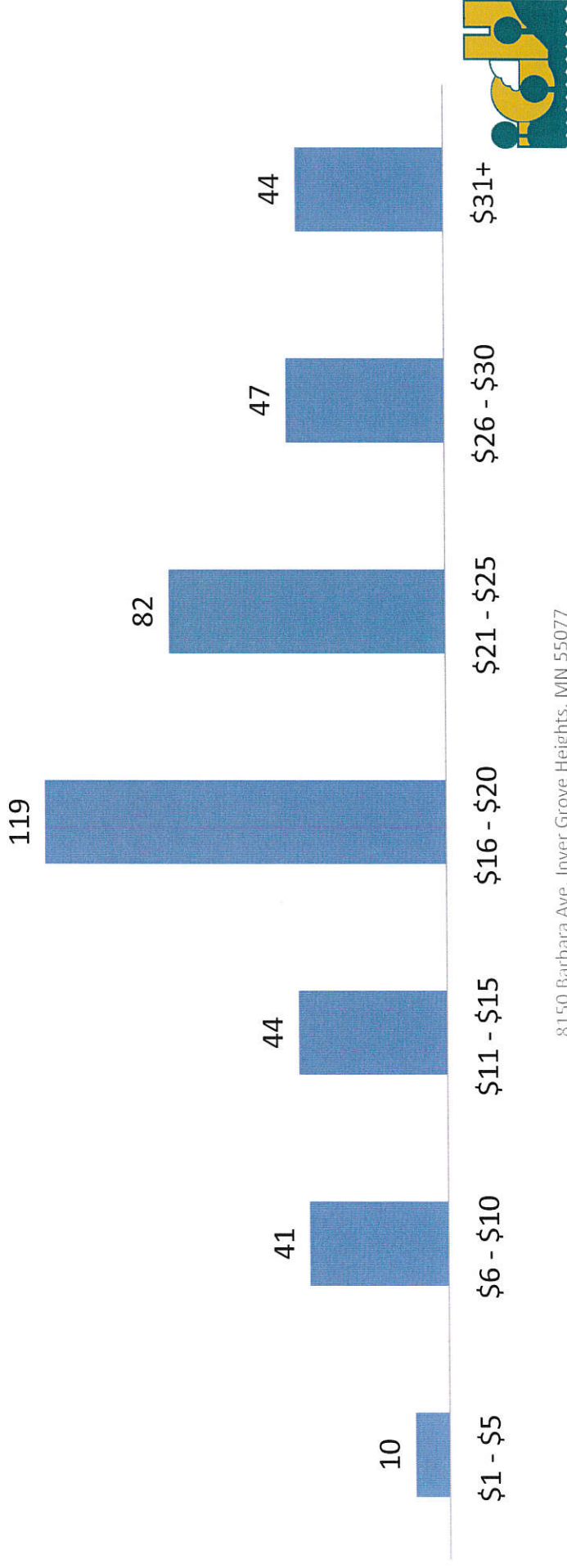


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How much would you be willing to pay annually

June 2015 Survey of probable dog park users

387 Total Responses



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Proposed Dog Park Fees

	Resident	Non-Resident
Dog 1	Proposed City Fee \$20 for 1 year	\$30 for 1 year
	Surrounding Community Average \$25 for 1 year	Surrounding Community Average \$27.50 for 1 year
Dog 2	Proposed City Fee \$15 for 1 year	\$25 for 1 year

Dog Park Rules

- Received at time of registration/posted on our website
- Abbreviated rules posted on site
- Park open 6am – 10pm (same as all parks)
- Dogs must be properly vaccinated
- Dog handler can have up to two dogs at one time in the park

Marketing

- Use website and social media sites to educate residents about dog licensing and the dog park
- Work with communications staff to develop campaign
- Soft opening of dog park this year with Grand Opening events in the Spring of 2019
- Work with local veterinarians to help encourage dog licensing

Miscellaneous

- Approximately 625 dogs licensed with about 8,000 dogs in the community, 8% compliance – goal of increasing that to 1,200 dogs or 15% compliance in 2019
- Friends of the IGH Dog Park will help with annual rabies clinic with some of the proceeds going toward improvements in the park
- Some of the proceeds could go to help defray the cost of the K-9 Unit



REDLINE VERSION OF DOG RELATED ORDINANCES

Chapter 4 ANIMAL CONTROL

5-4-1: DEFINITIONS:

5-4-2: KEEPING OF CERTAIN ANIMALS PERMITTED:

5-4-3: DOG LICENSES:

5-4-4: GENERAL REGULATIONS OF DOMESTIC ANIMALS:

5-4-5: SEIZURE AND IMPOUNDMENT OF ANIMALS:

5-4-6: DANGEROUS AND POTENTIALLY DANGEROUS DOGS:

5-4-7: CARE OF ANIMALS:

5-4-8: PROHIBITIONS:

5-4-9: COMMERCIAL, COMMERCIAL DAYCARE AND NONCOMMERCIAL KENNELS:

5-4-10: HORSES IN PUBLIC PARKS AND ROADWAYS:

5-4-11: RIGHT OF ENTRY:

5-4-12: EXCEPTIONS:

5-4-13: ENFORCEMENT OF THE PROVISIONS OF THIS CHAPTER:

5-4-14: PENALTY:

5-4-1: DEFINITIONS:

For purposes of this chapter, unless the context clearly indicates otherwise or otherwise defined in Minnesota statutes section 347.50 the terms defined in this section have the meanings given them:

ANIMAL: Every nonhuman species of animal, domestic, permitted nondomestic, and inherently dangerous.

ANIMAL CONTROL AUTHORITY: By designation, the animal control authority is the chief the police or their designee.

Individually and collectively the city's police department, the city's police chief, the city's police officers, the city's community service officers and other personnel assisting in the enforcement of this chapter.

ANIMAL CONTROL OFFICERS: Individually and collectively the city's police department, the city's police chief, the city's police officers, the city's community service officers and other personnel retained by the city or assisting in the enforcement of this chapter.

COMMERCIAL DAYCARE KENNEL: Any place where dogs are kept for the primary purpose of commercial pet sitting or "doggie daycare", provided all of the following are met:

City Code 5-4-9 states, in part:

"...A kennel may not be located within five hundred feet (500') of any residential dwelling other than the owner's dwelling. Kennels must comply with all relevant zoning requirements."

This essentially prohibits kennels from being located in a residential area since the lot sizes don't allow for the setback requirement to be met.

A. No kennels are allowed in a Residential zoning district.

BA. Limited to a maximum of twenty (20) dogs on site at any one time.

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CB. ~~No outdoor runs or kennels allowed. Why?~~

DC. The requirement and location of any outside fenced area, if any, shall be determined by the council.

ED. Dogs shall be on a ~~leash not greater than six feet (6')~~ and handled by an employee ~~or in an approved outside fenced exercise or kennel area~~ at all times when outside the building during the animal's stay.

FE. ~~Unless otherwise authorized by the City Council,~~ a An employee shall remain on site at all times animals are on the premises including overnight.

GF. ~~Dogs shall be kept inside at all times except when exercised by an employee. DA-dog kennels shall~~
~~ould allow for outdoor runs or exercised by an employee s.~~

HG. Designated bathroom area shall be cleaned daily.

COMMERCIAL KENNEL: Kennel means a place where four (4) or more dogs over the age of six (6) months are kept for the primary purpose of commercial breeding, keeping, harboring, or selling of dogs. A commercial kennel does not include veterinary hospitals, clinics, or other premises operated by a licensed veterinarian exclusively for the care and treatment of animals.

DANGEROUS DOG: As defined in Minnesota statutes section 347.50.

DOMESTIC ANIMALS: Dogs, cats, caged birds, fish, rabbits, domestic ferrets, snakes (nonvenomous and nonconstrictor species), gerbils, hamsters, guinea pigs, white rats or mice.

FARM ANIMAL AND PERMITTED NONDOMESTIC ANIMAL: ~~Cows, sheep, pigs, deer and other members of the order Artiodactyla (even-toed ungulates... huh?) except the family Hippopotamidae (mammal with a broad and rounded muzzle... what?); horses and other members of the family Equidae; all birds in the class Aves; squirrels and other members of the family Scirridae; rabbits and other members of the families Didelphidae and Macropididae; and other animals if the owner can show the animals are not inherently dangerous.~~

Simplified:
FARM ANIMAL AND PERMITTED NONDOMESTIC ANIMAL: Cows, sheep, pigs, deer, horses, donkeys, chickens, rabbits, goats, and other animals that are proven not to be inherently dangerous.

SUBSTANTIAL BODILY HARM: "Substantial bodily harm" has the meaning given it under section 609.02, subdivision 7a.

GREAT BODILY HARM: "Great bodily harm" has the meaning given it under section Minnesota statutes section 609.02, subdivision 8.

HEARING OFFICER: An impartial peerson who may be either an impartial employee of the city or an impartial person retained and appointed by the city to conduct dangerous dog and potentially dangerous dog hearings.

INHERENTLY DANGEROUS ANIMALS: Animals other than domestic animals and farm and permitted nondomestic animals, which are inherently dangerous including, but not limited to, wolves, coyotes, bears, snakes (venomous and constrictor species), skunks, cougars, tigers, and any crossbreeds thereof, or crossbreeds with domestic or farm and permitted nondomestic animals.

KEEP: To own, stable, harbor, maintain, possess, or act as a custodian or caretaker for an animal.

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KENNEL: A commercial kennel, commercial daycare kennel or noncommercial kennel.

NONCOMMERCIAL KENNEL: Any place where four (4) or more dogs over the age of six (6) months are kept but, but not for the primary purpose of commercial breeding, keeping, harboring, or selling of dogs. This makes it sound like commercial use could still be a secondary use, but it can't be.

Simplified:

NONCOMMERCIAL KENNEL: Any place where four (4) or more dogs over the age of six (6) months are kept for non-commercial use, such as a dog daycare.

OWNER: Any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having care, custody, or control of an animal.

PERSON: One or more natural persons, a firm, partnership, corporation, or any other entity.

POTENTIALLY DANGEROUS DOG: As defined in Minnesota sStatutes section 347.50.

PREMISES: A building, structure, shelter, or land where an animal is kept or confined.

PROPER ENCLOSURE FOR DANGEROUS OR POTENTIALLY DANGEROUS DOGS: A secure indoor location or a securely enclosed and locked pen or structure suitable to prevent the potentially dangerous dog or dangerous dog from escaping and providing protection from the elements for the animal. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the potentially dangerous dog or dangerous dog to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the potentially dangerous dog or dangerous dog from exiting. Is this definition specific to dangerous dogs or all animals? If it's all animals, could we say:
PROPER ENCLOSURE: A securely confined indoor location or a securely enclosed and locked pen or structure, suitable to prevent the animal from escaping and providing protection from the elements.

RUNNING AT LARGE, RUN AT LARGE, OR AT LARGE: Any animal that is not under restraint.

SUBSTANTIAL BODILY HARM: Minnesota statutes section 609.02, subdivision 7a.

UNDER RESTRAINT: The animal is: a) beside a person having custody of it and obedient to that person's voice or signal command or the animal is in such proximity to the person having custody of it that the person can effectively by voice or signal command control the animal and the animal is obedient to that person's voice or signal command; b) within a private motor vehicle of a person owning, harboring, or keeping the animal; eb) within the boundaries of property owned or leased by the person owning, harboring or keeping the animal; and or ec) controlled by a chain or leash of a maximum of six feet (6') in length or a commercially manufactured retractable leash no greater than six feet (6') in length.

VACCINATION AGAINST RABIES: The inoculation of a dog, cat, or ferret with a rabies vaccine by a veterinarian duly licensed to practice veterinary medicine.

VETERINARY HOSPITAL: A place for the treatment, hospitalization, surgery, care and board of animals and birds under the direction of one or more licensed veterinarians. (Ord. 1211, 5-10-2010)

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5-4-2: KEEPING OF CERTAIN ANIMALS PERMITTED:

A. Animals Permitted Pursuant To Regulations: The following animals may be kept in the city pursuant to the regulations of this chapter and relevant provisions of the zoning ordinance: domestic animals; farm animals and permitted nondomestic animals; and inherently dangerous animals. (Ord. 1211, 5-10-2010; amd. Ord. 1265, 5-14-2013)

B. Chickens On Urban Residential Lots:

1. License Required: No person shall keep chickens on any property zoned R-1A, R-1B, R-1C or R-2, within the city without first obtaining a license from the city.

2. Application: An application for a license to keep chickens shall be made to the city clerk on the form prescribed by the city. The applicant must provide all the information required on the form, including, but not limited to:

a. The name and address of the owner(s) where the chickens will be kept;

b. The number of chickens to be kept on the property;

c. Site plan or property survey showing the proposed location of the chicken coop and/or run on the subject property;

d. Drawing or picture of the proposed chicken coop;

e. The applicant must pay the fee for the license to keep chickens as set forth in the city fee schedule.

3. Notice To Surrounding Property Owners: Once the city clerk receives a complete application from an applicant, the city clerk shall provide written notice of and include a copy of said application to those owners of properties ~~contiguous to and~~ directly abutting the proposed location. Owners shall be determined as those shown as owners on the tax statement prepared by the county treasurer.

4. Granting Issuance Of License: The city clerk may administratively grant an initial or renewal license under this subsection provided all of the following have been met:

a. All submittal information is submitted and complete.

b. Appropriate fee is paid.

c. The application filed demonstrates compliance with the requirements of this subsection and any other applicable regulations of this code.

d. No persons mailed a notice object in writing to the request within ten (10) days of notice being mailed; an objection sent electronically shall be deemed an objection in writing.

5. Denying Issuance Of License: The city clerk shall deny issuance of a license if any of the items in subsection B4 of this section have not been met. In the instance where an objection has been received by an abutting property owner, the item shall be placed on the next available city council agenda for council review and determination of whether the license shall be issued.

6. Standards: Any person keeping chickens in residential areas of the city as noted in subsection B1 of this section, shall comply with all of the following:

a. No person shall keep more than six (6) total hen chickens on the property.

b. No person shall keep roosters or adult male chickens on the property.

c. Cockfighting is specifically prohibited within the city.

d. The slaughter of chickens is prohibited on residentially used or zoned properties.

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e. The owner of the chickens shall live in the dwelling on the property.

f. The raising of chickens for breeding purposes is prohibited.

g. Chickens shall not be kept inside a dwelling.

7. Shelter And Enclosure Requirements: Every person who owns, controls, keeps, maintains or harbors hen chickens must keep them confined on the premises at all times in a chicken coop or chicken run. Chicken coops and runs shall comply with the following standards:

a. Only one chicken coop and/or run shall be allowed per lot.

b. Chicken coops and runs shall not be located in the front or side yards and shall not be placed within any drainage and utility easement.

c. Any chicken coop or chicken run shall be set back at least ~~twenty-five~~twenty-five feet (25') from any principal structure on any adjacent lot and ten feet (10') from all property lines.

d. Any chicken coop and run fencing must be consistent with applicable zoning codes.

e. No chicken coop or run shall be constructed on a lot prior to the time of occupancy of the principal structure.

f. Chickens shall be provided a secure and ~~well-ventilated~~well-ventilated roofed structure in compliance with applicable zoning codes.

g. The floors and walls of the roofed structure shall be kept clean, sanitary and in a healthy condition.

h. Chickens shall be contained within a chicken run at all times.

i. The run area shall be well drained so there is no accumulation of moisture.

j. Chicken feed shall be stored in leakproof containers with a tightfitting cover to prevent attracting vermin.

8. License Modification: The license may be reasonably modified by animal control authority if necessary to respond to changed circumstances. Any modification shall be effective ten (10) days after the mailing of written notice by certified mail to the license holder. The license holder may challenge the modification by contacting the city clerk and requesting a hearing within ten (10) days after the receipt of written notice. A hearing regarding the proposed modification shall be held before the city council.

9. Duration Of License: A license to keep chickens shall be issued for a period of two (2) years beginning March 1 and ending February 28. Applications for a renewal permit may not be made prior to sixty (60) days before March 1.

10. Conditions/Maintenance And Inspections: No person who owns, controls, keeps, maintains or harbors chickens shall permit the premises where the chickens are kept to be or remain in an unhealthy, unsanitary or noxious condition. ~~or, The premises should be maintained to prevent odors from permeating into neighboring properties, to permit the premises to be in such condition that noxious odors to be carried to adjacent public or private property.~~ Any chicken coop and run authorized under this section may be inspected at any reasonable time by authorized city staff to inspect for compliance with this chapter and other relevant laws and regulations.

11. Revocation Of License: A license may be revoked by the city council for a violation of any condition of this section following notice and a hearing as provided for in [title 3, chapter 2](#) of this code.

12. Penalty: Violation of this section shall be a petty misdemeanor. (Ord. 1265, 5-14-2013)

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5-4-3: DOG LICENSES:

No person residing in the city shall keep a dog over six (6) months of age within the city for more than ten (10) consecutive days unless the person has a current city issued dog license for the dog. Individual dog licenses need not be secured for dogs kept in "commercial kennel" or "commercial daycare kennel" as defined herein.

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A. License Fee And Application:

1. Application: An application for a dog license shall be made to the city clerk-Parks & Recreation Department on the form prescribed by the city. The applicant must provide all the information required on the form, including, but not limited to:

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- a. The name, age, breed, sex, color, and marking of the dog;
- b. A certificate showing that the dog has been vaccinated against rabies by a licensed veterinarian;
- c. A sworn statement that the person is not restricted from owning a dog pursuant to Minnesota statutes section 347.542 or a sworn statement that the animal control authority in the jurisdiction of record has rescinded the restriction entirely or with limitations and that the person's application to own a dog is in conformity therewith;
- d. The address or legal description of the real property where the dog will be kept; and
- e. If the application is for a license for a potentially dangerous dog or dangerous dog, proof that the specific requirements of section 5-4-6 of this chapter have been met.

2. Fees: The fee for a dog license is set forth in the city fee schedule. Fees for a dog license shall be good for a period of one (1) calendar years from issuance. Fees for a dog license for new residents or a newly-acquired dog shall be prorated for the remainder of the term of the license. A penalty fee, as set forth in the city fee schedule, shall be assessed against the owner of a dog who fails to obtain a license within a timely manner pursuant to the requirements of this section.

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B. Duration Of License: A dog license shall be for a period of two one (12) years from the date of issuance or the unexpired portion of the two (2) years beginning on May 1 and ending on April 30. Commencing May 1, 2011, dog licenses shall be issued in odd numbered years. For those dogs licensed after May 1, 2010, and whose owners are not subject to a penalty for failure to license their dogs, the license fee shall be prorated for the remainder of 2010 through April 30, 2011. Applications for a renewal license may not be made until sixty (60) days before May 1.

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C. License Tags: Upon compliance with the license application requirements listed above, the city clerk shall issue to the owner of the dog a metallic dog tag stamped with a number and the license period for which it is issued. The shape and design of such tag shall be changed every two (2) years. The owner of a dog is required to keep the dog's current and valid registration tag securely fastened to its choke chain, collar, or harness at all times in a manner so that it can easily be seen. A dog license tag may not be transferred from one dog to another. In the event that the metallic license tag issued for a dog is lost, the owner shall may obtain a duplicate tag from the city clerk upon the payment of the fee set forth in the city fee schedule.

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Commented [PS1]: ID tags are worthwhile. They make return of an animal much easier for officers, as well as, community members who find a loose dog.

D. Identification Tags: In addition to the metallic dog tag described in subsection C of this section, the owner must also attach a metallic tag bearing the name and home telephone number of the owner to the dog's collar which shall be worn at all times when the dog is not on the property of its owner.

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E. New Residents: Upon proof of current vaccination against rabies, a dog owner who has a valid and current dog license from another city may obtain a city dog license by surrendering the other license, submitting a complete city application form, and paying the transfer fee set forth in the city fee schedule.

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FD. Change In Ownership Of Dog: If there is a change in ownership of a dog during a license year, the new owner may have the current license changed to his or her name upon the payment of a transfer fee set forth in the city fee schedule. The previous owner must notify the city within thirty (30) days of the change in ownership and provide the city with the name and address of the new owner.

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GE. Exemptions: Veterinarian hospitals and dogs belonging to the city's police department are exempt from dog licensure. (Ord. 1211, 5-10-2010)

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F. Failure To License: When a city animal control official determines that a person is keeping a dog contrary to the provisions of this section, the animal control authority shall notify the Park and Recreation Department to ensure that the owner comes into compliance with city licensing requirement. Nothing in this section prohibits an animal control official from issuing a citation for failure to license or any other provision in this section. A penalty fee, as set forth in the city fee schedule, shall be assessed against the owner of a dog who fails to obtain a license within a timely manner pursuant to the requirements of this section.

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G. Impounded Dog Determined To Be Unlicensed: Unlicensed dogs subject to impound by an animal control official may not be released from the city's contract impound facility without a valid dog license. The owner of the unlicensed dog may obtain a license from the Park and Recreation Department or the city's contract impound facility. A penalty fee, as set forth in the city fee schedule, shall be assessed against the owner of a dog who fails to obtain a license within a timely manner pursuant to the requirements of this section.

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5-4-4: GENERAL REGULATIONS OF DOMESTIC ANIMALS:

A. Rabies Vaccination Required: Every owner or keeper of a dog, cat, or ferret kept as a pet over three (3) months of age within the city must have the dog, cat, or ferret vaccinated by a licensed veterinarian with an antirabies vaccine that is currently effective.

A vaccination certificate is valid only for the dog, cat, or ferret and owner to which it was issued. A person must not use a rabies vaccination certificate for a different dog, cat, or ferret than the one for which it was issued.

A vaccinated dog, cat, or ferret shall be revaccinated at intervals not to exceed the effective duration of the vaccination as listed in the compendium of animal rabies control prepared by the National Association Of State Public Health Veterinarians.

B. Restraint Of Dogs: Subject to the exceptions stated in section 5-4-12 of this chapter, every owner shall keep his or her dog on a leash not greater than six feet (6') in length and under restraint at all times with the exception of the owners property. Owners should take all reasonable steps to secure animals on their property, including but not limited to a fenced enclosure, an electronic perimeter fence for which the dog has been trained, or a chain or lead.

C. Removal Of Animal Feces: Any person having custody or control over any dog or cat on any property within the city, other than the property of the dog or cat's owner, must have in his or her immediate possession a device for picking up and disposing of dog or cat feces, and must pick up and dispose of any and all feces in a sanitary manner. This subsection does not apply to the following:

1. Disabled persons using guide or service dogs;
2. ~~City agents or employees using dogs in connection with police activities; or~~
3. ~~Persons using tracking dogs with the city's prior permission.~~

A violation of this subsection is a petty misdemeanor.

D. Female Dogs In Season: Every female dog in season shall be confined within a building or secure enclosure in such a manner that it cannot come into contact with another dog except for intentional breeding conducted within a building. The female dog in season may be taken from the secure area on a secure leash not greater than six feet (6') controlled by a person of sufficient age or into a confined outdoor enclosure on the owner's property in order for the dog to urinate and/or defecate. Female dogs in heat are not authorized to utilize the dog park.

E. General Duty Of Owners: Every owner or keeper of a dog must exercise reasonable care and take all necessary steps and precautions to protect other people, property, and animals from injuries or damage which might result from the dog's behavior.

F. Stopping An Attack: Animal control authority who witness an attack by an animal upon a person or another animal may take whatever action the animal control authority deem to be appropriate to end the attack and prevent further injury to the victim(s). (Ord. 1211, 5-10-2010)

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Commented [PS2]: Does he animal need to be leash controlled on the owner's property? Owners should take all reasonable steps to secure animals on their property, including, but not limited to a fenced enclosure, an electronic perimeter fence for which the dog has been trained, or a chain or lead.

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5-4-5: SEIZURE AND IMPOUNDMENT OF ANIMALS

A. Impounding Facility: The city council may maintain a municipal impound facility or may designate as the municipal impound facility a suitable kennel or veterinary hospital either within or outside the city limits of the city. The keeper of the impound facility shall provide an account of any and all impound fees received on behalf of the city, account for and pay over monthly to the city all monies it receives as fees payable to the city.

B. Impound Facility Reporting: The keeper of the impound facility shall provide a monthly written report providing the following information: the animals impounded; the duration of the impoundment; and the method of disposal of each animal. The impound facility is authorized to turn unclaimed animals in impound over to recognized animal rescue or adoption programs.

C. Seizure And Impoundment Of Animals: Subject to the exceptions stated in section 5-4-12 of this chapter, the animal control authority may seize and impound any animal running at large in the city or any animal found to be in violation of the provisions of this chapter or Minnesota statutes sections 347.50 through 347.565. Upon the impoundment of an animal, the animal control authority must promptly notify the owner of the impoundment in person, by phone or by mail. If the owner is unknown, the city must post a written notice within twenty four (24) hours of impoundment of the animal at city hall and the Inver Grove Heights police department describing the animal and stating where the animal is impounded. Said notice shall remain posted at city hall and the Inver Grove Heights police department for at least seven (7) days.

An impounded animal displaying a need for medical care may be taken to a veterinarian for emergency treatment. The owner of the animal is responsible for payment of expenses incurred as a result of the veterinarian's treatment. Based on the severity of illness or injury to impounded animal, the chief of police may authorize humane destruction.

D. Impoundment After Biting Human: Every doctor or other person who treats a person for an animal bite shall report to the Inver Grove Heights police department the name and address of any person treated for an animal bite inflicted within the city. The owner or keeper of any dog or other animal that bites any person where the bite breaks the person's skin or the bite requires treatment by a doctor, and the person bitten or his or her parent or guardian must report the incident to the Inver Grove Heights police department within twenty four (24) hours of the bite. The dog or other animal shall immediately be confined for a period of not less than ten (10) days in a veterinary hospital or on the owner's premises, as directed by the animal control authority. Subject to the exceptions stated in section 5-4-12 of this chapter, the animal control authority may refuse to permit confinement on the owner's premises if the animal has previously been found repeatedly running at large or if the animal does not have a currently effective rabies vaccination. If confinement on the owner's premises is permitted, the animal may not be allowed off the premises or in contact with other people or animals during the confinement period, except for medical purposes. If the owner fails to comply with these restrictions, the animal control authority may enter onto the property, seize the animal, and remove it to a veterinary hospital. The owner is responsible for all costs of confinement incurred under this subsection. If, after completion of the ten (10) day impound period, the animal does not have rabies, it may be released to its owner unless release is otherwise prohibited by another section of this chapter. As a condition of releasing a confined animal, the animal control authority may require that the animal's owner take the animal for an examination by a veterinarian. The impound fee shall be borne by the owner of the animal.

E. Impoundment And Destruction Of Rabid Animals:

1. A dog or animal displaying symptoms of being rabid may be seized at any place or time and confined in the city impounding facility at the owner's expense, until found to be free from rabies.

2. If a dog or other animal appears to be diseased, vicious, dangerous, rabid or has been exposed to rabies, and the dog or other animal cannot be impounded without serious risk of personal injury, the dog or other animal may be destroyed, if reasonably necessary for the safety of a person or persons.

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Commented [PS4]: Or provide and accounting of any and all impound fees received on behalf of the city and reduce the city's monthly invoice commensurately

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F. Redeeming Impounded Animals: The animal impound facility may not release an animal until it has received authorization to do so from animal control authority and upon fulfillment of the following conditions:

1. Dogs, cats and ferrets are properly inoculated for rabies;
2. Payment by the owner to the impounding facility of the costs of keeping the animal in the pound;
3. Payment of an impounding fee to the city in the amount listed in the city fee schedule;
4. Providing proof of ownership of the animal; and
5. In the case of a dog that resides in the city, proof of a valid license for the dog.

An animal impounded pursuant to Minnesota statutes chapter 343 may be redeemed pursuant to the provisions of Minnesota statutes section 343.235.

A potentially dangerous dog or dangerous dog impounded pursuant to any provision in Minnesota statutes sections 347.50 through 347.565 may be redeemed pursuant to Minnesota statutes sections 347.50 through 347.565 and upon fulfillment of the requirements of section 5-4-6 of this chapter.

G. Disposition Of ~~Dangerous or Potentially Dangerous by Impounded Animals At The Owner's Request:~~ If the owner of a ~~dog deemed dangerous or potentially dangerous elects to dispose of the animal, the owner shall provide the animal control authority with proof of disposition, and an impounded animal chooses to have the animal disposed of, the owner shall make such a request in writing to animal control authority. Such a request must be accompanied by proof of ownership of the animal, as well as payment of the costs of the disposition.~~

H. Disposition Of Unclaimed Animals: If an impounded animal is not reclaimed within seven (7) regular business days after the required notice is given to the owner or posted pursuant to this chapter, the animal shall be deemed to have been abandoned, and the impounding facility may sell or give the animal to any adult person, or shelter program, except research institutions. If an abandoned animal is not sold, it may be destroyed in a humane manner. A "regular business day" for purposes of this section means a day during which the impounding facility having custody of the animal is open to the public at least four (4) consecutive hours between eight o'clock (8:00) A.M. and seven o'clock (7:00) P.M.

I. Costs Of Impoundment: The owner of the animal is responsible for the costs of the impoundment and housing of an impounded animal. (Ord. 1211, 5-10-2010)
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5-4-6: DANGEROUS AND POTENTIALLY DANGEROUS DOGS

A. DUTIES OF OWNER OF POTENTIALLY DANGEROUS AND DANGEROUS DOG

A person who owns or keeps a dangerous dog must comply with the requirements of Minnesota statutes sections 347.50 through 347.565 as may be amended from time to time, and which are adopted and incorporated herein by reference.

B. DESIGNATION OF DOG AS DANGEROUS OR POTENTIALLY DANGEROUS

The animal control authority may determine that a dog is a potentially dangerous dog or a dangerous dog.

C. APPEAL OF DESIGNATION

Upon determination by the animal control authority that a dog is a potentially dangerous dog or dangerous dog, the city shall provide notice of this determination and information regarding the right to a hearing concerning the potentially dangerous dog or dangerous dog declaration to the owner of the dog pursuant to Minnesota statutes section 347.541, subdivision 3. The notice must include all the information required by Minnesota statutes section 347.541 subdivision 3.

The notice declaring the dog potentially dangerous or dangerous shall be delivered or mailed to the

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owner of the dog or served by posting a copy of it at the place where the dog is kept, or by delivering it to a person residing on the property, and telephoning, if possible.

EXEMPTIONS:

EXCLUSIONS IN DETERMINING DANGEROUS AND POTENTIALLY DANGEROUS DOGS

Dogs not to be deemed dangerous: In accordance with MN Statutes Section 347.51, Subd.5., A dog shall not be deemed to be a potentially dangerous dog or a dangerous dog if the threat, injury, or damage was sustained by a person: 1) who was committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the dog; 2) who was provoking, tormenting, abusing, or assaulting the dog or who can be shown to have repeatedly, in the past, provoked, tormented, abused, or assaulted the dog; or 3) who was committing or attempting to commit a crime.

D. POTENTIALLY DANGEROUS DOG; REQUIREMENTS

Fees: An annual registration fee that shall be included in the City's fee schedule, in addition to the City's licensing fee.

Leash and Muzzle: No person shall permit a potentially dangerous dog to go outside its owner's property unless secured by a leash no longer than six feet (6') in length, with a responsible person in physical control of the leash.

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Confinement: While on its owner's property, potentially dangerous dogs must be confined to the yard by kennel, fence, or leash. Electronic perimeter fences shall not be allowed for the confinement of potentially dangerous dogs.

Signs: An owner of a potentially dangerous dog within the city may be required to display a sign easily readable by the public using the words "Beware of Potentially Dangerous Dog" including a warning symbol to inform children. The determination for whether or not potentially dangerous dog signage is required will be based on the severity and circumstances of the attack prompting the designation. In addition, a similar sign is required to be posted on the kennel of such animal.

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Microchip: Proof of implantation of the microchip identification in compliance with state law.

Dog Park: Dogs deemed potentially dangerous by this or any other political subdivision are prohibited from obtaining an animal pass for the city's dog park.

Inspection: An annual inspection for compliance of the owner's property will be performed by the Police Department. (I believe this was initially suggested as something the cadets could do (?) but it can certainly be removed so the department isn't held to it)

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It shall be unlawful for the owner of a potentially dangerous dog to fail to comply with the requirements set forth in this section. Any dog found to be the subject of a violation of this section shall be subject to immediate seizure and impoundment in accordance with this chapter.

E. DANGEROUS DOG; REQUIREMENTS

Registration: No person may keep a dangerous dog within the city unless the dog is currently registered as provided in this section. Registration must be completed within fourteen (14) days from the owner's

receipt of notice of declaration of potentially dangerous dog or notice of declaration of dangerous dog unless a timely appeal has been filed. The animal control authority shall issue a certificate of registration to the owner of a dangerous dog if the owner presents sufficient evidence of the following, which are required by Minnesota statutes sections 347.50 through 347.565:

Fees: An annual registration fee that shall be included in the city's fee schedule, in addition to the city's licensing fee.

Leash and Muzzle: No person shall permit a dangerous dog to go outside its owner's property unless secured by a leash no longer than six feet (6') in length, with a responsible person in physical control of the leash. The dog must also be muzzled to prevent biting.

Confinement: While on its owner's property, dangerous dogs must be confined to the yard by kennel, fence, or leash. ~~Electronic perimeter fences shall not be allowed for the confinement of dangerous dogs.~~

Signs: All owners of dangerous dogs within the city must display a sign easily readable by the public using the words "Beware of Dangerous Dog" including a warning symbol to inform children. In addition, a similar sign is required to be posted on the kennel of such animal.

Microchip: Proof of implantation of the microchip identification in compliance with state law.

~~Notification of property owner: A person who owns a dangerous dog and who rents property from another where the dog will reside must disclose to the property owner prior to entering the lease agreement and at the time of any lease renewal that the person owns a dangerous dog that will reside at the property.~~

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Dog Park: Dogs deemed dangerous by this or any other political subdivision are prohibited from obtaining an animal pass for the city's dog park.

Tag: A dangerous dog must have a standardized, easily identifiable tag identifying the dog as a dangerous dog that shall be affixed to the dog's collar at all times.

Sterilization: The owner of a dangerous dog must, at the owner's sole expense, sterilize the dog within thirty (30) days of the dog's designation as a potentially dangerous dog or dangerous dog. If the owner does not sterilize the dog, the animal control authority shall seize the dog and have it sterilized at the owner's expense.

Surety Bond Or Insurance Policy: The owner of a dangerous dog must provide a surety bond in a form acceptable to the animal control authority, issued by a surety company authorized to conduct business in Minnesota in the amount of at least three hundred thousand dollars (\$300,000.00), payable to any person injured by the dangerous dog or a policy of liability insurance company authorized to do business in Minnesota in the amount of at least three hundred thousand dollars (\$300,000.00), insuring the owner for any personal injuries inflicted by the dangerous dog.

F. HEARING

Right to Hearing: The owner of any dog declared a potentially dangerous dog or dangerous dog has the right to a hearing by an impartial hearing officer who may be either an impartial employee of the city or an impartial person retained by the city to conduct the hearing.

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The owner of the dog appealing must submit a non-refundable \$200-hearing fee as set forth in the city fee schedule at the time of the appeal.

Appeal of potentially dangerous dog or dangerous dog designation: The owner of a dog designated by the animal control authority as a potentially dangerous dog or dangerous dog must file an appeal of that

designation with the office of the ~~Chief of Police~~ animal control authority within fourteen (14) days of receipt of the notice of declaration of potentially dangerous dog or dangerous dog.

Hearing Scheduling and Conduct: If the owner properly files an appeal of the potentially dangerous dog or dangerous dog designation, the city must hold a hearing within fourteen (14) days after the owner's request.

At the hearing, the owner of the dog shall have an opportunity to present evidence and testimony to support the appeal of the potentially dangerous or dangerous dog declaration. The hearing officer may receive evidence from the animal control authority regarding the initial potentially dangerous or dangerous dog declaration.

G. DECISION

Upon receiving the evidence and testimony, the hearing officer shall uphold or rescind the potentially dangerous or dangerous dog declaration. The hearing officer shall issue a decision on the matter within ten (10) days after the hearing. The decision must be delivered to the owner by hand delivery or registered mail as soon as practical and a copy must be provided to the animal control authority.

The hearing officer may elevate the designation from potentially dangerous to dangerous based on evidence presented at the hearing.

H. DANGEROUS DOG DESIGNATION REVIEW

Review of a potentially dangerous dog or dangerous dog designation may be requested annually beginning six (6) months after the dog is declared to be a potentially dangerous or one (1) year after the dog is declared to be a dangerous dog. The owner must present evidence to the ~~animal control authority~~ Chief of Police or designee that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the animal control authority finds sufficient evidence that the dog's behavior has changed, the authority may rescind the potentially dangerous dog or dangerous dog designation.

I. NOTIFICATION OF CHANGES

The owner of a dog designated as a dangerous dog shall notify the ~~Police Chief~~ animal control authority in writing if the dog has died, is relocated from its current address, or is being given or sold to another person. The notification must be given in writing within thirty (30) days after the change in ownership or location or the dog's death. If requested by the animal control authority, the owner must execute an affidavit under oath setting forth the circumstances of the dog's death and disposition of the dog, or the complete name, address, and telephone number of the person to whom the dog has been transferred, whichever the case may be.

J. CONFISCATION AND RECLAMATION OF POTENTIALLY DANGEROUS AND DANGEROUS DOGS

The Police Department may summarily seize and impound a potentially dangerous dog or dangerous dog under the following circumstances:

1. The owner fails to validly register the dog under this section within fourteen (14) days of its designation as a potentially dangerous dog or dangerous dog.
2. The owner fails to secure the required liability insurance or surety bond under this section within fourteen (14) days of its designation as a potentially dangerous dog or dangerous dog.
3. The owner fails to keep the dog properly confined

4. The dog is not properly confined or controlled in accordance with the requirements herein, and under physical restraint of a responsible person as required by this section.
5. The owner fails to sterilize the dog within thirty (30) days of its designation as a potentially dangerous dog or dangerous dog.
6. The owner is convicted of a misdemeanor for violating the provisions of this section and the person is charged with a subsequent violation relating to the same dog. If the owner is convicted of the offense for which the dog was seized, the criminal court may order destruction of the dog and the owner must pay for the costs of confining and destroying the dog.
7. The owner may reclaim a potentially dangerous dog or dangerous dog by presenting proof of compliance with state law and this section to the animal control authority and payment of all costs associated with the confiscation and confinement of the dog, including the impoundment fee set forth in the city fee schedule and impoundment costs. If the owner does not reclaim the potentially dangerous or dangerous dog within seven (7) days, the animal control authority may dispose of the dog and the owner is liable to the animal control authority for the costs incurred in confining and disposing of the dog.

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K. DESTRUCTION OF THE DOG IN CERTAIN CIRCUMSTANCES

The animal control authority or its designee may destroy a dog in a proper and humane manner if the dog:

1. Inflicted substantial or great bodily harm on a human on public or private property without provocation;
2. Inflicted multiple bites on a human on public or private property without provocation;
3. Bit multiple human victims on public or private property in the same attack without provocation; or
4. Bit a human on public or private property without provocation in an attack where more than one dog participated in the attack.

The animal control authority must provide the owner of the dog an opportunity for a hearing before an impartial decision maker. The exemptions set forth in section 5-4-12 of this chapter apply to this provision. (Ord. 1211, 5-10-2010)

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5-4-6: DANGEROUS AND POTENTIALLY DANGEROUS DOGS

A. Duties Of Owner Of Potentially Dangerous And Dangerous Dogs: A person who owns or keeps a dangerous dog must comply with the requirements of Minnesota statutes sections 347.50 through 347.565 as may be amended from time to time, and which are adopted and incorporated herein by reference.

B. Designation Of A Dog As Dangerous Or Potentially Dangerous: The animal control authority may determine that a dog is a potentially dangerous dog or a dangerous dog.

C. Appeal Of Designation: Upon determination by the animal control authority that a dog is a potentially dangerous dog or dangerous dog, the city shall provide notice of this determination and information regarding the right to a hearing concerning the potentially dangerous dog or dangerous dog declaration to the owner of the dog pursuant to Minnesota statutes section 347.541, subdivision 3. The notice must include all of the information required by Minnesota statutes section 347.541, subdivision 3.

The notice declaring the dog potentially dangerous or dangerous shall be delivered or mailed to the owner of the dog, or served by posting a copy of it at the place where the dog is kept, or by delivering it to a person residing on the property, and telephoning, if possible.

1. Hearing:

a. Right To Hearing: The owner of any dog declared a potentially dangerous dog or dangerous dog has the right to a hearing by an impartial hearing officer who may be either an impartial employee of the city or an impartial person retained by the city to conduct the hearing.

b. Appeal Of Potentially Dangerous Dog Or Dangerous Dog Designation: The owner of a dog designated by the animal control authority as a potentially dangerous dog or dangerous dog must file an appeal of that designation with the city clerk within fourteen (14) days of receipt of the notice of declaration of potentially dangerous dog or dangerous dog.

c. Hearing Scheduling And Conduct: If the owner properly files an appeal of the potentially dangerous dog or dangerous dog designation, the city must hold a hearing within fourteen (14) days after the owner's request, to determine the validity of the potentially dangerous dog or dangerous dog declaration, is made to the city.

At the hearing, the owner of the dog shall have an opportunity to present evidence and testimony to support the appeal of the potentially dangerous or dangerous dog declaration. The hearing may receive evidence from the animal control authority regarding the initial potentially dangerous or dangerous dog declaration.

d. Decision: Upon receiving the evidence and testimony, the hearing officer shall uphold or rescind the potentially dangerous or dangerous dog declaration. In the event that the hearing officer upholds the potentially dangerous or dangerous dog declaration, the owner shall be responsible for paying actual expenses of the hearing up to a maximum of one thousand dollars (\$1,000.00). The hearing officer shall issue a decision on the matter within ten (10) days after the hearing. The decision must be delivered to the owner by hand delivery or registered mail as soon as practical and a copy must be provided to the animal control authority.

D. Registration Of Potentially Dangerous Dogs And Dangerous Dogs: No person may keep a potentially dangerous dog or dangerous dog within the city unless the dog is currently registered as provided in this section. Registration must be completed within fourteen (14) days from the owner's receipt of notice of declaration of potentially dangerous dog or notice of declaration of dangerous dog unless a timely appeal

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has been filed. The animal control authority shall issue a certificate of registration to the owner of a dangerous dog if the owner presents sufficient evidence of the following, which are required by Minnesota statutes sections 347.50 through 347.565:

1. Fee: Payment has been made for the annual potentially dangerous dog or dangerous dog registration fee set forth in the city fee schedule. This payment is in addition to any dog license fee.
2. Proper Enclosure: The owner of a potentially dangerous dog or dangerous dog must keep the dog in a proper enclosure that has been inspected and approved by the city.
3. Tag: A potentially dangerous dog or dangerous dog must have a standardized, easily identifiable tag identifying the dog as a potentially dangerous dog or dangerous dog that shall be affixed to the dog's collar at all times.
4. Surety Bond Or Insurance Policy: The owner of a potentially dangerous dog or dangerous dog must provide a surety bond in a form acceptable to the animal control authority, issued by a surety company authorized to conduct business in Minnesota in the amount of at least three hundred thousand dollars (\$300,000.00), payable to any person injured by the dangerous dog or a policy of liability insurance company authorized to do business in Minnesota in the amount of at least three hundred thousand dollars (\$300,000.00), insuring the owner for any personal injuries inflicted by the potentially dangerous dog or dangerous dog.
5. Microchip: Proof of implantation of the microchip identification in compliance with state law.
6. Posting Of Warning Symbol: The owner of a potentially dangerous dog or dangerous dog must post a warning symbol or multiple warning symbols, to be determined by the animal control authority, provided to the owner by the animal control authority at the owner's cost, on the owner's property.

E. Potentially Dangerous And Dangerous Dog Designation Review: Review of a potentially dangerous dog or dangerous dog designation may be requested annually beginning six (6) months after the dog is declared to be a potentially dangerous dog or dangerous dog. The owner must present evidence to the animal control authority that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the animal control authority finds sufficient evidence that the dog's behavior has changed, the authority may rescind the potentially dangerous dog or dangerous dog designation.

F. Notification Of Changes: The owner of a dog designated as a potentially dangerous dog or dangerous dog shall notify the police chief in writing if the dog has died, is relocated from its current address, or is being given or sold to another person. The notification must be given in writing within thirty (30) days after the change in ownership or location or the dog's death. If requested by the animal control authority, the owner must execute an affidavit under oath setting forth the circumstances of the dog's death and disposition of the dog, or the complete name, address, and telephone number of the person to whom the dog has been transferred, whichever the case may be.

G. Sterilization Of Potentially Dangerous Dogs And Dangerous Dogs: The owner of a potentially dangerous dog or dangerous dog must, at the owner's sole expense, sterilize the dog within thirty (30) days of the dog's designation as a potentially dangerous dog or dangerous dog. If the owner does not sterilize the dog, the animal control authority shall seize the dog and have it sterilized at the owner's expense.

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H. ~~Confinement Of Potentially Dangerous And Dangerous Dogs:~~ The owner of any potentially dangerous dog or dangerous dog must confine the dog, while on the owner's property, in a proper enclosure. If the dog is outside the proper enclosure, the owner must muzzle and restrain the dog by a substantial chain or XXXX and be under the physical restraint of a responsible person.

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I. ~~Confiscation And Reclamation Of Potentially Dangerous And Dangerous Dogs:~~ The animal control authority may summarily seize and impound a potentially dangerous dog or dangerous dog under the following circumstances:

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1. The owner fails to validly register the dog under this section within fourteen (14) days of its designation as a potentially dangerous dog or dangerous dog.

2. The owner fails to secure the required liability insurance or surety bond under this section within fourteen (14) days of its designation as a potentially dangerous dog or dangerous dog.

3. The owner fails to keep the dog in a proper enclosure.

4. The dog is outside the proper enclosure and not muzzled and under the physical restraint of a responsible person as required by this section.

5. The owner fails to sterilize the dog within thirty (30) days of its designation as a potentially dangerous dog or dangerous dog.

6. The owner is convicted of a misdemeanor for violating the provisions of this section and the person is charged with a subsequent violation relating to the same dog. If the owner is convicted of the offense for which the dog was seized, the criminal court may order destruction of the dog and the owner must pay for the costs of confining and destroying the dog.

The owner may reclaim a potentially dangerous dog or dangerous dog by presenting proof of compliance with state law and this section to the animal control authority and payment of all costs associated with the confiscation and confinement of the dog, including the impoundment fee set forth in the city fee schedule and impoundment costs. If the owner does not reclaim the potentially dangerous or dangerous dog within seven (7) days, the animal control authority may dispose of the dog and the owner is liable to the animal control authority for the costs incurred in confining and disposing of the dog.

J. ~~Dogs Not To Be Deemed Dangerous:~~ A dog shall not be deemed to be a potentially dangerous dog or a dangerous dog if the threat, injury, or damage was sustained by a person: 1) who was committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the dog; 2) who was provoking, tormenting, abusing, or assaulting the dog or who can be shown to have repeatedly, in the past, provoked, tormented, abused, or assaulted the dog; or 3) who was committing or attempting to commit a crime.

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K. ~~Destruction Of Dog In Certain Circumstances:~~ The animal control authority or its designee may destroy a dog in a proper and humane manner if the dog:

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1. Inflicted substantial or great bodily harm on a human on public or private property without provocation;

2. Inflicted multiple bites on a human on public or private property without provocation;

3. Bit multiple human victims on public or private property in the same attack without provocation; or

4. Bit a human on public or private property without provocation in an attack where more than one dog participated in the attack.

The animal control authority must provide the owner of the dog an opportunity for a hearing before an impartial decision maker. The exemptions set forth in section 5-4-12 of this chapter apply to this provision. (Ord. 1211, 5-10-2010)

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5-4-7: CARE OF ANIMALS:

The care, health, keeping, shelter, and maintenance of all animals shall conform with the statutory provisions of Minnesota statutes chapters 343 and 346, which are hereby incorporated by reference and adopted as part of this chapter. (Ord. 1211, 5-10-2010)

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5-4-8: PROHIBITIONS:



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A person must not own or keep any animal that creates or constitutes a public nuisance. A public nuisance is defined as:

A. Owning or keeping animals that by virtue of the size, number, species, facilities for, and location is offensive because of, but not limited to, odor and noise or is dangerous to the public health, safety, or welfare;

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B. Owning or keeping an animal in the city that unreasonably causes annoyance or disturbance to another person by habitually howling, yelping, barking, or crying. "Habitual howling, yelping, barking or crying" is defined as howling, yelping, barking, or crying for repeated intervals of at least three (3) minutes with less than one minute of interruption that can be heard at a location other than the animal keeper's property. Any such animal is hereby declared to be a public nuisance. No citation for public nuisance arising out of the above described behavior may be issued unless the animal control authority has personally observed such behavior and determined that a violation of this provision has occurred;

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C. An animal that has been the subject of a violation of this chapter more than three (3) times in a twenty four (24) month period; or

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D. Subject to the exceptions stated in section [5-4-12](#) of this chapter, an animal running at large within the city limits. (Ord. 1211, 5-10-2010)

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5-4-11: RIGHT OF ENTRY:



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Animal control authority are authorized to enter onto any open yard or kennel in which an animal is kept at reasonable times for the purpose of discharging their duties imposed by this chapter where there is a reasonable belief that a violation of this chapter has been committed.

Animal control authority having reasonable cause to believe that a person has or is violating a provision of this chapter or the conditions, limitations, restrictions or prohibitions of any permit or license the city issues under this chapter, may apply to the appropriate authority as prescribed by law for a warrant empowering the animal control authority to enter the dwelling or residence of the owner or keeper of any animal for the purpose of investigating the same and to demand the owner's or keeper's presentation of the animal to the animal control authority. (Ord. 1211, 5-10-2010)

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5-4-12: EXCEPTIONS:

Notwithstanding any contrary provision in this chapter, the provisions and requirements relating to keeping animals under restraint and not having animals at large do not apply to the following animals:

- A. Guide or service dogs used by disabled persons;
- B. Dogs used by city agents or employees in connection with police activities;
- C. Tracking dogs used by persons who have obtained the city's prior written permission;
- D. Falcons; and
- E. Racing pigeons. (Ord. 1211, 5-10-2010)

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5-4-13: ENFORCEMENT OF THE PROVISIONS OF THIS CHAPTER:



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The provisions of this chapter may be enforced by the animal control authority with the assistance of other personnel when appropriate. (Ord. 1211, 5-10-2010)

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5-4-14: PENALTY:  

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Unless otherwise designated, a violation of any provision of this chapter is a misdemeanor. (Ord. 1211, 5-10-2010)

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1](#): See also section [10-5-7](#) of this code.

[Footnote 2](#): See also section [6-1-4](#) of this code.

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Chapter 5

PARKS AND RECREATION AREAS

7-5-1: CONDUCT IN PARKS AND RECREATION AREAS:

7-5-2: VEHICLES IN PARKS:

7-5-3: BOATS AND RECREATIONAL VEHICLES ON HORNBEAM LAKE:

7-5-1: CONDUCT IN PARKS AND RECREATION AREAS:  

F. Animals: No person shall bring any animal into any park, public trail, or public sidewalk unless it is on a leash held by the owner no more than six feet (6') long or a flexi lead or similar retractable leash. All animals are prohibited in the following areas: within a designated high activity area or playground area, on all athletic fields, courts, including within all fenced in athletic areas, and park buildings, the Lions Park fishing area, the South Valley picnic area, the North Valley Disc Golf Course, and the fishing pier at Simley Island. Animals may not be brought into any other areas designated as areas where animals are not allowed within a park. No animal may be off leash in any park except the Dog Park located at Heritage Village Park 4321 65th St in a the designated off leash animal area. Persons in control of animals within a park must promptly remove and dispose of the animal's waste. The prohibitions in this subsection shall not apply to service animals or to animals kept by the city, under the city's direction, or otherwise permitted by the city administrator.

Formatted: Superscript

10-2-2: DEFINITIONS:

- A. Limited to a maximum of twenty (20) dogs on site at any one time.
- B. No outdoor runs or kennels allowed.
- C. The requirement and location of any outside fenced area, if any, shall be determined by the council.
- D. Dogs shall be on a **leash** not greater than six feet (6') in length and handled by an employee at all times when outside the building during the animal's stay.
- E. An employee shall remain on site at all times animals are on the premises including overnight.
- F. Dogs shall be kept inside at all times except when exercised by an employee.

10-15H-4-8: PETS:

No owner or person in charge of any dog, cat or other pet animal shall permit same to run at large or commit any nuisance within the manufactured home park at any time. All pets must be on a leash not greater than six feet (6') at all times when out of doors or kept within an approved fenced area.
(Ord. 1098, 11-8-2004)

CLEAN VERSION OF DOG RELATED ORDINANCES

Chapter 4

ANIMAL CONTROL

5-4-1: DEFINITIONS:

5-4-2: KEEPING OF CERTAIN ANIMALS PERMITTED:

5-4-3: DOG LICENSES:

5-4-4: GENERAL REGULATIONS OF DOMESTIC ANIMALS:

5-4-5: SEIZURE AND IMPOUNDMENT OF ANIMALS:

5-4-6: DANGEROUS AND POTENTIALLY DANGEROUS DOGS:

5-4-7: CARE OF ANIMALS:

5-4-8: PROHIBITIONS:

5-4-9: COMMERCIAL, COMMERCIAL DAYCARE AND NONCOMMERCIAL KENNELS:

5-4-10: HORSES IN PUBLIC PARKS AND ROADWAYS:

5-4-11: RIGHT OF ENTRY:

5-4-12: EXCEPTIONS:

5-4-13: ENFORCEMENT OF THE PROVISIONS OF THIS CHAPTER:

5-4-14: PENALTY:

5-4-1: DEFINITIONS:

For purposes of this chapter, unless the context clearly indicates otherwise or otherwise defined in Minnesota statutes section 347.50 the terms defined in this section have the meanings given them:

ANIMAL: Every nonhuman species of animal, domestic, permitted nondomestic, and inherently dangerous.

ANIMAL CONTROL AUTHORITY: By designation, the animal control authority is the chief the police or their designee.

ANIMAL CONTROL OFFICERS: Individually and collectively the city's police department, the city's police chief, the city's police officers, the city's community service officers and other personnel retained by the city or assisting in the enforcement of this chapter.

COMMERCIAL DAYCARE KENNEL: Any place where dogs are kept for the primary purpose of commercial pet sitting or "doggie daycare", provided all of the following are met:
City Code 5-4-9 states, in part:

"...A kennel may not be located within five hundred feet (500') of any residential dwelling other than the owner's dwelling. Kennels must comply with all relevant zoning requirements."
This essentially prohibits kennels from being located in a residential area since the lot sizes don't allow for the setback requirement to be met.

A. No kennels are allowed in a Residential zoning district.

B. Limited to a maximum of twenty (20) dogs on site at any one time.

D. The requirement and location of any outside fenced area, if any, shall be determined by the council.

E. Dogs shall be on a leash not greater than six feet (6') and handled by an employee or in an approved outside fenced exercise or kennel area at all times when outside the building during the animal's stay.

F. Unless otherwise authorized by the City Council, an employee shall remain on site at all times animals are on the premises including overnight.

G. Dog kennels shall allow for outdoor runs or exercised by an employee.

H. Designated bathroom area shall be cleaned daily.

COMMERCIAL KENNEL: Kennel means a place where four (4) or more dogs over the age of six (6) months are kept for the primary purpose of commercial breeding, keeping, harboring, or selling of dogs. A commercial kennel does not include veterinary hospitals, clinics, or other premises operated by a licensed veterinarian exclusively for the care and treatment of animals.

DANGEROUS DOG: As defined in Minnesota statutes section 347.50.

DOMESTIC ANIMALS: Dogs, cats, caged birds, fish, rabbits, domestic ferrets, snakes (nonvenomous and nonconstrictor species), gerbils, hamsters, guinea pigs, white rats or mice.

FARM ANIMAL AND PERMITTED NONDOMESTIC ANIMAL: (even-toed ungulates...huh?)-(mammal with a broad and rounded muzzle...what?)

Simplified:

FARM ANIMAL AND PERMITTED NONDOMESTIC ANIMAL: Cows, sheep, pigs, deer, horses, donkeys, chickens, rabbits, goats, and other animals that are proven not to be inherently dangerous.

SUBSTANTIAL BODILY HARM: "Substantial bodily harm" has the meaning given it under section 609.02, subdivision 7a.

GREAT BODILY HARM: "Great bodily harm" has the meaning given it under section 609.02, subdivision 8.

HEARING OFFICER: An impartial person who may be either an impartial employee of the city or an impartial person retained and appointed by the city to conduct dangerous dog and potentially dangerous dog hearings.

INHERENTLY DANGEROUS ANIMALS: Animals other than domestic animals and farm and permitted nondomestic animals, which are inherently dangerous including, but not limited to, wolves, coyotes, bears, snakes (venomous and constrictor species), skunks, cougars, tigers, and any crossbreeds thereof, or crossbreeds with domestic or farm and permitted nondomestic animals.

KEEP: To own, stable, harbor, maintain, possess, or act as a custodian or caretaker for an animal.

KENNEL: A commercial kennel, commercial daycare kennel or noncommercial kennel.

NONCOMMERCIAL KENNEL: Any place where four (4) or more dogs over the age of six (6) months are kept but not for the primary purpose of commercial breeding, keeping, harboring, or selling of dogs. This makes it sound like commercial use could still be a secondary use, but it can't be.

Simplified:

NONCOMMERCIAL KENNEL: Any place where four (4) or more dogs over the age of six (6) months are kept for non-commercial use, such as a dog daycare.

OWNER: Any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having care, custody, or control of an animal.

PERSON: One or more natural persons, a firm, partnership, corporation, or any other entity.

POTENTIALLY DANGEROUS DOG: As defined in Minnesota Statute section 347.50.

PREMISES: A building, structure, shelter, or land where an animal is kept or confined.

PROPER ENCLOSURE FOR DANGEROUS OR POTENTIALLY DANGEROUS DOGS: A secure indoor location or a securely enclosed and locked pen or structure suitable to prevent the potentially dangerous dog or dangerous dog from escaping and providing protection from the elements for the animal. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the potentially dangerous dog or dangerous dog to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the potentially dangerous dog or dangerous dog from exiting.

RUNNING AT LARGE, RUN AT LARGE, OR AT LARGE: Any animal that is not under restraint.

UNDER RESTRAINT: The animal is: a) within a private motor vehicle of a person owning, harboring, or keeping the animal; b) within the boundaries of property owned or leased by the person owning, harboring or keeping the animal; and c) controlled by a chain or **leash** of a maximum of six feet (6') in length or a commercially manufactured retractable leash no greater than six feet (6') in length.

VACCINATION AGAINST RABIES: The inoculation of a dog, cat, or ferret with a rabies vaccine by a veterinarian duly licensed to practice veterinary medicine.

VETERINARY HOSPITAL: A place for the treatment, hospitalization, surgery, care and board of animals and birds under the direction of one or more licensed veterinarians. (Ord. 1211, 5-10-2010)

5-4-2: KEEPING OF CERTAIN ANIMALS PERMITTED:

A. Animals Permitted Pursuant To Regulations: The following animals may be kept in the city pursuant to the regulations of this chapter and relevant provisions of the zoning ordinance: domestic animals; farm animals and permitted nondomestic animals; and inherently dangerous animals. (Ord. 1211, 5-10-2010; amd. Ord. 1265, 5-14-2013)

B. Chickens On Urban Residential Lots:

1. License Required: No person shall keep chickens on any property zoned R-1A, R-1B, R-1C or R-2, within the city without first obtaining a license from the city.

2. Application: An application for a license to keep chickens shall be made to the city clerk on the form prescribed by the city. The applicant must provide all the information required on the form, including, but not limited to:

- a. The name and address of the owner(s) where the chickens will be kept;
- b. The number of chickens to be kept on the property;
- c. Site plan or property survey showing the proposed location of the chicken coop and/or run on the subject property;
- d. Drawing or picture of the proposed chicken coop;
- e. The applicant must pay the fee for the license to keep chickens as set forth in the city fee schedule.

3. Notice To Surrounding Property Owners: Once the city clerk receives a complete application from an applicant, the city clerk shall provide written notice of and include a copy of said application to those owners of properties directly abutting the proposed location. Owners shall be determined as those shown as owners on the tax statement prepared by the county treasurer.

4. Granting Issuance Of License: The city clerk may administratively grant an initial or renewal license under this subsection provided all of the following have been met:

- a. All submittal information is submitted and complete.
- b. Appropriate fee is paid.
- c. The application filed demonstrates compliance with the requirements of this subsection and any other applicable regulations of this code.
- d. No persons mailed a notice object in writing to the request within ten (10) days of notice being mailed; an objection sent electronically shall be deemed an objection in writing.

5. Denying Issuance Of License: The city clerk shall deny issuance of a license if any of the items in subsection B4 of this section have not been met. In the instance where an objection has been received by an abutting property owner, the item shall be placed on the next available city council agenda for council review and determination of whether the license shall be issued.

6. Standards: Any person keeping chickens in residential areas of the city as noted in subsection B1 of this section, shall comply with all of the following:

- a. No person shall keep more than six (6) total hen chickens on the property.
- b. No person shall keep roosters or adult male chickens on the property.
- c. Cockfighting is specifically prohibited within the city.
- d. The slaughter of chickens is prohibited on residentially used or zoned properties.

- e. The owner of the chickens shall live in the dwelling on the property.
- f. The raising of chickens for breeding purposes is prohibited.
- g. Chickens shall not be kept inside a dwelling.

7. Shelter And Enclosure Requirements: Every person who owns, controls, keeps, maintains or harbors hen chickens must keep them confined on the premises at all times in a chicken coop or chicken run. Chicken coops and runs shall comply with the following standards:

- a. Only one chicken coop and/or run shall be allowed per lot.
- b. Chicken coops and runs shall not be located in the front or side yards and shall not be placed within any drainage and utility easement.
- c. Any chicken coop or chicken run shall be set back at least twenty-five feet (25') from any principal structure on any adjacent lot and ten feet (10') from all property lines.
- d. Any chicken coop and run fencing must be consistent with applicable zoning codes.
- e. No chicken coop or run shall be constructed on a lot prior to the time of occupancy of the principal structure.
- f. Chickens shall be provided a secure and well-ventilated roofed structure in compliance with applicable zoning codes.
- g. The floors and walls of the roofed structure shall be kept clean, sanitary and in a healthy condition.
- h. Chickens shall be contained within a chicken run at all times.
- i. The run area shall be well drained so there is no accumulation of moisture.
- j. Chicken feed shall be stored in leakproof containers with a tightfitting cover to prevent attracting vermin.

8. License Modification: The license may be reasonably modified by animal control authority if necessary to respond to changed circumstances. Any modification shall be effective ten (10) days after the mailing of written notice by certified mail to the license holder. The license holder may challenge the modification by contacting the city clerk and requesting a hearing within ten (10) days after the receipt of written notice. A hearing regarding the proposed modification shall be held before the city council.

9. Duration Of License: A license to keep chickens shall be issued for a period of two (2) years beginning March 1 and ending February 28. Applications for a renewal permit may not be made prior to sixty (60) days before March 1.

10. Conditions/Maintenance And Inspections: No person who owns, controls, keeps, maintains or harbors chickens shall permit the premises where the chickens are kept to be or remain in an unhealthy, unsanitary or noxious condition. The premises should be maintained to prevent odors from permeating into neighboring properties. Any chicken coop and run authorized under this section may be inspected at any reasonable time by authorized city staff to inspect for compliance with this chapter and other relevant laws and regulations.

11. Revocation Of License: A license may be revoked by the city council for a violation of any condition of this section following notice and a hearing as provided for in [title 3, chapter 2](#) of this code.

12. Penalty: Violation of this section shall be a petty misdemeanor. (Ord. 1265, 5-14-2013)

5-4-3: DOG LICENSES:

No person residing in the city shall keep a dog over six (6) months of age within the city for more than ten

(10) consecutive days unless the person has a current city issued dog license for the dog. Individual dog licenses need not be secured for dogs kept in "commercial kennel" or "commercial daycare kennel" as defined herein.

A. License Fee And Application:

1. Application: An application for a dog license shall be made to the Parks & Recreation Department on the form prescribed by the city. The applicant must provide all the information required on the form, including, but not limited to:

- a. The name, age, breed, sex, color, and marking of the dog;
- b. A certificate showing that the dog has been vaccinated against rabies by a licensed veterinarian;
- c. A sworn statement that the person is not restricted from owning a dog pursuant to Minnesota statutes section 347.542 or a sworn statement that the animal control authority in the jurisdiction of record has rescinded the restriction entirely or with limitations and that the person's application to own a dog is in conformity therewith;
- d. The address or legal description of the real property where the dog will be kept; and
- e. If the application is for a license for a potentially dangerous dog or dangerous dog, proof that the specific requirements of section 5-4-6 of this chapter have been met.

2. Fees: The fee for a dog license is set forth in the city fee schedule. Fees for a dog license shall be good for a period of one (1) calendar years from issuance..

B. Duration Of License: A dog license shall be for a period of one (1) years from the date of issuance.

C. License Tags: Upon compliance with the license application requirements listed above, the city shall issue to the owner of the dog a dog tag stamped with a number for which it is issued.. The owner of a dog is required to keep the dog's current and valid registration tag securely fastened to its collar or harness at all times in a manner so that it can easily be seen. A dog license tag may not be transferred from one dog to another. In the event that the metallic license tag issued for a dog is lost, the owner shall obtain a duplicate tag from the city upon the payment of the fee set forth in the city fee schedule.

D. Change In Ownership Of Dog: If there is a change in ownership of a dog during a license year, the new owner may have the current license changed to his or her name upon the payment of a transfer fee set forth in the city fee schedule. The previous owner must notify the city within thirty (30) days of the change in ownership and provide the city with the name and address of the new owner.

E. Exemptions: Veterinarian hospitals and dogs belonging to the city's police department are exempt from dog licensure. (Ord. 1211, 5-10-2010)

F. Failure To License: When a city animal control official determines that a person is keeping a dog contrary to the provisions of this section, the animal control authority shall notify the Park and Recreation Department to ensure that the owner comes into compliance with city licensing requirement. Nothing in this section prohibits an animal control official from issuing a citation for failure to license or any other provision in this section. A penalty fee, as set forth in the city fee schedule, shall be assessed against the owner of a dog who fails to obtain a license within a timely manner pursuant to the requirements of this section.

G. Impounded Dog Determined To Be Unlicensed: Unlicensed dogs subject to impound by an animal control official may not be released from the city's contract impound facility without a valid dog license. The owner of the unlicensed dog may obtain a license from the Park and Recreation Department or the

city's contract impound facility. A penalty fee, as set forth in the city fee schedule, shall be assessed against the owner of a dog who fails to obtain a license within a timely manner pursuant to the requirements of this section.

5-4-4: GENERAL REGULATIONS OF DOMESTIC ANIMALS:

A. Rabies Vaccination Required: Every owner or keeper of a dog, cat, or ferret kept as a pet over three (3) months of age within the city must have the dog, cat, or ferret vaccinated by a licensed veterinarian with an antirabies vaccine that is currently effective.

A vaccination certificate is valid only for the dog, cat, or ferret and owner to which it was issued. A person must not use a rabies vaccination certificate for a different dog, cat, or ferret than the one for which it was issued.

A vaccinated dog, cat, or ferret shall be revaccinated at intervals not to exceed the effective duration of the vaccination as listed in the compendium of animal rabies control prepared by the National Association Of State Public Health Veterinarians.

B. Restraint Of Dogs: Subject to the exceptions stated in section [5-4-12](#) of this chapter, every owner shall keep his or her dog on a leash not greater than six feet (6') in length and under restraint at all times with the exception of the owners property. Owners should take all reasonable steps to secure animals on their property, including but not limited to a fenced enclosure, an electronic perimeter fence for which the dog has been trained, or a chain or lead.

C. Removal Of Animal Feces: Any person having custody or control over any dog or cat on any property within the city, other than the property of the dog or cat's owner, must have in his or her immediate possession a device for picking up and disposing of dog or cat feces, and must pick up and dispose of any and all feces in a sanitary manner. This subsection does not apply to the following:

1. Disabled persons using guide or service dogs;

A violation of this subsection is a petty misdemeanor.

D. Female Dogs In Season: Every female dog in season shall be confined within a building or secure enclosure in such a manner that it cannot come into contact with another dog except for intentional breeding conducted within a building. The female dog in season may be taken from the secure area on a secure **leash** not greater than six feet (6') controlled by a person of sufficient age or into a confined outdoor enclosure on the owner's property in order for the dog to urinate and/or defecate. Female dogs in heat are not authorized to utilize the dog park.

E. General Duty Of Owners: Every owner or keeper of a dog must exercise reasonable care and take all necessary steps and precautions to protect other people, property, and animals from injuries or damage which might result from the dog's behavior.

F. Stopping An Attack: Animal control authority who witness an attack by an animal upon a person or another animal may take whatever action the animal control authority deem to be appropriate to end the attack and prevent further injury to the victim(s). (Ord. 1211, 5-10-2010)

5-4-5: SEIZURE AND IMPOUNDMENT OF ANIMALS:

A. Impounding Facility: The city council may maintain a municipal impound facility or may designate as the municipal impound facility a suitable kennel or veterinary hospital either within or outside the city limits of the city. The keeper of the impound facility shall provide an account of any and all impound fees received on behalf of the city.

B. Impound Facility Reporting: The keeper of the impound facility shall provide a monthly written report providing the following information: the animals impounded; the duration of the impoundment; and the method of disposal of each animal. The impound facility is authorized to turn unclaimed animals in impound over to recognized animal rescue or adoption programs.

C. Seizure And Impoundment Of Animals: Subject to the exceptions stated in section [5-4-12](#) of this chapter, the animal control authority may seize and impound any animal running at large in the city or any animal found to be in violation of the provisions of this chapter or Minnesota statutes sections 347.50 through 347.565. Upon the impoundment of an animal, the animal control authority must promptly notify the owner of the impoundment in person, by phone or by mail.

An impounded animal displaying a need for medical care may be taken to a veterinarian for emergency treatment. The owner of the animal is responsible for payment of expenses incurred as a result of the veterinarian's treatment. Based on the severity of illness or injury to impounded animal, the chief of police may authorize humane destruction.

D. Impoundment After Biting Human: Every doctor or other person who treats a person for an animal bite shall report to the Inver Grove Heights police department the name and address of any person treated for an animal bite inflicted within the city. The owner or keeper of any dog or other animal that bites any person where the bite breaks the person's skin or the bite requires treatment by a doctor, and the person bitten or his or her parent or guardian must report the incident to the Inver Grove Heights police department within twenty four (24) hours of the bite. The dog or other animal shall immediately be confined for a period of not less than ten (10) days in a veterinary hospital or on the owner's premises, as directed by the animal control authority. Subject to the exceptions stated in section [5-4-12](#) of this chapter, the animal control authority may refuse to permit confinement on the owner's premises if the animal has previously been found repeatedly running at large or if the animal does not have a currently effective rabies vaccination. If confinement on the owner's premises is permitted, the animal may not be allowed off the premises or in contact with other people or animals during the confinement period, except for medical purposes. If the owner fails to comply with these restrictions, the animal control authority may enter onto the property, seize the animal, and remove it to a veterinary hospital. The owner is responsible for all costs of confinement incurred under this subsection. If, after completion of the ten (10) day impound period, the animal does not have rabies, it may be released to its owner unless release is otherwise prohibited by another section of this chapter. As a condition of releasing a confined animal, the animal control authority may require that the animal's owner take the animal for an examination by a veterinarian. The impound fee shall be borne by the owner of the animal.

E. Impoundment And Destruction Of Rabid Animals:

1. A dog or animal displaying symptoms of being rabid may be seized at any place or time and confined in the city impounding facility at the owner's expense, until found to be free from rabies.
2. If a dog or other animal appears to be diseased, vicious, dangerous, rabid or has been exposed to rabies, and the dog or other animal cannot be impounded without serious risk of personal injury, the dog or other animal may be destroyed, if reasonably necessary for the safety of a person or persons.

F. Redeeming Impounded Animals: The animal impound facility may not release an animal until it has received authorization to do so from animal control authority and upon fulfillment of the following conditions:

1. Dogs, cats and ferrets are properly inoculated for rabies;
2. Payment by the owner to the impounding facility of the costs of keeping the animal in the pound;
3. Payment of an impounding fee to the city in the amount listed in the city fee schedule;

4. Providing proof of ownership of the animal; and

5. In the case of a dog that resides in the city, proof of a valid license for the dog.

An animal impounded pursuant to Minnesota statutes chapter 343 may be redeemed pursuant to the provisions of Minnesota statutes section 343.235.

A potentially dangerous dog or dangerous dog impounded pursuant to any provision in Minnesota statutes sections 347.50 through 347.565 may be redeemed pursuant to Minnesota statutes sections 347.50 through 347.565 and upon fulfillment of the requirements of section [5-4-6](#) of this chapter.

G. Disposition Of Dangerous or Potentially Dangerous by Owner: If the owner of a dog deemed dangerous or potentially dangerous elects to dispose of the animal, the owner shall provide the animal control authority with proof of disposition.

H. Disposition Of Unclaimed Animals: If an impounded animal is not reclaimed within seven (7) regular business days after the required notice is given to the owner or posted pursuant to this chapter, the animal shall be deemed to have been abandoned, and the impounding facility may sell or give the animal to any adult person, or shelter program, except research institutions. If an abandoned animal is not sold, it may be destroyed in a humane manner. A "regular business day" for purposes of this section means a day during which the impounding facility having custody of the animal is open to the public at least four (4) consecutive hours between eight o'clock (8:00) A.M. and seven o'clock (7:00) P.M.

I. Costs Of Impoundment: The owner of the animal is responsible for the costs of the impoundment and housing of an impounded animal. (Ord. 1211, 5-10-2010)
<http://sterlingcodifiers>

5-4-6: DANGEROUS AND POTENTIALLY DANGEROUS DOGS

A. DUTIES OF OWNER OF POTENTIALLY DANGEROUS AND DANGEROUS DOG

A person who owns or keeps a dangerous dog must comply with the requirements of Minnesota statutes sections 347.50 through 347.565 as may be amended from time to time, and which are adopted and incorporated herein by reference.

B. DESIGNATION OF DOG AS DANGEROUS OR POTENTIALLY DANGEROUS

The animal control authority may determine that a dog is a potentially dangerous dog or a dangerous dog.

C. APPEAL OF DESIGNATION

Upon determination by the animal control authority that a dog is a potentially dangerous dog or dangerous dog, the city shall provide notice of this determination and information regarding the right to a hearing concerning the potentially dangerous dog or dangerous dog declaration to the owner of the dog pursuant to Minnesota statutes section 347.541, subdivision 3. The notice must include all the information required by Minnesota statutes section 347.541 subdivision 3.

The notice declaring the dog potentially dangerous or dangerous shall be delivered or mailed to the owner of the dog or served by posting a copy of it at the place where the dog is kept, or by delivering it to a person residing on the property, and telephoning, if possible.

EXEMPTIONS:

EXCLUSIONS IN DETERMINING DANGEROUS AND POTENTIALLY DANGEROUS DOGS

Dogs not to be deemed dangerous: In accordance with MN Statutes Section 347.51, Subd.5., A dog shall not be deemed to be a potentially dangerous dog or a dangerous dog if the threat, injury, or damage was sustained by a person: 1) who was committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the dog; 2) who was provoking, tormenting, abusing, or assaulting the dog or who can be shown to have repeatedly, in the past, provoked, tormented, abused, or assaulted the dog; or 3) who was committing or attempting to commit a crime.

D. POTENTIALLY DANGEROUS DOG; REQUIREMENTS

Fees: An annual registration fee that shall be included in the City's fee schedule, in addition to the City's licensing fee.

Leash: No person shall permit a potentially dangerous dog to go outside its owner's property unless secured by a leash no longer than six feet (6') in length, with a responsible person in physical control of the leash.

Confinement: While on its owner's property, potentially dangerous dogs must be confined to the yard by kennel, fence, or leash. Electronic perimeter fences shall not be allowed for the confinement of potentially dangerous dogs.

Signs: An owner of a potentially dangerous dogs within the city may be required to display a sign easily readable by the public using the words "Beware of Potentially Dangerous Dog" including a warning symbol to inform children. The determination for whether or not potentially dangerous dog signage is required will be based on the severity and circumstances of the attack prompting the designation. ~~It~~

Microchip: Proof of implantation of the microchip identification in compliance with state law.

Dog Park: Dogs deemed potentially dangerous by this or any other political subdivision are prohibited from obtaining an animal pass for the city's dog park.

Inspection: An annual inspection for compliance of the owner's property will be performed by the Police Department

It shall be unlawful for the owner of a potentially dangerous dog to fail to comply with the requirements set forth in this section. Any dog found to be the subject of a violation of this section shall be subject to immediate seizure and impoundment in accordance with this chapter.

E. DANGEROUS DOG; REQUIREMENTS

Registration: No person may keep a dangerous dog within the city unless the dog is currently registered as provided in this section. Registration must be completed within fourteen (14) days from the owner's receipt of notice of declaration of potentially dangerous dog or notice of declaration of dangerous dog unless a timely appeal has been filed. The animal control authority shall issue a certificate of registration to the owner of a dangerous dog if the owner presents sufficient evidence of the following, which are required by Minnesota statutes sections 347.50 through 347.565:

Fees: An annual registration fee that shall be included in the city's fee schedule, in addition to the city's licensing fee.

Leash and Muzzle: No person shall permit a dangerous dog to go outside its owner's property unless secured by a leash no longer than six feet (6') in length, with a responsible person in physical control of the leash. The dog must also be muzzled to prevent biting.

Confinement: While on its owner's property, dangerous dogs must be confined to the yard by kennel, fence, or leash. Electronic perimeter fences shall not be allowed for the confinement of dangerous dogs.

Signs: All owners of dangerous dogs within the city must display a sign easily readable by the public using the words "Beware of Dangerous Dog" including a warning symbol to inform children. In addition, a similar sign is required to be posted on the kennel of such animal.

Microchip: Proof of implantation of the microchip identification in compliance with state law.

Notification of property owner: A person who owns a dangerous dog and who rents property from another where the dog will reside must disclose to the property owner prior to entering the lease agreement and at the time of any lease renewal that the person owns a dangerous dog that will reside at the property.

Dog Park: Dogs deemed dangerous by this or any other political subdivision are prohibited from obtaining an animal pass for the city's dog park.

Tag: A dangerous dog must have a standardized, easily identifiable tag identifying the dog as a dangerous dog that shall be affixed to the dog's collar at all times.

Sterilization: The owner of a dangerous dog must, at the owner's sole expense, sterilize the dog within thirty (30) days of the dog's designation as a potentially dangerous dog or dangerous dog. If the owner does not sterilize the dog, the animal control authority shall seize the dog and have it sterilized at the owner's expense.

Surety Bond Or Insurance Policy: The owner of a dangerous dog must provide a surety bond in a form acceptable to the animal control authority, issued by a surety company authorized to conduct business in Minnesota in the amount of at least three hundred thousand dollars (\$300,000.00), payable to any person injured by the dangerous dog or a policy of liability insurance company authorized to do business in Minnesota in the amount of at least three hundred thousand dollars (\$300,000.00), insuring the owner for any personal injuries inflicted by the dangerous dog.

F. HEARING

Right to Hearing: The owner of any dog declared a potentially dangerous dog or dangerous dog has the right to a hearing by an impartial hearing officer who may be either an impartial employee of the city or an impartial person retained by the city to conduct the hearing.

The owner of the dog appealing must submit a non-refundable hearing fee as set forth in the city fee schedule at the time of the appeal.

Appeal of potentially dangerous dog or dangerous dog designation: The owner of a dog designated by the animal control authority as a potentially dangerous dog or dangerous dog must file an appeal of that designation with the office of the animal control authority within fourteen (14) days of receipt of the notice of declaration of potentially dangerous dog or dangerous dog.

Hearing Scheduling and Conduct: If the owner properly files an appeal of the potentially dangerous dog or dangerous dog designation, the city must hold a hearing within fourteen (14) days after the owner's request.

At the hearing, the owner of the dog shall have an opportunity to present evidence and testimony to support the appeal of the potentially dangerous or dangerous dog declaration. The hearing officer may

receive evidence from the animal control authority regarding the initial potentially dangerous or dangerous dog declaration.

G. DECISION

Upon receiving the evidence and testimony, the hearing officer shall uphold or rescind the potentially dangerous or dangerous dog declaration. The hearing officer shall issue a decision on the matter within ten (10) days after the hearing. The decision must be delivered to the owner by hand delivery or registered mail as soon as practical and a copy must be provided to the animal control authority.

The hearing officer may elevate the designation from potentially dangerous to dangerous based on evidence presented at the hearing.

H. DANGEROUS DOG DESIGNATION REVIEW

Review of a potentially dangerous dog or dangerous dog designation may be requested annually beginning six (6) months after the dog is declared to be a potentially dangerous or one (1) year after the dog is declared to be a dangerous dog. The owner must present evidence to the animal control authority or designee that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the animal control authority finds sufficient evidence that the dog's behavior has changed, the authority may rescind the potentially dangerous dog or dangerous dog designation.

I. NOTIFICATION OF CHANGES

The owner of a dog designated as a dangerous dog shall notify the animal control authority in writing if the dog has died, is relocated from its current address, or is being given or sold to another person. The notification must be given in writing within thirty (30) days after the change in ownership or location or the dog's death. If requested by the animal control authority, the owner must execute an affidavit under oath setting forth the circumstances of the dog's death and disposition of the dog, or the complete name, address, and telephone number of the person to whom the dog has been transferred, whichever the case may be.

J. CONFISCATION AND RECLAMATION OF POTENTIALLY DANGEROUS AND DANGEROUS DOGS

The Police Department may summarily seize and impound a potentially dangerous dog or dangerous dog under the following circumstances:

1. The owner fails to validly register the dog under this section within fourteen (14) days of its designation as a potentially dangerous dog or dangerous dog.
2. The owner fails to secure the required liability insurance or surety bond under this section within fourteen (14) days of its designation as a potentially dangerous dog or dangerous dog.
3. The owner fails to keep the dog properly confined
4. The dog is not properly confined or controlled in accordance with the requirements herein, and under physical restraint of a responsible person as required by this section.
5. The owner fails to sterilize the dog within thirty (30) days of its designation as a potentially dangerous dog or dangerous dog.
6. The owner is convicted of a misdemeanor for violating the provisions of this section and the person is charged with a subsequent violation relating to the same dog. If the owner is convicted of the offense for which the dog was seized, the criminal court may order destruction of the dog and the owner must pay for the costs of confining and destroying the dog.
7. The owner may reclaim a potentially dangerous dog or dangerous dog by presenting proof of compliance with state law and this section to the animal control authority and payment of all costs

associated with the confiscation and confinement of the dog, including the impoundment fee set forth in the city fee schedule and impoundment costs. If the owner does not reclaim the potentially dangerous or dangerous dog within seven (7) days, the animal control authority may dispose of the dog and the owner is liable to the animal control authority for the costs incurred in confining and disposing of the dog.

K. DESTRUCTION OF THE DOG IN CERTAIN CIRCUMSTANCES

The animal control authority or its designee may destroy a dog in a proper and humane manner if the dog:

1. Inflicted substantial or great bodily harm on a human on public or private property without provocation;
2. Inflicted multiple bites on a human on public or private property without provocation;
3. Bit multiple human victims on public or private property in the same attack without provocation; or
4. Bit a human on public or private property without provocation in an attack where more than one dog participated in the attack.

The animal control authority must provide the owner of the dog an opportunity for a hearing before an impartial decision maker. The exemptions set forth in section [5-4-12](#) of this chapter apply to this provision. (Ord. 1211, 5-10-2010)

5-4-7: CARE OF ANIMALS:

The care, health, keeping, shelter, and maintenance of all animals shall conform with the statutory provisions of Minnesota statutes chapters 343 and 346, which are hereby incorporated by reference and adopted as part of this chapter. (Ord. 1211, 5-10-2010)

5-4-8: PROHIBITIONS:

A person must not own or keep any animal that creates or constitutes a public nuisance. A public nuisance is defined as:

A. Owning or keeping animals that by virtue of the size, number, species, facilities for, and location is offensive because of, but not limited to, odor and noise or is dangerous to the public health, safety, or welfare;

B. Owning or keeping an animal in the city that unreasonably causes annoyance or disturbance to another person by habitually howling, yelping, barking, or crying. "Habitual howling, yelping, barking or crying" is defined as howling, yelping, barking, or crying for repeated intervals of at least three (3) minutes with less than one minute of interruption that can be heard at a location other than the animal keeper's property. Any such animal is hereby declared to be a public nuisance. No citation for public nuisance arising out of the above described behavior may be issued unless the animal control authority has personally observed such behavior and determined that a violation of this provision has occurred;

C. An animal that has been the subject of a violation of this chapter more than three (3) times in a twenty four (24) month period; or

D. Subject to the exceptions stated in section [5-4-12](#) of this chapter, an animal running at large within the city limits. (Ord. 1211, 5-10-2010)

5-4-11: RIGHT OF ENTRY:

Animal control authority are authorized to enter onto any open yard or kennel in which an animal is kept at reasonable times for the purpose of discharging their duties imposed by this chapter where there is a reasonable belief that a violation of this chapter has been committed.

Animal control authority having reasonable cause to believe that a person has or is violating a provision of this chapter or the conditions, limitations, restrictions or prohibitions of any permit or license the city issues under this chapter, may apply to the appropriate authority as prescribed by law for a warrant empowering the animal control authority to enter the dwelling or residence of the owner or keeper of any animal for the purpose of investigating the same and to demand the owner's or keeper's presentation of the animal to the animal control authority. (Ord. 1211, 5-10-2010)

5-4-12: EXCEPTIONS:

Notwithstanding any contrary provision in this chapter, the provisions and requirements relating to keeping animals under restraint and not having animals at large do not apply to the following animals:

- A. Guide or service dogs used by disabled persons;
- B. Dogs used by city agents or employees in connection with police activities;
- C. Tracking dogs used by persons who have obtained the city's prior written permission;
- D. Falcons; and
- E. Racing pigeons. (Ord. 1211, 5-10-2010)

5-4-13: ENFORCEMENT OF THE PROVISIONS OF THIS CHAPTER:

The provisions of this chapter may be enforced by the animal control authority with the assistance of other personnel when appropriate. (Ord. 1211, 5-10-2010)

5-4-14: PENALTY:

Unless otherwise designated, a violation of any provision of this chapter is a misdemeanor. (Ord. 1211, 5-10-2010)

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1:](#) See also section [10-5-7](#) of this code.

[Footnote 2:](#) See also section [6-1-4](#) of this code.

Chapter 5

PARKS AND RECREATION AREAS

7-5-1: CONDUCT IN PARKS AND RECREATION AREAS:

7-5-2: VEHICLES IN PARKS:

7-5-3: BOATS AND RECREATIONAL VEHICLES ON HORNBEAM LAKE:

7-5-1: CONDUCT IN PARKS AND RECREATION AREAS:

F. Animals: No person shall bring any animal into any park, public trail, or public sidewalk unless it is on a **leash** held by the owner no more than six feet (6') long or a flexi lead or similar retractable **leash**. All animals are prohibited , on all athletic fields, courts, including within all fenced in athletic areas and park buildings,.. No animal may be off **leash** in any park except the Dog Park located at Heritage Village Park 4321 65th St in the designated off **leash** animal area. Persons in control of animals within a park must promptly remove and dispose of the animal's waste. The prohibitions in this subsection shall not apply to service animals or to animals kept by the city, under the city's direction, or otherwise permitted by the city administrator.

10-2-2: DEFINITIONS:

- A. Limited to a maximum of twenty (20) dogs on site at any one time.
- B. No outdoor runs or kennels allowed.
- C. The requirement and location of any outside fenced area, if any, shall be determined by the council.
- D. Dogs shall be on a **leash** not greater than six feet (6') in length and handled by an employee at all times when outside the building during the animal's stay.
- E. An employee shall remain on site at all times animals are on the premises including overnight.
- F. Dogs shall be kept inside at all times except when exercised by an employee.

10-15H-4-8: PETS:

No owner or person in charge of any dog, cat or other pet animal shall permit same to run at large or commit any nuisance within the manufactured home park at any time. All pets must be on a **leash** **not greater than six feet (6')** at all times when out of doors or kept within an approved fenced area. (Ord. 1098, 11-8-2004)

PROPOSED ANIMAL LICENSE APPLICATION



City of Inver Grove Heights Animal License Application

Owner's Name:	Address:	Unit No.
Phone Number:	Alternate Phone Number:	
Email Address:	Number of dogs owned at this address: _____	

Dogs Name: _____	Dogs Name: _____
Breed: _____ Color(s) _____	Breed: _____ Color(s) _____
Male _____ Female _____ Microchip No.: _____ Type: _____ Dogs date of birth: _____ Age: _____	Male _____ Female _____ Microchip No.: _____ Type: _____ Dogs date of birth: _____ Age: _____
Spayed/Neutered: _____ \$15.00 Not Spayed/Not Neutered: _____ \$20.00 Lost Tag Replacement _____ \$5.00	Spayed/Neutered: _____ \$15.00 20 Not Spayed/Not Neutered: _____ \$20.00 25 Lost Tag Replacement _____ \$5.00

By signing this application, I understand that I must keep a Certificate of Vaccination for my dog valid for the license term. All dogs kept, harbored, or maintained within the city shall be vaccinated by a licensed veterinarian for rabies with a live modified vaccine and distemper. I further understand that, upon demand of the City Clerk, Animal Control Officer, or Police Officer, I shall present the required Certificate of Vaccination for my dog. If not presented, I shall have seven days in which to present the Certificate to the City Clerk, Animal Control Officer or Police Officer.

Signature of Applicant: _____ Date: _____

—For Office Use Only— Completed By: _____ (staff initials)

License Tag No.: _____	Rabies Tag No.: _____
Date Issued: _____	Rabies/Distemper Vaccination Date: _____
	Rabies/Distemper Expiration Date: _____
If animal is exempt due to allergy or other reason, owner must provide documentation from veterinarian	Veterinarian/Clinic: _____ Phone Number: _____

**When Returning Application by Mail, email or In Person You Must Include a
Copy of Rabies and Distemper Vaccination Certificate**

Remit to: City of Inver Grove Heights Parks & Recreation – 8055 Barbara Ave E. – Inver Grove Heights, MN 55077
jwonick@invergroveheights.org
Phone: (651)450-2585

PROPOSED DOG PARK PASS APPLICATION



City of Inver Grove Heights

Dog Park Pass Application



Owner's Name:	Address:	Unit No.
Phone Number:	Alternate Phone Number:	
Email Address:	Number of dogs owned at this address: _____	

Dogs Name: _____	Dogs Name: _____
Breed: _____ Color(s) _____	Breed: _____ Color(s) _____
Male _____ Female _____ Microchip No.: _____ Type: _____ Dogs date of birth: _____ Age: _____	Male _____ Female _____ Microchip No.: _____ Type: _____ Dogs date of birth: _____ Age: _____
Resident Dog (1): _____ \$20.00 Resident Dog (2): _____ \$15.00 Resident Lost Pass Replacement _____ \$5.00	Non-Resident Dog (1): _____ \$30.00 Non-Resident Dog (2): _____ \$25.00 Non-Resident Lost Pass Replacement _____ \$5.00

By signing this application, I understand that I must keep a Certificate of Vaccination for my dog valid for the license term. All dogs kept, harbored, or maintained within the city shall be vaccinated by a licensed veterinarian for rabies with a live modified vaccine and distemper. I further understand that, upon demand of the City Clerk, Animal Control Officer, or Police Officer, I shall present the required Certificate of Vaccination for my dog. If not presented, I shall have seven days in which to present the Certificate to the City Clerk, Animal Control Officer or Police Officer.

Signature of Applicant: _____ Date: _____

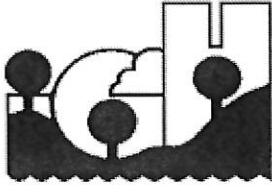
—For Office Use Only— Completed By: _____ (staff initials)

Pass # Dog (1): _____	Rabies Tag No.: _____
Pass # Dog (2): _____	Rabies/Distemper Vaccination Date: _____
Date Issued: _____	Rabies/Distemper Expiration Date: _____
If animal is exempt due to allergy or other reason, owner must provide documentation from veterinarian	Veterinarian/Clinic : _____ Phone Number _____:

**When Returning Application by Mail, email or In Person You Must Include a
Copy of Rabies and Distemper Vaccination Certificate**

Remit to: City of Inver Grove Heights Parks & Recreation – 8055 Barbara Ave E. – Inver Grove Heights, MN 55077
jwonick@invergroveheights.org
Phone: (651)450-2585

**PROPOSED DOG PARK RULES PROVIDED ON-LINE
AND
AT TIME OF REGISTRATION**



City of Inver Grove Heights Parks and Recreation Off- Leash Dog Area Rules

1. Use of the Off-Leash Dog Area is at the discretion of the handler. The Off-Leash Dog Area is not staffed. The City makes no guarantees nor assumes any liability for the physical condition of the grounds or the behavior or vaccination history of any dog. The handler/owner assumes liability for injury or damages caused by their dog.
2. A current, annual permit must be displayed by all dog owners while in the Off-Leash Dog Area; permits may not be transferred to other dogs. The City reserves the right to revoke or reject a permit or application at any time.
3. Dog owners are required to provide proof (current license #) of City dog licensure.
4. Dogs must be properly vaccinated; handlers must provide proof of current vaccination (vets certification or tag) with application.
5. No more than two dogs per handler are allowed in an area at one time. A handler must be at least 16 years of age.
6. Dogs that have been declared dangerous or potentially dangerous in any community or that have a known history of aggressive behavior are not allowed in the Off-Leash Dog Area. Any dog that exhibits aggressive behaviors must be removed immediately by the handler.
7. Dogs must wear a collar or harness at all times. Dogs are never to be left unattended. Permission must be granted by each handler for dogs to play or interact with another dog.
8. Dogs must be leashed prior to entering and upon leaving the Off-Leash Dog Area. A dog may not be leashed within the Off-Leash Dog Area except for immediate removal. The handler must keep the leash on their person at all times.
9. The handler must clean up after their dog in all areas of the Off-Leash Dog Area including the tall grass and surrounding areas. All waste, including trash, is to be disposed of only in a designated waste container. Use a provided bag or a comparable bag for dog waste. Do not leave empty or full bags in the mesh of the fence.
10. Children under the age of 16 are not allowed in the Off-Leash Dog Area without a supervising adult.
11. Puppies under six (6) months of age or female dogs in heat are not allowed in the Off-Leash Dog Area.
12. No food other than pocketed dog training treats is allowed in the Off-Leash Dog Area.
13. For the protection of the natural environment and the safety of other users and dogs, no tobacco products (including e-cigarettes) are allowed in the Off-Leash Dog Area. No alcohol of any type is allowed.
14. No bicycles, strollers, or wheeled or motorized vehicles, except wheel chairs or other assistive equipment used by people with disabilities are allowed. The surface may be uneven and steep.
15. All City park rules and ordinances apply to Off-Leash Dog Area users. Off-Leash Dog Area hours are from 6 a.m. to 10 p.m. or as otherwise posted.
16. In the event of injury, emergency or conflict, contact Police Dispatch by dialing 911

**PROPOSED DOG PARK RULES SIGN
(LOCATED AT THE PARK)**



City of Inver Grove Heights

Parks & Recreation Department

Off-Leash Dog Park Rules

These rules will help to ensure that this dog park stays clean and safe.

- Aggressive dog behavior is not tolerated.
- All dogs must enter and exit the park on a leash and remain supervised.
- All dogs must be licensed and have a valid pass.
- Dogs under the age of six months are not allowed.
- Dog Park users can bring up to two dogs.
- Children under the age of 16 are not allowed unless supervised by an adult.
- No food, alcohol, tobacco products (including e-cigarettes) or glass are allowed in the park.
- Owners must clean up their dog's waste.
- Owner is responsible for filling any holes their dog may dig.
- Dogs must wear a collar or harness at all times.
- Owners must have a leash at all times in case dog's behavior becomes unacceptable.
- All items you bring into the park must be taken home with you (balls, toys, etc.)
- Owners will be held liable for all actions taken by their dog(s).
- All City park ordinances and rules apply.

**The City of Inver Grove Heights is not responsible for
any injuries/damages to dogs or owners while using the off-leash dog park.**

651-450-2585

www.invergroveheights.org

DOG PARK PASS REQUIRED FOR USE

Owners must display annual pass at all times.

Daily passes not available. Violators risk being ticketed.

Park open 6AM to 10 PM

Passes available online at **www.invergroveheights.org/register** OR

Inver Grove Heights Parks & Recreation Office
8055 Barbara Ave. E, 651-450-2585

City of Inver Grove Heights



DOG PARK AND DOG LICENSE SURVEY INFORMATION

Dog License and Dog Park Fee Survey

	License Resident		License Non-Resident		Dog Park Pass Resident		Dog Park Non-Resident	
	Altered	Non-Altered	Altered	Non-Altered	Altered	Non-Altered	Altered	Non-Altered
Inver Grove Heights	\$12.00	\$20.00	N/A	N/A				
South St Paul	\$15.00	\$20.00	N/A	N/A	\$20.00**	\$20.00**	\$30.00	\$30.00
Mendota Heights	\$10.00	\$15.00	\$10.00	\$15.00	N/A*	N/A*	N/A*	N/A*
Burnsville	\$20.00	\$30.00	N/A	N/A	\$20.00	\$20.00	\$20.00	\$20.00
Eagan	\$20.00	\$20.00	N/A	N/A	\$20.00	\$20.00	***	***
Cottage Grove	\$15.00	\$20.00	N/A	N/A	***	***	***	***
Dakota Wood	N/A	N/A	N/A	N/A	\$40	\$40	\$40	\$40
West St Paul	\$15.00	\$20.00	N/A	N/A	N/A	N/A	N/A	N/A
Woodbury	\$10.00	\$18.00	\$10.00	\$18.00	N/A*	N/A*	N/A*	N/A*

*No fee for use of dog park. Resident and non-resident must have a dog license to use the dog park.

** Must have current city license.

*** Donation based fee

Term Length	License	Dog Park	Daily Dog Park Pass
Inver Grove Heights	2 year		N/A
South St Paul	2 year	1 year	N/A
Mendota Heights	1 year	1 year	N/A
Burnsville	1 year	1 year	N/A
Eagan	2 year	2 year	N/A
Cottage Grove	1 year	Donation based	N/A
Dakota Wood	N/A	1 year	\$5.00 online purchase
West St Paul	1 year	1 year	N/A
Woodbury	2 year	2 year	N/A

Proposed License Resident (1 year)		Proposed License Lost Tag Replacement		Proposed Dog Park Pass Resident (1 year)		Proposed Dog Park Pass Non-Resident (1 year)		Proposed Dog Park Pass Lost Pass Replacement	
Altered	Non-Altered	\$5.00		Dog 1	Dog 2	Dog 1	Dog 2	\$5.00	
\$15.00	\$20.00			\$20.00	\$15.00	\$30.00	\$25.00		

Updated 9/24/18

jw

fee survey license and dog park 2

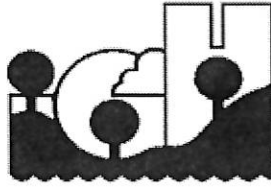
CURRENT CITY FEE SCHEDULE RELATED TO DOGS

City of Inver Grove Heights

Fee Schedule

Type of License/Fee	Code Section	Expiration	2017 Fee	2018 Fee	Proposed 2019
Dog License	5-4-3	2-year license 4/30 1-year from issuance	\$20 Unaltered \$12 Altered	\$20 Unaltered \$12 Altered	\$20 Unaltered \$15 Altered
Dog License Transfer Fee (Transfer Ownership)	5-4-3	4/30 1-year from issuance	\$10 Unaltered \$6 Altered	\$10 Unaltered \$6 Altered	\$10 Unaltered \$6 Altered
Dog License (Duplicate)	5-4-3	4/30 1-year from original issuance	\$1	\$1	\$5
Dangerous Dog Hearing	5-4-3				\$200
Dog Licensed at Veterinarian (50% to Vet/50% City)	5-4-3				\$30

DOG LICENSING AND DOG PARK MARKETING PLAN



Inver Grove Heights Parks and Recreation

Dog Licensing & Dog Park Pass Marketing Plan

In an effort to promote and encourage licensing within the City and to promote the dog park pass program, City staff has proposed the following marketing/communications plan. The overall plan will be on-going and showcase the values, health/wellness benefits of licensing and dog park for the City and community.

Licensing	Dog Park Pass
Promote with dog park pass	On-site marketing (sign) at dog park
Information available on: - City website (design a more accessible & identifiable page/location) - Social Media - Written documents • Insights • Parks & Recreation Brochure • Newly created promo pamphlet	Information available on: - City website (design a page specifically for dog park/link to licensing process) - Social Media - Written documents • Insights • Parks & Recreation Brochure • Newly created promo pamphlet
Cable tv promo/story; Community Parks Connection spotlight	Cable tv promo/story; Community Parks Connection spotlight
Creation of fun video by Communications Department to promote the importance of licensing your pet	On-site programs, events and classes
Combine rabies clinic with Dog Park Grand Opening (late spring)	Grand Opening Event (late spring)
Re-work of City ordinances related to licensing to provide better understanding	Added marketing and promotions provided by the Friends of the Dog Park group by with social media page and park involvement
Partnering with local veterinarians	Partnering with local veterinarians
Ability to obtain/purchase license online	Ability to obtain/purchase pass online