

**Inver Grove Heights
Park and Recreation Advisory Commission
Wednesday, February 13, 2019
8150 Barbara Avenue
7:00pm**

1. CALL TO ORDER
2. ROLL CALL
3. PRESENTATIONS – Items that don't require action
 - A. Preview Upcoming Inver Wood Golf Season – Matt Moynihan – Golf Course Clubhouse Superintendent
 - B. Update on Marketing Information – Stephanie Waegener – Communications Specialist
4. ANNOUNCEMENTS
 - A. You can find information regarding the City of Inver Grove Heights by visiting our web site at www.invergroveheights.org
 - B. Find us on Facebook at Inver Grove Heights Parks & Recreation
 - C. Follow us on Twitter at @IGHParks
 - D. Follow us on Instagram: @ighparksrec
 - E. Next Meeting; March 13, 2019 Regular Meeting 7:00pm
5. CONSENT AGENDA – All items on the Consent Agenda are considered routine and have been made available to the Commission at least two days prior to the meeting; the items will be enacted in one motion. There will be no separate discussion of these items unless a Commission member or citizen so requests, in which event the item will be removed from this Agenda and considered in normal sequence.
 - A. Approval of Agenda
 - B. Approval of Minutes of October 10, 2019
6. PUBLIC COMMENT – Public comment provides an opportunity for the public to address the Commission on items that are not on the Agenda. Please raise your hand to be recognized. Please state your name and address for the record. This section is for the express purpose of addressing concerns of City services and operations. It shall not be used to clarify individual's views for political purposes. Comments will be limited to three (3) minutes per person.
7. UNFINISHED BUSINESS - Items that are brought back to the Commission for action from a previous meeting.
8. REGULAR AGENDA - Items requiring action that are new to the Commission.
 - A. Consider Changes to Dog Leash Ordinance Pertaining to Seidl's Lake Park, Sleepy Hollow Park, and Heritage Village Park
 - B. Consider Recommendation for a ½ Basketball Court at Seidl's Lake Park
 - C. Approve Plans and Specifications for the North Valley Pickleball Court Project
 - D. Consider Approval of Portable Toilet Contract
 - E. Consider Approval of 2019 Park and Recreation Commission Work Plan
9. ADMINISTRATIVE PRESENTATIONS - Items that need to be discussed without any actions.
 - A. Department Happenings
10. COMMISSION COMMENTS – A chance for Commissioners to ask questions or make comments.
11. ADJOURN

Since we do not have time to discuss every point presented, it may seem that decisions are preconceived. However, background information is provided to the Commission on each agenda item in advance from Staff; decisions are based on this information and past experiences. In addition, some items may have been discussed preliminarily at Work Sessions. If you are aware of information that has not been discussed, please raise your hand to be recognized. Comments that are pertinent are appreciated.

This document is available upon a 3 business day request in alternate formats such as Braille, large print, audio table, etc. Please contact Eric Carlson at 651.450.2587 or TDD/TTY 651.450.2501

**City of Inver Grove Heights Minutes of the Proceedings
Of the Park and Recreation Advisory Commission
Wednesday, October 10, 2018**

1. CALL TO ORDER:

Chair Sethre called the October 10, 2018 Park and Recreation Advisory Commission Meeting to order at 7:00 p.m.

2. ROLL CALL:

Present: Chair Kevin Sethre; Vice Chair Kathryn Bauer; Commissioners: Deb Tix, Nikki Barker, Steve Cook, and Mark Freer.

Parks and Recreation Director Eric Carlson, Recreation Superintendent Tracy Petersen, and Parks Superintendent Brian Swoboda.

Absent: Commissioners Willie Krech, Al Eiden, and Mary Gerhardt; Recording Clerk Sheri Yourczek

3. PRESENTATIONS:

A. Overview of Recreation Program – Tracy Petersen

Recreation Superintendent Tracy Petersen gave a quick overview on the following key areas in Recreation:

- Facilities:

- North Valley Disc Golf Course: Finishing their fourth year with the management company. This course has a pay to play system, which the management company runs. Users pay either a daily admission or buy an annual pass. The revenue accrual is about \$5,500 this year. They went from a 70/30 split back to a 50/50 split.

- Picnic Shelters: 85 rentals with South Valley Park and Rich Valley Park being the top picks for those groups, but they did see an uptick with Swing Bridge Park. She stated that one of the issues they have noticed is that some groups are booking parties saying they have 50 people and ending up with 150 or 200. She commented that this is something they will have to keep an eye on in the coming years. Rates were increased significantly last year, but will be kept constant for 2019.

- Rich Valley Athletic Complex: In 2018 it was used by the Baseball, Softball, and Soccer Associations. Football was played at Skyview Park. They have about 35-40 regular users of the facility using it for soccer, baseball, or softball. They hosted 11 youth tournaments. They made small improvements to the facility including:

- Bathroom and Concession stand floors were redone.
 - Protective backstop fencing was added on all of the fields.

She commended the Park Staff saying that they get compliments from people who come from out of town or out of State and enjoy the conditions of the fields.

She stated that they are operating in their second year without concessions. They did not receive any negative feedback. She commented that they are continuing to let those that are running the tournaments have concessions if they want to, and can do those as a Fundraiser, which has worked out really well.

- Mountain Bike Course: They continue to work with their partner group, Minnesota Off-Road Cyclists. This year they assisted in getting signage and a few new trail obstacles. She commented that they have a memorandum of understanding with them as they assist with trail maintenance when needed. This partnership makes sure the trails are cleared and safe. She stated that this is the site they use for the National Trails Day Event and the Harmon Farms Trail Run. It is also open to the public for walking or biking.

She commented that the Community Gardens have 28 plots at this site. Next year they will be raising the rates up to \$5.00. This is the first time they have raised the rates since the inception of

the gardens in 2011. They have made some small improvements and feel that the \$5.00 increase is warranted for the plot.

- **Community Center:**
 - Shortened turf season due to the west rink arena project. They will resume back with the indoor turf next spring. They are trying to promote using it in the summer and the fall.
 - Aquatics. Remodeled the Water Park in 2018 which has provided an uptick in both daily admissions and Birthday Parties. They will continue to try to grow and build those as they are outgrowing some of their spaces for Birthday Parties.
 - Position Replacement. They hired a Communications Specialist. She stated that Stephanie will be coming to a future meeting to introduce herself. She will be working to promote Parks and Recreation through Social Media, doing all of their internal documents such as Brochures, City Newsletter, and the Website. She will also be assisting the new Communications Manager with other promotional items for the City.
 - Pickleball. This has shown continued growth at the Community Center. In two years, they have gone from three days a week and one level of play, to six days a week and two levels of play.
 - Innovative Programming. Continue to try to find good uses for the space at the Community Center. They held Member Appreciation events this week and did their first ever indoor Stand Up Paddleboarding this fall.
 - Held over 50 High School Swimming and Hockey meets and games. This is the time of year for those events.
 - Looking into how they can attract more families and people that they are not reaching at the Community Center. The Active Adults has seen an uptick, but they need to try to reach other demographics.
 - Active Adults. Continue to try to develop services and programs. In 2019 they will be enhancing the newsletter that goes out for the group. They hope to broaden the base that it is delivered to and increase programming with that.
 - Continue to partner with other Communities such as West St. Paul, Burnsville, South St. Paul, and Mendota Heights on programs.
 - Continue to support the Senior Club's activities. This group is separate from the Park and Recreation Program.
- **Sponsorships, Partnerships, and Grants:** They will be working on a partnership program for the active adult program. This will help them with sponsoring events and enhance marketing opportunity.
 - Work with 75-100 agencies with the Park and Recreation programs which could be anything from sports programming to a partnership with Dakota County on a class. They utilize other agencies to help provide services that they may not be able to do in-house.
 - In 2018 they took in \$13,000 in cash sponsorships and another \$10,000 with in-kind services. Those support a lot of their free family events such as Touch a Truck, the Penny Carnival, Terrific Tuesdays, and Inver Grove Heights Days.
 - In 2018 they had two Grants, the MN Twins Coaching Grant, which helped with the Little Spartan Program and a Walk with Ease Training Grant which provided training to the Fitness Staff for the Walk with Ease class.
- **Trends in Recreation:**
 - Youth Sports: They are keeping an eye on this as the numbers here are still flat and still declining.
 - Family Events: These remain strong. They are seeing a trend for more passive, non-structured activities such as painting classes, walking, birdwatching, etc. Those are held more in the parks, which uses our park amenities.
 - Active Adults: Still working with this population to see what they want and how they can meet their programming demands.
- **Community Engagement Events:**
 - She stated that they visited the Northwest Area and door knocked the new neighborhoods on 70th Street. They handed out information about the Community Center, Golf Course, and all of the parks. Those that were home received a range token for the Golf Course. They will revisit the

area again when there is further development. Other areas that they took part in are as follows:

- Night to Unite
- Inver Grove Heights Days
- School PTSA Visits
- Moms Groups
- Lawn of the Week program was held over the summer
- Random Acts of Fitness

She stated that they partnered with the Police Department on a program called Safe Summer Nights, which was an outreach program to reach areas that may not be able to take part in their programs or facilities. This year they went to Emerald Hills and Rolling Meadows. They had a great turnout and was a fun night to provide food, games, and activities. They hope to continue this program.

- Social Media and Technology continue to be strong with Facebook, Twitter, and Instagram.
 - They will continue to use these methods to provide information, programs, and contests, and will use the new Communications Specialist to enhance this further.
 - They are in their third year of having a Cyber Monday deal for personal training. They have had a great turnout with this and is an example of technology that they utilize with their software system.
- Seasonal Staffing: They employ 300 to 400 seasonal staff per year. They have found that finding and retaining quality staff is a challenge so they are continuing to find creative methods and ways to hire and keep them, and provide quality programs.
- New Initiatives in 2019:
 - New Dog Park and Dog Licensing
 - Safe Summer Nights. They hope to continue to reach some of the underserved populations in the Community. They will be working with the Police, Community Education and other Organizations.
 - Use of Facilities: How to better utilize the Parks and space at the Community Center.
 - Internal Master Plan: Where they see programming and services in the next three to five years and how to meet the needs to be proactively planning and not reacting to things that come up.

Commissioner Cook asked what they see as the demographics going forward and what the trend may be.

Superintendent Petersen responded that there is a trend of older adults at the Community Center. Age 50 and up is the group they need to continue to focus on. There are also cycles of youth. She commented that they need to figure out the pockets of age groups they are missing. She commented that at the Community Center they are not seeing the memberships for Households or Families that they used to, but with the renovations and additions coming forward, they hope to find some creative ways to draw more families back in.

Commissioner Cook commented that he appreciated the active older adult piece that he has received about programming. He commented that he is involved in a few classes and groups at the Community Center and has never been approached, but asked if there was a way to be approached about what more they may want, or other interesting things for the age group.

Superintendent Petersen responded that was something they will be working on.

Commissioner Freer commented that programs where food is involved seem to be popular.

Superintendent Petersen agreed. The program they held the evening before had a lot more families involved. She commented that the free swag and free food do help. The posters of members they put around who have been there for 5, 10, and 15 years, was nice to see as well.

Commissioner Barker asked if there has ever been a consideration for a sliding scale fee when it comes to attracting more families, or for low-income families. She commented that the fees were the one thing she has heard about when she has been out in the Community.

Superintendent Petersen responded that they do have a scholarship program for recreation programs. They have not used that for memberships. She commented that as demographics change, those may be things they will have to address and how to make it work. She commented that when they do the fees for 2019 they are on that threshold and need to be cognizant so they can evaluate that in the future.

4. ANNOUNCEMENTS:

- A. You can find information regarding the City of Inver Grove Heights by visiting our Website at:**
www.invergroveheights.org
- B. Find us on Facebook at Inver Grove Heights Parks & Recreation**
- C. Follow us on Twitter at @IGHParks**
- D. Next Meeting: November 14, 2018. Regular Meeting 7:00 p.m.**

5. CONSENT AGENDA:

- A. Approval of Agenda**
- B. Approval of Minutes of September 12, 2018**

Motion by Commissioner Tix, second by Commissioner Barker to approve the Consent Agenda.

Ayes: 6

Nays: 0 Motion carried.

6. PUBLIC COMMENT:

There were no public comments this evening.

7. UNFINISHED BUSINESS:

None

8. REGULAR AGENDA:

A. Consider Approval of Replacing Seidls Lake Park Playground

Parks Superintendent Brian Swoboda stated that this item is for the consideration of approval for replacing Seidls Lake Park Playground. The playground is 23 years old and at or past the life expectancy. He stated that on September 12th he provided a timeline for the playground, which was approved. He received proposals from four different vendors and the vendors were asked to provide the following items:

- A swing bay
- Play structure for ages 2-5
- Play structure for ages 5-12

He stated that proposals were to fit inside a maximum perimeter container of 5,000 square feet, which comes from the average size of what is located in our neighborhood sized playgrounds. An internal ranking committee was formed to review the proposals and St. Croix Recreational Playground scored the highest. He commented that they took the playground proposal to a neighborhood meeting on September 25th where 40+ people showed up to help choose colors, pick different play structures, and ask questions about the Master Plan. He commented that the most common comments heard was wanting a half basketball court, adding a shelter, picnic tables, portable toilets, lights, park rules sign, and also leaving open fields for play. He stated that the equipment and mulch for this project would cost \$75,000 to be taken out of the 444 Fund. They are requesting another \$25,000 for new curb and sidewalk to go around it as the Master Plan shows to relocate the playground that used to exist.

Commissioner Cook asked if that included returning the area that is currently where the playground is to a natural state. He asked what the plans were for that area.

Superintendent Swoboda responded that the playground and the sidewalk/blacktop up to the playground has been removed. It has been filled with dirt and seeded. They left the curb cut in for a possible trail as shown in the Master Plan.

Commissioner Cook asked about the Master Plan and if a trail went in, if there could be a collaboration with South St. Paul. He asked if there were any projections to develop that further.

Superintendent Swoboda responded that there was no timetable yet. He commented that the pond was a concern, but there has been talks with South St. Paul to partner once those issues are resolved.

Parks and Recreation Director Eric Carlson mentioned that there are conversations with the City of South St. Paul to make necessary improvements to the pond so the elevations of the pond are more consistent. At that point, they would look at installing trails along with South St. Paul.

He responded about the Master Plan stating that it comes down to a resource question and being able to have enough resources to be able to implement all of the elements shown in the Master Plan. He commented that they do not have enough resources to be able to institute all of those and address the other things they are working on such as Heritage Village Park and the northwest area. He stated that they are starting with a phased approach and beginning with the playground equipment, connective trails, and a half basketball court.

Superintendent Swoboda stated that anything besides the playground would be brought back before this Commission.

Motion by Commissioner Cook, second by Commissioner Freer to authorize \$100,000 from Fund 444 to cover expenses relating to replacing Seidls Lake Park Playground.

Ayes: 6

Nays: 0 Motion carried.

B. Consider Approval of Heritage Village Park – Phase II Contract with WSB

Parks and Recreation Director Carlson stated that this item is to consider a recommendation going before the City Council to hire WSB to do work for the City in relation to Phase II improvements at Heritage Village Park in 2019. He stated that the City received a few Grants from the State of Minnesota, one for \$1 million dollars, and the other for 1.5 million dollars. Some of the money went towards making improvements to Swing Bridge Park and some to make improvements to Heritage Village Park in relation to the Dog Park, which is currently under construction. He stated that in 2018 the City acquired three of the four remaining properties along Doffing Avenue and that some of the Grant money was used to acquire those. He stated that they have approximately \$1.7 million dollars to utilize in 2019 that has to be used in that year or the Grant expires. They are proposing, from Phase II, to do some grading of the whole area along Doffing Avenue on the properties that they have acquired over the last 20 years. They also plan on building parking lots, building an inclusive playground, lighting, picnic shelters, trails, landscaping, and other park amenities. There would also be a Regional Trail connection made along Doffing Avenue between Heritage Village Park and Swing Bridge Park. He stated that they have received a proposal from WSB in an amount not to exceed \$114,900. He commented that this is a type of Master Plan re-do, as they do not own one of the lots. He commented that all of the design work and the details to be able to put together bid specs, to go out to bid in the Spring, and then construction would be sometime in 2019. He stated that funding in the amount of \$850,000 would come from the Grant from the State of MN, and the other half would come from the 402 Fund and other City funds that have been dedicated or set aside for this project.

Vice Chair Bauer mentioned that this is the same contractor they are working with for the Dog Park.

Chair Sethre asked if this was the same contractor they are using for North Valley and South Valley.

Director Carlson responded that WSB is the same firm that they have been using for all of the iterations of the Master Plan for Heritage Village Park. He stated that the group used to be called Brauer and Associates and they have merged with WSB. They have been using WSB for all of the Dog Park planning and are recommending them for the Phase II Heritage Village Park improvements.

Motion by Commissioner Tix, second by Commissioner Cook to approve a contract with WSB to provide planning, final design, and bidding services for the Phase II development at Heritage Village Park.

Ayes: 6

Nays: 0 Motion carried.

Director Carlson suggested they consider having three or four Commissioners serve on a Subcommittee to help guide the planning process for the Phase II improvements. He asked if any were to participate, it would consist of three to five meetings taking place between now and March or April. They would be meeting with Staff and the Consultant to help guide some of the planning.

Chair Sethre commented that Commissioner Eiden has asked to be on that Subcommittee.

Commissioner's Barker, Cook, and Freer offered to be on the Subcommittee.

C. Consider Recommendation for North/South Valley Master Plan

Parks and Recreation Director Carlson stated that the next item is to consider a recommendation for the North/South Valley Master Plan. They have been working on the Master Plan for the area for the last year. Last August they had a pop-up park event where they invited neighbors of the park, and people from the Community, to speak about their vision for North and South Valley Park. He stated that a lot of the amenities within the park now are nearing or past the end of their useful life. It is time to think about replacing them as is, or repurposing them, or replacing them with something else. He stated that they have been gaining feedback from various methods and have developed a written portion of the Master Plan and a graphical representation of some of the more active areas within the Master Plan. He displayed a map of South Valley Park for the Commission to view and highlighted the following items that could take place if the Master Plan were adopted:

- Relocating four of the Disc Golf holes from South Valley Park to North Valley Park.
- Considering the addition of Community Gardens to the area.
- A look-out tower high enough to see up and down the valley.
- Addition of parking stalls between the existing parking lot and the well house.
- Replacing the playground equipment that has reached the end of its useful life. They are discussing the concept of a nature-based playground facility to offer more creativity and involvement with play.
- The building and shelter are also near the end of its useful life. Replacing with something slightly larger, but not too large to have to increase parking demands.
- Addition of a small archery range.
- Look into constructing a natural trail area located around the pond.

He stated that there are a lot of natural trails within South Valley Park itself. They would mark some of them and make sure they are advertised to the public and that they are passable and safe for the public to use.

He proposed the following on North Valley Park:

- Moving the four above mentioned Disc Golf holes to North Valley Park from South Valley Park.

- Tennis Courts. They currently have two sets of four tennis courts. The Master Plan depicts eight pickleball courts. They would re-purpose the tennis courts into pickleball only courts which would serve that interest within the Community.

He stated that there would be no other significant changes to North Valley Park. The softball fields and the Disc Golf Course would stay as is.

Commissioner Cook asked if they were still talking about removing the baseball diamond that is currently there.

Director Carlson responded that South Valley Park has a ball field with a backstop. They would remove that and turn it into a green lawn area to be used for different recreation and fitness programs in the future.

Commissioner Cook mentioned that he noticed some comments about working on the signage so that people driving by can notice the parks are there. He suggested maybe adding a pickleball sign so they know it is there. He finds those to be rather hidden and asked if they will be changing at all.

Director Carlson responded that there are a number of smaller scale items that are a part of the Master Plan, and signage is one of them. As they move different pieces of the Master Plan forward they will look into trying to incorporate other ideas and concepts as well.

Chair Sethre asked Commissioner Freer about the sizes of the Archery Range.

Commissioner Freer responded that there would be a few sizes located out there. Park and Recreation could move/adjust them, but users would not be able to. He stated that most sites have about six lanes.

Chair Sethre asked Parks Superintendent Swoboda a question about the unimproved trails. He commented that some of the elevation in the park is quite steep and asked if they would do those hills.

Parks Superintendent Swoboda responded that they do not do any maintenance on those at all. The neighborhood and users have changed over the years, and that every time he ventures off of the bituminous trails, he finds that a new trail has popped up. He commented that they would only recognize the natural trails they can maintain and get equipment down.

Commissioner Cook asked if there were plans for Community Gardens at the top of the hill.

Director Carlson pointed out the location of the Community Gardens on a map.

Commissioner Cook asked if there would be additional parking down by the pickleball area.

Director Carlson responded that parking along the curb would be a cost-effective way to park more vehicles close to what will be the pickleball courts. He referenced a diagram of another option for pickleball courts and described other options of the layout. He stated that the drawings shown are just concepts at this point, not actually what they are going to do.

Commissioner Barker asked if anything would change with the large sledding hill at South Valley.

Director Carlson responded that nothing would change. It is something they want to continue to provide to residents.

Motion by Commissioner Freer, second by Commissioner Barker to approve the previously discussed and/or presented North/South Valley Master Plan to the City Council for approval.

Ayes: 6

Nays: 0 Motion carried.

Director Carlson stated that the City Council will review this at their Work Study Session on Monday, November 5th. They will not be adopting it that evening, they will be reviewing it and may have questions or comments that could come back before this Commission. If the City Council likes it as it is, it would be in front of them at their next regular City Council Meeting to approve it as the Master Plan. They can then move forward with potential changes and improvements to the park.

Chair Sethre commented that there was mention of a meeting in August. He commented that there was another meeting in September where he counted at least 32 in attendance.

Director Carlson agreed that there were about 40 people in attendance over the course of the evening.

D. Consider Recommendation for 2040 Comprehensive Plan – Park & Recreation Section

Parks and Recreation Director Carlson stated that there were two things to address with this item. The first is the 2040 Comprehensive Plan. He stated that the Commission reviewed the Park and Recreation section of the plan back in April. There were discussions about what they wanted to see and not see about that section and those questions were addressed in what they are reviewing this evening. He requested that the Commission recommend to the Council that you are comfortable with what you see with regards to the Park and Recreation section of the 2040 Comprehensive Plan.

Motion by Commissioner Cook, second by Commissioner Tix to approve the Park and Recreation section of the 2040 Comprehensive Plan as presented.

**Ayes: 6
Nays: 0 Motion carried.**

Director Carlson stated that there is a second portion of this Agenda item. In June they held a joint meeting with the Planning Commission and spoke about the southwest area park issue. He displayed a map of the location and stated that there is a piece of property in the southwest area that is guided for parks and open space. It is not a City park. He commented that this was not a similar issue to that of River Heights Park, which is a park. He stated that the area they are speaking about is currently not a park but guided to be open space. He showed other park locations that also serve that part of the Community on a map and stated that Southern Lakes is a four-acre park, Broadmoor is a seven-acre park, and Woodlawn is a ten-acre park. The Staff perspective is that there is not a need for more parks in the area and that they believe the land would be best served as single family large lot developed, like most of the surrounding lots. He stated that they are asking the Commission that this be guided for large lot single family development in the future.

Commissioner Freer asked if that would include any type of townhome.

Director Carlson responded that it would be a 2 1/2 to 5-acre lot with a single-family home on it.

Commissioner Freer asked why they have chosen large lot versus having a mix to have higher density in the area.

Director Carlson responded that it is because of the density in the area. It is predominately large lot single family residential that is not currently served by water and sewer with septic system lots. He noted that it is incorrectly recorded as a subdivision.

Commissioner Barker commented that it is to be sold individually.

Director Carlson responded that someone would have to buy all of that area and clean up the Title work. Then they would turn it into single family large lot development with 2 to 5 acre lots. He estimated six to eight lots.

Chair Sethre asked about the property ownership.

Director Carlson responded that some of it is owned by the City, and some is owned by private individuals.

Commissioner Cook asked what portions were privately owned.

Director Carlson pointed out the area on the map and stated that the portion in blue is owned by the City. The darker blue was privately owned with the remainder described in the map legend. He commented that the map was dated 2008 so it may have changed since then.

Chair Sethre asked why the Parks Commission was addressing this issue.

Director Carlson responded that the Planning Commission was interested in the Park Commission's recommendation because of the open space element to what it is currently zoned. They want to bring it to large lot single family zoning.

Commissioner Freer asked if they have any amenities in Woodlawn.

Director Carlson responded that there is a trail around it. It is wooded open space.

Commissioner Barker asked if the parks in the area would still be enough if the area filled up with homes.

Director Carlson responded that in their estimation there are plenty of parks serving the area and they do not need any more.

Motion by Commissioner Tix, second by Vice Chair Bauer to move forward as proposed to recommend to the Planning Commission to designate the subject properties for development however they deem necessary to rezone it or develop it.

Ayes: 6

Nays: 0 Motion carried.

E. Consider Approval of 2019 Park and Recreation Department Fees

Director Carlson stated that every year the Commission reviews the proposed fees for Parks and Recreation for the coming year. This also includes the Community Center and the Golf Course. They highlighted in red those that they are recommending adjustments to as shown in the Commission packets.

Motion by Commissioner Freer, second by Commissioner Cook to accept the 2019 Park and Recreation Department Fees as presented.

Ayes: 6

Nays: 0 Motion carried.

9. ADMINISTRATIVE PRESENTATIONS:

A. Department Happenings

Chair Sethre commented that this information is posted on the City Website for those interested.

10. COMMISSION COMMENTS:

Commissioner Barker had no comment.

Commissioner Cook had no comment.

Vice Chair Bauer had no comment.

Commissioner Tix had no comment.

Commissioner Freer had no comment.

Chair Sethre commented that November 6th is Election Day and encouraged everyone to go out and Vote.

11. ADJOURN:

Motion by Commissioner Freer, second by Commissioner Barker to adjourn the meeting at 8:07 p.m.

Ayes: 6

Nays: 0 Motion carried.

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COMMISSION ACTION

Consider Changes to Dog Leash Ordinance Pertaining to Seidl's Lake Park, Sleepy Hollow Park, and Heritage Village Park

Meeting Date: February 13, 2019
 Item Type: Regular Meeting
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Eric Carlson – Parks & Recreation

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 Commission is asked to make a recommendation to the City Council pertaining to the ability to have off-leash dog areas in Seidl's Lake Park and Sleepy Hollow Park.

SUMMARY

The City has been working on updating our ordinances related to dog licensing, dangerous dogs, and dog leashes. The Commission may recall that our current ordinance conflicts on the topic of dog leashes where some parts of the code say dogs must be on a 6' leash and other parts of the code say they can be under voice control. In October, the Commission recommended to the Council that all dogs must be on a 6' leash whenever they are on a public sidewalk, trail, or in a park.

The City Council has had numerous conversations about the dog leash ordinance and has passed the first reading of the ordinance requiring that dogs be on a 16' leash at all times unless they are at the Heritage Village Park off-leash dog area. The Council has received some public testimony related to providing additional areas in the park system where dogs could be off-leash under the control of an electric collar. The Council has asked the Commission to listen to public feedback and make a recommendation for Council consideration during the 2nd reading on Monday, February 25th. The Commission has the following options to consider:

Option 1

- 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 leash that is 16' long or less at all times
- Dogs are not allowed on athletic fields (i.e. soccer fields/courts) and can't be inside a fenced athletic field
- Owners of dogs in a manufactured home park must keep their dog(s) on a 16' leash at all times the animal is outside

Option 2

- Dogs can be off leash on the owners' property or in the owners' vehicle
- Dogs can be in any city park, trail, or public sidewalk as long as they are on a leash that is 16' long or less at all times
- Dogs can be off-leash in Seidl's Lake Park but must be under control by an electric collar but not within 100' of the playground or basketball court
- Dogs can be off-leash in Sleepy Hollow Park but must be under control by an electric collar but not within 100' of the playground, basketball, or volleyball court

- Dogs can be off-leash inside the fenced area of the Heritage Village Park off-leash dog park
- Dogs are not allowed on athletic fields (i.e. soccer fields/courts) and can't be inside a fenced athletic field
- Owners of dogs in a manufactured home park must keep their dog(s) on a 16' leash at all times the animal is outside

Under Option 2 staff is not proposing to build a fence or contain an area in which a dog could be off-leash. The Option came about as some residents have a desire to "train" their dogs off-leash in the park system without going to Heritage Village Park. It is the intent of the Option 2 that residents using Seidl's Lake Park or Sleepy Hollow Park for off-leash purposes would need to purchase a "dog park pass". It should be noted that residents living around Seidl's Lake Park and Sleepy Hollow Park have been sent a notification about the proposed changes.

PUBLIC COMMENTS

Eric Carlson

From: COLLEEN JOYCE <cleancall1@comcast.net>
Sent: Friday, February 1, 2019 8:48 AM
To: Eric Carlson
Subject: Sleepy Hollow and Seidl's Lake Park

I am writing in regards to your correspondence of January 28. I am a resident of the Lafayette Town homes and I am not in favor of a basketball court in Seidl's Lake Park area. This open area is used all the time in the summer with kids playing tag, pick up games of soccer, whiffle ball and flying kites. With the playground coming in it surely will bring more people. I think if you put in a 1/2 basketball court it will attract teenagers and young adults and we will have all kinds of cars parked on Blaine Avenue and they would hang out after hours. I am not in favor of a basketball court.

In regards to off leash dog park in this area, I do not feel it is a good idea. Who is going to police it, people come from all over as I am a dog owner and have used the South St. Paul dog park regularly and I see people not watching their dogs, not picking up after their dogs and dogs getting into it because no matter how nice your dog is when there is a group of dogs they become a pack and well they are animals. I think space is an issue too. With the new dog park opening this summer let us try that out.

Thank you for letting give my opinion and if I can come to one of the meetings I will.

Eric Carlson

From: Chelly Dufour <tallchelly@hotmail.com>
Sent: Friday, February 1, 2019 12:05 PM
To: Eric Carlson
Subject: Dog Owner Feedback

Eric;

I received your letter yesterday regarding changes to Sleepy Hollow and Seidl's Lake Park. I'm providing feedback on Sleepy Hollow Park since I use that park almost every single day to walk my dog.

I am happy to purchase a Dog Park Pass but would be against purchasing an electric collar for my 10-year-old dog.

I've used the park almost daily for 13 years and have only once had an issue with a person who did not have friendly dogs that were off leash. 99.9% of the people that use this park are so great and we all enjoy the off-leash option and use it responsibly. I love the trail system, the outdoors and the option to let my dog wander and meet other great dogs. Everyone is very responsible for their dogs and they leash them whenever necessary. I do not see a need to purchase electric collars if dogs are truly under voice command. While I understand that some people have different ideas of what voice command is, I feel confident that any one of us could approach a person along the trail and talk to them about leashing their dog if need be.

Feel free to contact me with any questions.

Chelly Dufour
8324 Cooper Way
Inver Grove Heights, MN 55076
612-805-6968

Eric Carlson

From: Steve & Tammy Benke <sjtpbenke@comcast.net>
Sent: Sunday, February 3, 2019 1:04 PM
To: Eric Carlson
Subject: Sleepy Hollow input

Eric Carlson,

Thanks for soliciting feedback about potential changes to two IGH Parks.

We live near Sleepy Hollow Park and we're in favor of the off leash dog rules as mentioned in the letter to residents.

Sincerely,
Steve and Tammy Benke

Eric Carlson

From: dennis tatarek <nettatarek@msn.com>
Sent: Sunday, February 3, 2019 2:08 PM
To: Eric Carlson
Subject: Comment on Potential Electric Collar Policy

Dear Eric Carlson,

I received a letter in the mail regarding the dog leash law and thoughts of using an electronic collar for dogs off leash. My dogs, Diesel, a Newfoundland, and Dusty, an Old English Sheepdog, have been through three levels of obedience training, and have already been wearing an electronic collar while off leash for nine and six years respectively. These dogs have walked off leash, along with their e-collar, most of their life.

That is why I and my dogs would like to thank everyone who took the consideration to think of the people who put the effort and time into their dogs to train them effectively. Those with well trained dogs, who have been walking off leash for years, were of course affected by the new leash law. However, I believe this would be a happy medium for a compromise to work around the law. I for one have already been using an e-collar, and walk my dogs primarily around Sleepy Hollow Park and Sleepy Hollow Trails. Thus, this would prove no issue with me and only accommodate my needs to keep my dogs happy on their walks. These dogs are well behaved and cleaned up after regularly. Furthermore, I believe anyone who is walking their dogs off leash would keep my same standards to their own dogs.

Again, thank you for your consideration,

Annette Tatarek, Diesel, & Dusty

CITY ORDINANCE

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**:

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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:

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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 of 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 b 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:

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

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

BC. No outdoor runs or kennels allowed.

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

DE. **Dogs** shall be on a leash not greater than 16' (sixteen feet) 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.

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

FG. ~~**Dogs** shall be kept inside at all times except when exercised by an employee. Dog kennels shall allow for outdoor runs or exercised by an employee~~

GH. 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, horse, donkeys, chickens, rabbits, goats and other members of the order Artiodactyla except the family Hippopotamidae; 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.

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

HEARING OFFICER: An impartial person who may be either an impartial employee or 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 for non-commercial use, such as a dog daycare, but not for the primary purpose of commercial breeding, keeping, harboring, or selling of dogs.

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 statutes 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.

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;~~ ab) within a private motor vehicle of a person owning, harboring, or keeping the animal; be) within the boundaries of property owned or leased by the person owning, harboring or keeping the animal; or cd) controlled by a chain or leash of a maximum of six teen feet (16') in length ~~or a commercially manufactured retractable leash.~~

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 ~~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.
- 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 ~~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)

5-4-3: **DOG LICENSES/VACCINATIONS:**

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 had the dog properly vaccinated by a licensed Veterinarian and can show proof of such vaccination upon request. If a dog is found to be unvaccinated the owner of the dog is guilty of a misdemeanor, 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.

UNVACCINATED DOGS/IMPOUNDED DOG DETERMINED TO BE UNVACCINATED:
Unvaccinated dogs subject to impoundment by an animal control official may not be released from the city's contract impound facility without a valid vaccination record. If a dog is found to be unvaccinated the owner of the dog is guilty of a misdemeanor. The dog owner shall properly vaccinate the dog by a licensed Veterinarian prior to the dog being returned to the owner.

A. License Fee And Application:

1. Application: An application for a **dog** license 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, 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 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 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.

B. Duration Of License: A **dog** license shall be for a period of two (2) years 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.

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 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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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.

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.

F. 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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G. 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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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 antirabiesant rabies 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 sixteen feet (16') 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. The exception is one of the city's designated off-leash dog areas which are as follows:

1. A dog off-leash in Seidl's Lake Park must be under control by an electric collar but not within 100' of the playground or basketball court

2. A dog off-leash in Sleepy Hollow Park must be under control by an electric collar but not within 100' of the playground, basketball, or volleyball court

3. Inside the fenced area of the Heritage Village Park off-leash dog park

- 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 sixteen feet (16') 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 any of the city's designated off leash dog areas.
- 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. When approaching another person, the dog must be brought beside the person having custody and close control maintained.
- 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, 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 authorized 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 Impounded Animals At The Owner's Request: If the owner of an dog deemed dangerous or potential dangerous elects to dispose of the animal, the owner shall provide the animal control authority with proof of disposition. 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)

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

Registration: No person may keep a potentially 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 unless a timely appeal has been filed. The animal control authority shall issue a certificate of registration to the owner of a potentially dangerous dog if the owner presents sufficient evidence of the following.

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.

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. 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

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.

Commented [JO1]: I want to make sure the ordinance gives up s power to seize dog, we had a seizure that a judge ruled was not allowed as our ordinance didn't have enough power to allow that to occur.

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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." ~~In addition, a similar sign is required to be posted on the kennel of such animal, including a~~ warning symbol to inform children that there is a dangerous dog on the property must also be displayed. The uniform symbol must be the uniform symbol provided by the commissioner of public safety. The animal control authority will provide the warning symbol for a fee as set forth in the city fee schedule. ~~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 and containing the uniform dangerous dog symbol 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 AND POTENTIALLY DANGEROUS 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)

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~~.

e. ~~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 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 ~~Dogs~~ 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.

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 leash and be under the physical restraint of a responsible person.

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:

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.

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:

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. 4211, 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)

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

KENNELS:

A. License Required: No person shall operate or maintain a commercial kennel, commercial daycare kennel or noncommercial kennel within the city without first obtaining a commercial kennel, commercial daycare kennel, or noncommercial kennel license from the city.

B. Application For Kennel License: An application for a commercial kennel, commercial daycare kennel, or noncommercial kennel license 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:

1. The name and address of the owner(s) of the kennel;
2. The address or legal description of the real property where the kennel will be kept;
3. The number of  proposed to be kept in the kennel;
4. The location of any residential dwellings within one thousand feet (1,000') of the proposed kennel; and
5. Proof that the proposed kennel complies with the requirements of the city's zoning code.

The applicant must pay the fee for a kennel license as set forth in the city fee schedule.

C. Notice To Surrounding Property Owners: Once the city clerk receives a complete commercial kennel, commercial daycare kennel, or noncommercial kennel license from an applicant, the city clerk shall provide written notice of and include a copy of said application to residential property owners located within one thousand feet (1,000') of the proposed kennel location.

D. Construction And Location Standards For Kennels: The owner and operator of a commercial, commercial daycare or noncommercial kennel shall operate the kennel in a neat and sanitary manner. Additionally, the area within which the  are to sleep, eat, and exercise shall be enclosed completely by a wire mesh fence at least six feet (6') in height of sufficient gauge to ensure the confinement of the . 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.

E. Review Of Premises And Issuance Of License: No kennel license may be issued until the applicant's property has been inspected and the inspection reveals that adequate safeguards are present to protect the surrounding neighborhood from nuisances and to ensure compliance with

this chapter. The license may include conditions that animal control authority deem reasonably necessary to protect public health and safety and to protect persons on neighboring property from unsanitary conditions, unreasonable noise and odors, and other unreasonable annoyances. A denial of a kennel license application may be appealed to the city council within ten (10) days of notification of the denial. The city council shall hold a hearing to determine whether the denial should be upheld. If the city council reverses the denial, it may impose conditions upon the granting of any commercial, commercial daycare, or noncommercial kennel license.

- F. 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.
- G. Operation: Every kennel shall be maintained and operated in a neat and sanitary manner. All refuse, garbage, and animal waste shall be regularly removed so as to keep the surrounding area free from obnoxious odors.
- H. Duration Of License: A kennel license 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. A late fee, as set forth in the city fee schedule, will be assessed for any late applications. Commencing March 1, 2011, kennel licenses shall be issued in odd numbered years. For those kennels licensed after March 1, 2010, and whose owners are not subject to a penalty for failure to license their kennels, the license fee shall be prorated for the remainder of 2010 through February 28, 2011. Applications for a renewal license may not be made until sixty (60) days before March 1.
- I. Inspections: Animal control authority may go onto the premises of licensed kennels at reasonable times to inspect for compliance with this chapter and other relevant laws and regulations. A violation of this chapter or other regulations not corrected within ten (10) days after notice of the violation is served via certified mail on the owner of the kennel shall be grounds for revocation of the license.
- J. Revocation Of License: A license may be revoked by the city council for a violation of any condition of a kennel license or for any violation of this section following notice and a hearing as provided for in title 3, chapter 2 of this code. (Ord. 1211, 5-10-2010)

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

A. Horses In City Parks: No person shall ride a horse or pony in any city park except as permitted in [title 7, chapter 5](#) of this code. (Ord. 1236, 5-23-2011)

B. Horses On Public Roadways²: Every person riding a horse or pony or driving any horse or pony drawn vehicle upon a public roadway shall be subject to those provisions of this code applicable to the driver of a motor vehicle, except those provisions which by their nature do not apply.

No person may ride or drive a horse or pony after sunset and before sunrise upon or across a public roadway without lighting or reflective clothing sufficient to enable a person to see the rider or driver and horse or pony from a distance of one hundred feet (100') away.

C. Interference Prohibited: No person shall interfere with any horse or pony being ridden in a lawful manner. (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:

A. Purpose And Applicability: The rules in this chapter are enacted to ensure the quiet, orderly, and responsible use and enjoyment of the city's public park facilities. The rules apply in all city parks and recreation areas, unless expressly exempted.

B. Definitions: For the purpose of this chapter, these terms, wherever used in this chapter, shall mean and be interpreted as follows:

ANIMAL: Any cat, dog, mink, ferret, fowl, reptile, bird, or other similar wild or domestic animal.

CITY ADMINISTRATOR: The Inver Grove Heights city administrator or his or her designee(s).

HE/HIS: Shall include masculine or feminine.

PARK/PARK FACILITY/RECREATION AREA: A park, conservation area, playground, beach, recreation center, trail, or any other area in the city owned, leased, operated or used, wholly or in part, by the city, as a park or for active or passive recreational purposes, or which is designated by the city council as a park.

C. Hours Of Operation:

1. Parks and public trails will be open for public use between six o'clock (6:00) A.M. and ten o'clock (10:00) P.M. No person, except employees in the performance of their duties or law enforcement officers, shall be on such property between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. except as otherwise permitted in this chapter or pursuant to a permit granted by the city.
2. Any park or any section of any park may be declared closed to the public by the city administrator at any time and for any interval of time, either temporarily or at regular and stated intervals (daily or otherwise), and either entirely or merely for certain uses, if there exists or it is anticipated that there will exist, conditions which prevent safe and practical use of the area. When closed in accordance herewith, any person shall have the right to appeal such decision to the city council at its next regular meeting.
3. Individuals participating in or observing games at lighted athletic fields must exit the field and park by no later than ten thirty o'clock (10:30) P.M.

D. Prohibited Activities: No person shall do any of the following in a park:

1. Distribute or display, or place on vehicles parked within a park, any circulars, cards, or announcements when the intention of such activity is to promote a commercial enterprise.
2. Leave unattended in any park any goods, wares, merchandise, items, recreational apparatuses such as soccer goals, portable basketball hoops, or other articles which interfere with the free use and enjoyment of the park by the public.
3. Sell, solicit, or carry on any business or commercial enterprise or service unless explicitly authorized to do so by a permit issued by the city; provided that refreshments or other articles may be sold by the city or by persons authorized by the city to do so.
4. Destroy, deface, damage, or remove any land, building, or personal property of the city, including, but not limited to, trees, vegetation, ruins, relics, and geological formations.
5. Post, paste, fasten, paint or affix any placard, bill, notice or sign upon any structure, tree, stone, fence, thing or enclosure, other than on a designated billboard, without the written permission of the city administrator.
6. Plant, cut, burn, damage, disturb, or remove any soil, flower, plant, tree, or other vegetation from a park, with the exception of items grown in a person's individual community garden plot and removed by the lessee of the garden plot or his or her designee.
7. Kill, injure, molest, pursue, trap, capture, or remove any wild animal except when necessary to protect the immediate safety of a person or domestic animal, or destroy or damage its habitat. This prohibition does not apply to a law enforcement officer or other persons authorized by the city administrator who are performing official duties.
8. Launch or remove motorboats or other mechanically propelled boats from or across city park property. This section shall not apply to boats being used in an emergency recovery, for emergency training purposes, or for maintenance of waters abutting city park property.
9. Enter into waters adjacent to any city park from or through park property. This prohibition does not apply to law enforcement officers, emergency personnel, or other persons authorized by the city administrator while performing official duties.
10. Throw, deposit, place, or leave in any park or waters thereon any paper, garbage, rubbish, waste, cans, substance, bottles, grass, snow, or refuse of any kind except in receptacles provided for the collection of waste or with written permission from the city administrator. A person must not discard large items or items unrelated to the use of the park facilities into dumpsters or other garbage containers located in a park.
11. Ride a horse or pony except in areas designated and posted for the riding of such animals. The city administrator shall designate and cause the proper posting of those areas in parks where horses and ponies may be ridden. Horses must be maintained under control at all times, and shall not be ridden in a manner that endangers the safety or property of any person.

12. Unlawfully interfere with, obstruct, or tend to obstruct or render dangerous for passage any area without first obtaining permission from the city administrator.
13. Shoot or discharge any weapon, including a pistol or bow and arrow, or fireworks, explosives, model rockets, or similar items in a park, or possess any weapon, fireworks, or explosive within a park unless authorized to do so by the city administrator, as part of a city authorized program, by city ordinances, or by state statutes. This prohibition does not apply to law enforcement officers, emergency personnel, or other persons authorized by the city administrator while performing official duties.
14. Possess or bring into a park any pistol, revolver, rifle, shotgun, BB gun, air gun, spring gun, slingshot, bow or other similar weapons except as part of a city authorized program or as otherwise allowed by state or federal law. This prohibition does not apply to law enforcement officers, emergency personnel, or other persons authorized by the city administrator while performing official duties.
15. Use a golf club to hit, chip, putt, drive, or otherwise propel a golf ball or other object, except in designated golfing areas located at the Inver Wood Golf Course or as a part of a city authorized program.
16. Engage in sexual conduct, including sexual intercourse or masturbation.
17. Possess any glass bottles or other glass objects.
18. Use a park shelter at a time when it has been reserved by another.
19. Use or possess any illegal drugs.
20. Feed wild animals or birds except pursuant to a city authorized program.
21. Erect, use, or allow to be used any inflatable structure, including bounce houses and similar structures, without first obtaining a permit from the city.
22. Fail to obey all posted rules and park regulations.
23. Operate a radio, musical instrument, stereo, or other device used for the conveyance of sound in a manner that causes the sound from such device to be plainly audible from a distance of fifty feet (50'). This provision shall not apply to scheduled musical performances authorized by the city occurring in park facilities.
24. Engage in any violent, loud, or other disorderly conduct creating or tending to create a breach of the peace.
25. Enter a posted restricted area. This prohibition does not apply to law enforcement officers, emergency personnel, or other persons authorized by the city administrator while performing official duties.
26. Release any insect, fish, or other wildlife, or introduce within a park any plant, chemical, or other agent potentially harmful to vegetation, with the exception of chemicals permitted by the community garden policies to be used in community garden plots, which may be used by a lessee in his or her rented garden plot.

E. Fires: No person shall start or maintain any fire in a public park, except recreational fires in fire rings, stoves, or fireplaces provided for such purpose, or in portable metal grills, or leave any fire made or used by him or her unextinguished when he or she leaves the park. Portable grills must be placed on a concrete surface. Ashes or coals from any fire must be thoroughly wet before being disposed of in a trash container.

F. Animals: No person shall bring any animal into any park public trail, or public sidewalk unless it is on a leash no more than six~~teen~~ feet (16') 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 in a 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. The designated off-leash areas include:

1. A dog off-leash in Seidl's Lake Park must be under control by an electric collar but not within 100' of the playground or basketball court

2. A dog off-leash in Sleepy Hollow Park must be under control by an electric collar but not within 100' of the playground, basketball, or volleyball court

3. Inside the fenced area of the Heritage Village Park off-leash dog park

G. Trails And Sidewalks: On a recreational trail or a sidewalk, a person must:

1. Provide sufficient room for other trail users traveling in the opposite direction;
2. Use caution when passing another user traveling in the same direction;
3. Stay on the improved portion of the trail;
4. When riding a bicycle, yield the right of way to pedestrians and comply with state laws governing the use of bicycles on public roadways; and
5. Obey all official signs and traffic control markings and signals.

H. Camping: No person shall be permitted to camp overnight in any park, nor shall anyone be permitted to park a camper or camp trailer in a park parking lot except during the hours of operation specified in subsection C of this section.

I. Permits: Applications for permits for activities requiring a permit under this chapter must be submitted to the city in accordance with the procedures prescribed by the city administrator. The city administrator may deny a permit application if it is incomplete, not accompanied by a required fee or proof of insurance, or when the proposed activity may adversely affect the public health, safety, or welfare, or the condition of the park facility. The city administrator may add conditions to any permit to mitigate potential adverse effects or to ensure the quiet and orderly use and enjoyment of the park facility. Any person aggrieved by an action of the city administrator under this section may appeal the action to the city council by submitting a request in writing to the city administrator within ten (10) days after notice of the action.

J. Activity Fees: Where the city charges a fee for an activity or an event occurring within a city park, no person shall participate in that activity or event without first paying the fee for the activity or event; provided, however, the city council by resolution may waive or modify the fee.

K. Large Group Gatherings: No large group gathering may be held at a park without first obtaining a permit from the city for the gathering. "Large group gatherings" are defined as uses or activities which during the course of their operation are likely to attract twenty (20) or more people. (Ord. 1236, 5-23-2011)

L. Alcoholic Beverages¹: No person shall sell, consume, possess, mix or prepare any alcoholic beverages in any city park, including in any parking areas, subject to the following exceptions:

1. If a license is obtained, intoxicating liquor may be sold at Inver Wood Golf Course and may be consumed at Inver Wood Golf Course if purchased from Inver Wood Golf Course, but sale and consumption shall only occur in the areas specifically prescribed in the license. (Ord. 1297, 7-13-2015)
2. Persons of lawful age may possess and consume 3.2 percent malt liquor in South Valley Park but only in or within one hundred fifty feet (150') of the group picnic shelter located in the park, and only in conjunction with an event for which the sponsor has obtained a permit from the city to use the group picnic shelter, and only if the person possessing or consuming the 3.2 percent malt liquor is an invited guest of the event sponsor.
3. Persons of lawful age may possess and consume 3.2 percent malt liquor in Rich Valley Park subject to such rules and regulations as the city council, by resolution, may from time to time impose.

M. Rules, Regulations And Policies:

1. Rules, regulations, and policies applicable to one or more city parks may be adopted from time to time by the city council. The rules and regulations shall be listed in the city code, be prominently posted in the places where they are intended to apply, be listed on the city's website, or be made available for review at city hall.
 2. Emergency rules or regulations may be implemented by the city administrator on a temporary basis when deemed necessary in the public interest, and shall become effective upon posting in the affected area. Such rules or regulations shall remain in effect for a period not to exceed thirty (30) days.
- N. Prohibited Conduct; Penalty: It is unlawful for any person to engage in an act or in any behavior prohibited by this chapter. Violation of any provision of this chapter is a misdemeanor and may be punished as provided in title 1, chapter 4 of this code. Individuals who fail to comply with the rules and regulations in this chapter may be excluded from the use of the park where the violation occurred. The provisions of this chapter may be enforced by city authorized peace officers, officers of the Dakota County sheriff's office, community service officers, and other authorized licensed peace officers. (Ord. 1236, 5-23-2011)

G. In the event of conflicting provisions, the more restrictive provisions shall apply. (Ord. 1098, 11-8-2004; amd. 2008 Code)

10-2-2: DEFINITIONS:

The following words and terms, whenever they occur in this title, are defined as follows:

ACCESSORY DWELLING UNIT (ADU): A subordinate habitable dwelling unit, which has its own basic requirements of shelter, heating, cooking and sanitation, added to or created within a single-family dwelling or detached accessory structure.

ACCESSORY STRUCTURE: See definition of Structure, Accessory.

ACT: The critical areas act of 1973, Minnesota statutes sections 116G.01 to 116G.14, and all amendments thereto.

ADJACENT: Having boundaries that physically touch or adjoin.

ADULT USE: See section [10-15F-2](#) of this title for definition.

AGRICULTURE: The use of land for agriculture purposes, which includes, but is not limited to:

- A. Land that is tilled, cultivated, plowed, or managed in preparation of the soil for planting, seeding, growing, harvesting, production or marketing of flowers, fruits, vegetables, vegetable truck farming, grapes, field crops, row crops, hay, trees, shrubs, bushes, nursery stock, forage, grains, pasture and grazing;
- B. Hydroponics, aquaculture;
- C. Land on which livestock, beef or dairy cattle, poultry, bees, pigs, sheep, goats, donkeys, rabbits, poultry products, apiary products, fish, horses, ponies, including the boarding of horses and ponies (pursuant to the table of allowable uses found in section [10-6-1](#) of this title) and equestrian activities, game birds and waterfowl and deer, on a game farm licensed under Minnesota statutes section 97A.105, are raised, reared, fed, grown, produced, exhibited, marketed (pursuant to the table of allowed uses found in section [10-6-1](#) of this title), boarded (pursuant to the table of allowed uses found in section [10-6-1](#) of this title, and the definition of "commercial horse stable" found in this section) and performed;
- D. The necessary accessory buildings and structures related to the activities listed in subsections A, B and C of this definition; and
- E. Unusable wild land, woodland, wetland and land included in state or federal farm programs.

AIRCRAFT NOISE ZONE: The aircraft noise zones identified in section [10-13F-6](#) of this title and on the zoning map of the city of Inver Grove Heights.

AIRPORT: For purposes of [chapter 13, article H](#) of this title (South St. Paul airport overlay district), the South St. Paul municipal airport (Fleming Field) located generally in section 3, township 27, range 22; and south 1/2 of section 34, township 28, range 22; Dakota County, Minnesota.

AIRPORT ELEVATION: For purposes of [chapter 13, article H](#) of this title (South St. Paul airport overlay district), the established elevation of the highest point on the usable landing area, which elevation is established to be eight hundred twenty feet (820') above mean sea level.

AIRPORT HAZARD: For purposes of [chapter 13, article H](#) of this title (South St. Paul airport overlay

district), any structure or tree or use of land which obstructs the airspace required for, or is otherwise hazardous to, the flight of aircraft in landing or taking off at the airport; and any use of land which is hazardous to persons or property because of its proximity to the airport.

ALLEY: Any dedicated public way affording a secondary means of vehicular access to abutting property, and not intended for general traffic circulation.

ALTERATIONS: Any change, addition or modification in construction or type of occupancy, any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to herein as "altered" or "reconstructed".

ANIMALS, DOMESTIC: Dogs, cats, caged birds, fish, rabbits, domestic ferrets, snakes (nonvenomous and nonconstrictor species), gerbils, hamsters, guinea pigs, white rats, and mice, provided the animal's containment can be accomplished without special modification to an existing structure or the construction of a new structure, either of which requires a building permit from the city.

ANIMALS, FARM AND PERMITTED NONDOMESTIC: Cows, sheep, pigs, deer and other members of the order Artiodactyla except the family Hippopotamidae; horses and other members of the family Equidae; all birds in the class Aves; squirrels and other members of the family Sciuridae; rabbits and other members of the families Didelphiidae and Macroeopodidae; and other animals if the owner can show the animals are not inherently dangerous.

ANIMALS, INHERENTLY DANGEROUS: Animals other than "domestic" and "farm and permitted nondomestic animals", as defined in this section, 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", as defined in this section.

ANTENNA: Any structure or device used for the purpose of collecting or radiating electromagnetic waves including, but not limited to, directional antennas such as panels, microwave dishes, satellite dishes, short wave radios and omnidirectional antennas such as whips.

APARTMENT: A room or suite of rooms with cooking facilities which is occupied as a residence by a single family, or a group of individuals living together as a single-family unit. The term includes any unit in buildings with more than two (2) dwelling units.

ART STUDIO: Workspace for artists or artisans, including individuals practicing and/or teaching one of the fine arts, such as, but not limited to, drawing, vocal or instrumental music, painting, sculpture and writing.

ASBESTOS: Any of six (6) naturally occurring, hydrated mineral silicates: actinolite, amosite, anthophyllite, chrysotile, crocidolite, and tremolite.

ASBESTOS CONTAINING MATERIAL: Material that contains more than one percent (1%) asbestos by weight.

ASH: The incombustible material that remains after a fuel or solid waste is combusted.

ASPHALT OR ASPHALT CEMENT: A mixture of bitumin obtained from native deposits or as a petroleum byproduct used for roofing or paving that is in a solid state at one hundred degrees Fahrenheit (100°F) or less as defined in Minnesota rules section 7151.1200, subpart 4a, which may be amended from time to time.

ASSISTED LIVING FACILITY: Any facility licensed by the state department of human services, public or private, which, for gain or otherwise, regularly provides one or more persons with twenty four (24) hours per day substantive care, food, lodging, training, education, supervision, habilitation, rehabilitation, and treatment they need, but which, for any reason, cannot be furnished in the person's own home.

AUTO AUCTION SALES: The business of warehousing, storing, inspecting, auctioning, and selling operable and inoperable vehicles with general office uses and other activities related to and in connection with the business operation. No dismantling of vehicles occurs on the premises.

AUTO REPAIR, MAJOR: The general repair, rebuilding, or reconditioning of engines, transmissions, differentials, motor vehicles, or trailers, including body work, frame work, and major painting service.

AUTO REPAIR, MINOR: The replacement of any part or repair of any part that does not require the removal of the engine head or pan, engine, transmission or differential to passenger automobiles and trucks not in excess of seven thousand (7,000) pounds' gross vehicle weight.

AUTOMOBILE BODY SHOP: A place where the following services may be carried out: collision service such as frame or fender straightening and repair, painting and undercoating of automobiles.

AUTOMOBILE SERVICE CENTER: An establishment in which the retail sale of accessories and services for automobiles are provided as the primary use, including the customary space and facilities for the installation of such commodities on or in such vehicles, but not including the space for facilities for major storage, repair, bumping, painting and refinishing. No petroleum products are sold or dispensed on the premises.

AUTOMOBILE SERVICE STATION: An establishment where gasoline and other petroleum products are sold and dispensed by a service station attendant and/or self-service. Service stations also include light maintenance activities such as engine tuneups, minor auto repairs, and lubrication, but exclude major auto repair.

BACKWATER: A body of water connected with, but little affected by, the main stream.

BARGE FLEETING AREA: An area on the river, or on off channel, where barges are temporarily parked and secured by onshore tie downs while tows are assembled or broken up.

BARGE SLIP: A dredged or excavated basin, usually adjacent to a wharf, jetty, dock or other cargo handling facility, where barges are brought for the purpose of loading or unloading cargo.

BASEMENT: A. A portion of a building located partly underground but having half or more of its floor to ceiling height below the average grade of the adjoining ground.

- B. In floodplains, a "basement" means any area of a structure, including crawl spaces, having its floor or base subgrade below ground level on all four (4) sides, regardless of the depth of excavation below ground level.

BEAUTY/BARBER SHOP: Any commercial establishment, including residences, wherein cosmetology or barbering is offered for compensation. A beauty/barber shop may only operate in a residence if it meets the definition of "home occupation" found in this section, it satisfies the performance standards found in section 10-15-26 of this title, and it has first been issued a conditional use permit by the city council.

BED AND BREAKFAST: A house, or portion thereof, where short term lodging rooms and meals are provided. The operator of the bed and breakfast shall live on the premises.

BIORETENTION: A landscaped area typically located at the edge of parking lots and may have an underdrain present where stormwater runoff is directed for filtering and discharge to other stormwater features.

BLUFF: A topographic feature such as a hill, cliff, or embankment having the following characteristics (an area with an average slope of less than 18 percent over a distance for 50 feet or more shall not be considered part of the bluff; in the Mississippi River critical area overlay district, a "bluff" is defined as a "bluff line" and is found below):

- A. Part or all of the feature is located in a shoreland area;
- B. The slope rises at least twenty five feet (25') above the ordinary high water level of the water body;
- C. The grade of the slope from the toe of the bluff to a point twenty five feet (25') or more above the ordinary high water level averages thirty percent (30%) or greater; and
- D. The slope must drain toward the water body.

BLUFF IMPACT ZONE: A bluff and land located within twenty feet (20') from the top of a bluff.

BLUFF LINE: A line delineating the top of a slope connecting the points at which the slope becomes less than eighteen percent (18%). More than one bluff line may be encountered proceeding landward from the Mississippi River.

BOARD: The board of adjustments and appeals¹.

BOATHOUSE: A structure designed and used solely for the storage of boats or boating equipment.

BODY ART ESTABLISHMENT: Any structure or venue, whether permanent, temporary, or mobile, where body art is performed. Mobile establishments include vehicle mounted units, either motorized or trailered, and readily movable without disassembling and where body art procedures are regularly performed in more than one geographic location.

BUILDING: Any structure, temporary or permanent, used or intended for supporting or sheltering any use or occupancy.

BUILDING HEIGHT: The vertical distance measured from the established grade at the front of the house to the highest point of the roof surface for flat roofs, to the deck line of mansard roofs and to the average height between eaves and ridge for gable, hip and gambrel roofs. If more than fifty percent (50%) of the lowest level walls are exposed, then the building height shall be measured from the lowest floor elevation.

BUILDING LINE: A line parallel to a lot line or to the ordinary high water level of a water body or river at the minimum required setback beyond which a structure may not extend.

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated.

BUSINESS: Any occupation, employment or enterprise wherein merchandise is exhibited or sold, or

where services are offered for compensation.

CAR WASH: A building or area that provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices, and which may employ some hand labor.

CHURCH: A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body, organized to sustain public worship.

CITY: The city of Inver Grove Heights.

CITY FORESTER: The forester hired by the city of Inver Grove Heights.

CLEAR CUTTING: A. The removal of an entire stand of trees.

B. In the Mississippi River critical area overlay district, "clear cutting" means the removal of twenty five percent (25%) or more of the canopy massing of a stand of trees and shrubs.

CLINIC: A building or portion of a building containing offices and facilities for providing state licensed medical, dental, psychiatric and other healthcare services for outpatients only.

CLUSTERING/CLUSTER HOUSING: The development pattern and technique whereby structures are arranged in closely related groups to make the most efficient use of the natural amenities of the land.

COMMERCIAL GREENHOUSE: A retail business where the primary operations are the selling of landscaping and plant materials grown on site either in an enclosed building or outside.

COMMERCIAL HORSE STABLE: See definition of Horse Stable, Commercial.

COMMERCIAL KENNEL: See definition of Kennel, Commercial.

COMMERCIAL PLANNED DEVELOPMENT: For the purposes of [chapter 13, article A](#) of this title, a commercial planned development is a planned development of a mix of commercial uses.

COMMERCIAL USE: The principal use of land or buildings for the sale, lease, rental or trade of products, goods, and services.

COMMON SPACE: For townhouse development, means all of the land that is owned in common by all of the townhouse unit owners.

COMMUNITY GARDEN: An area of land that is managed and maintained by a group of three (3) or more individuals (either within or outside of an organization) that do not own or dwell upon the land to grow and harvest food crops and/or nonfood ornamental crops such as flowers for personal use, group use, consumption or donation. Community gardens may be divided into separate distinct plots for cultivation respectively by different individuals or different groups of individuals and/or may be farmed collectively by members of the same group and may include common areas maintained and used by group members.

COMPOST FACILITY: A site used to compost or co-compost solid waste, including all structures or processing equipment used to control drainage, collect and treat leachate, and storage areas for the incoming waste, the final product, and residuals resulting from the composting process.

COMPOSTING: The controlled microbial degradation of organic waste to yield a humus like product.

COMPREHENSIVE PLAN: The City Comprehensive Plan.

CONCRETE: A material consisting of a coarse and fine aggregate bound by a paste of cementitious material and water, with admixtures added to achieve various properties, which then sets into a hard and rigid substance as defined in Minnesota Rules section 7005.0100, subpart 4d, which may be amended from time to time.

CONDITIONAL USE: See definition of use, conditional.

CONDOMINIUM: See definition of dwelling/dwelling unit: condominium.

CONSTRUCTION PRODUCT DEBRIS: Waste building or construction products and materials in a solid, cured state, containing no liquids, that are derived from or result from the manufacture or fabrication of building and construction products and materials, excluding receptacles containing, or that once contained, any solvents, paints, varnishes, adhesives, tar, sealants, cleaning compounds and other similar materials.

CONVENIENCE STORE: Any retail establishment offering for sale primarily prepackaged food products, household items, gasoline, and other petroleum products.

COOPERATIVE: See definition of dwelling/dwelling unit: cooperative.

COUNCIL: The City Council of the City of Inver Grove Heights, Minnesota.

COVER MATERIAL: Material approved by the MPCA that is used to cover compacted solid waste in a land disposal site. Important general characteristics of good cover material are low permeability, uniform texture, cohesiveness, and ~~compactibility~~compatibility.

CURB LEVEL: The grade elevation established per the approved utility plans of the curb in front of the center of the building. Where no curb level has been established, the engineering staff shall determine a curb level or its equivalent for the purpose of this title.

DNR: The Commissioner of the Department of Natural Resources, or the appropriate staff.

DATA CENTER: A facility used primarily to house computer systems and associated components, such as telecommunication and storage systems, that are used for the storage, management, and dissemination of data and information pertaining to a business or businesses.

DAYCARE FACILITY: Any State licensed facility, public or private, which, for gain or otherwise, regularly provides one (1) or more persons with care, training, supervision, habitation, rehabilitation, or developmental guidance on a regular basis, for periods of less than twenty four (24) hours per day. "Daycare facilities" means a nonresidential program under Minnesota Statutes section 245A.02, subdivision 10.

DAYCARE FACILITY, IN-HOME: Any State licensed facility where childcare is provided to twelve (12) children or less in the principal residence as regulated by Minnesota Statutes.

DAYCARE FACILITY, MULTIPLE-FAMILY: Any State licensed facility where childcare is provided to thirteen (13) to sixteen (16) children as regulated by Minnesota Statutes.

dBA: A unit of sound pressure level weighted by use of the A metering characteristics and weighting as specified in the American National Standards Institute "Specification for Sound Level Meters" (ANSI S 1.4-1983), which is hereby incorporated by reference; dBA is also referred to as an A-weighted decibel.

DECK: A horizontal, unenclosed platform, with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site.

DEMOLITION DEBRIS: Solid waste resulting from the demolition of buildings, roads, and other manmade structures including concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock, and plastic building parts. Demolition debris does not include asbestos waste.

DEVELOPMENT: In the Mississippi River Critical Area Overlay District, means the making of any material change in the use or appearance of any structure or land including, but not limited to: a reconstruction, alteration of the size or material change in the external appearance of a structure on the land; a change in the intensity of the use of the land; alteration of a shore or bank of a river, stream, lake or pond; a commencement of drilling (except to obtain soil samples), mining or excavation; demolition of a structure; clearing of land as an adjunct to construction; deposit of refuse, solid or liquid waste or fill on a parcel of land; the dividing of land into two (2) or more parcels.

DEVELOPMENT PERMIT: In the Mississippi River critical area overlay district, means a building permit, excavation permit, discharge permit, permit for dredging, filling or altering any portion of a watercourse; plat approval, rezoning, certification, variance, conditional use permit or other action having the effect of permitting any development.

DEVELOPMENT PLAN: In the sand and gravel zoning district, a plan guiding development of the property to the ultimate land use after the sand and gravel operation has ceased. Such plan shall include, but is not limited to, site analysis information, deposit analysis, master plan, quantities and staging plan.

DISCHARGE ONTO SITE: Causing effluent or other liquids emanating from a development to percolate into the subsoil or be caused to flow over a site.

DISPOSAL FACILITY: A waste facility permitted by the MPCA that is designed or operated for the purpose of disposing of waste on or in the land, together with any appurtenant facilities needed to process waste for disposal or transfer to another waste facility.

DISPOSAL OR DISPOSE: The discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including groundwaters.

DRINKING ESTABLISHMENT: A commercial establishment dispensing alcoholic beverages for consumption on the premises where the preparation of food may or may not be provided, including restaurants and supper clubs.

DRIVEWAY: A private road that connects a house, garage, or other building with the street.

DWELLING, ATTACHED: One that is joined to another dwelling or building at one or more sides by a party wall or walls.

DWELLING, DETACHED: One that is entirely surrounded by open space on the same lot with no common party walls.

DWELLING/DWELLING UNIT: A. A building, or one or more portions thereof, occupied or intended to be occupied exclusively for residential purposes, which includes a bathroom and complete toilet facilities, which are arranged, designed or used as living quarters for one family or household, but not including rooms in motels, hotels, nursing homes, boarding houses, nor trailers, tents, cabins, trailer coaches, recreational vehicles, or any type of lodging rooms. A one-family detached dwelling shall include a manufactured home, as defined in this section, provided the manufactured home has received HUD certification and meets the construction and safety standards promulgated by the United States department of housing and urban development (HUD) in effect at the time application is made for a building permit. All one-family, detached dwellings, including manufactured homes that meet the definition of dwelling, shall comply with the following:

1. A permanent, full perimeter foundation system that complies with the Minnesota state building code.
 2. Sheet metal siding is not permitted.
 3. Siding shall be at least six inches (6") above finished grade.
 4. A minimum width of twenty four feet (24').
 5. A minimum of one thousand (1,000) square feet of usable floor area for human habitation, excluding garage space.
- B. Subsection A2 of this definition shall not apply to approved earth sheltered homes. Dwellings other than manufactured homes shall comply with the Minnesota state building code. Manufactured homes shall comply with the HUD standards in effect at the time application is made for building permit and with the Minnesota state building code insofar as the foundation is concerned.
- C. There are two (2) principal types of "dwelling units", single-family and multiple-family. Multiple-family dwelling units are grouped into two-family, duplex, twin home, townhouse, condominium, cooperative and apartment groups.

Condominium: A form of individual ownership within a multi-family building with joint responsibility for maintenance and repairs of the common property. In a condominium, each apartment or townhouse is owned outright by its occupant, and each occupant also owns a share of the land and other common property.

Cooperative: A multi-unit development operated for and owned by its occupants. Individual occupants do not own their specific housing unit outright as in a condominium, but they own shares in the total enterprise.

Multiple Dwelling Unit Building/Apartment: A residential building containing three (3) or more dwelling units, most commonly occupied by tenants in a rental arrangement, with common walls, and separate housekeeping and cooking facilities for each.

Single-Family Dwelling: A freestanding residence structure designed for or occupied by one family only. In addition to a single family occupying a single-family dwelling, supervised student housing may occupy the dwelling as an interim use subject to:

1. Up to eight (8) students, with the number determined by the formula in the interim use section of this code, under the general supervision of the single family occupying the dwelling, pursuant to a

program sponsored by an organization, holding a tax status of 501(c)(3) that promotes education provided students are participating in an educational program located in Dakota County.

Townhouse: Three (3) or more horizontally attached townhouse dwelling units, separated by party walls, and shall not exceed eight (8) such townhouse dwelling units per structure.

Twin Home: A building designed exclusively for or occupied exclusively by no more than two (2) families living independently of each other, with each unit located on a separate, single parcel of record, with the party wall separating the units acting as a dividing line.

Two-Family Dwelling Or Duplex: A residence designed for or occupied by two (2) families only, with separate housekeeping and cooking facilities for each.

DWELLING SITE: A designated location for residential use by one or more persons using temporary or movable shelter, including camping and recreation vehicle sites.

DYNAMIC DISPLAY BILLBOARD: A billboard or portion thereof that displays static or dynamic text, images, graphics, or pictures where the message change sequence is accomplished by any method other than physically or mechanically removing and replacing the sign face or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the billboard. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes, but is not limited to, any rotating, revolving, moving, flashing, blinking, projecting, or other animated display and any display that incorporates rotating panels, light bulbs, fiber optics, LED lights manipulated through digital input, "digital ink", or any other method or technology that allows the sign face to present a series of text, images, or displays.

EASEMENT: A grant by an owner of land for a specific use by persons or agencies other than the owner.

EFFICIENCY UNIT: A dwelling unit with one primary room which doubles as a living room, kitchen, and bedroom.

ENCLOSURE: Any structure of lumber, building blocks or similar materials, constructed at a value of less than the minimum for which a building permit is required, and intended to provide shelter.

ENERGY RECOVERY FACILITY: A site used to capture the heat value of solid waste for conversion to steam, electricity, or immediate heat by direct combustion or by first converting it into an intermediate fuel product. Municipal solid waste combustors are included in the definition of energy recovery facilities.

EQUAL DEGREE OF ENCROACHMENT: A method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.

ESSENTIAL SERVICES: Services provided by public and/or private utilities, necessary for the use of principal structures. These services include underground, surface, or overhead gas, electrical, steam, water, sanitary sewer, stormwater drainage, and communication systems and accessories thereto, such as poles, towers (except that telecommunications towers are regulated under [Chapter 15, article G](#) of this title), wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants, and similar accessories in connection therewith, but not including any other essential service buildings. In the Mississippi River critical area overlay district, "essential services" also does not include transmission services.

ESSENTIAL SERVICES BUILDINGS: Buildings necessary for the provision of essential services, including, but not limited to, telephone exchange stations, booster or pressure regulating stations, wells and pumping stations, elevated tanks, lift stations and electrical power substations, provided no building shall be located within fifty feet (50') from any lot line of an abutting lot in an R or E district.

ESTABLISHED RESIDENTIAL NEIGHBORHOOD IN A BUILT UP URBAN AREA (ERN-BUUA) (Or Established Residential Neighborhood): For purposes of [chapter 13, article H](#) of this title (South St. Paul airport overlay district), means an area, which, if it existed on or before January 1, 1978 (for low density structures and lots) and an area which, if it existed on or before July 2, 1979 (all other land uses), shall be considered a conforming use that shall not be prohibited except as provided in subsection [10-13H-3B5](#) of this title, "Exemptions For Established Residential Neighborhoods". The following criteria shall be applied and considered in determining what constitutes an "ERN-BUUA":

- A. Location of the South St. Paul airport;
- B. Nature of the terrain within safety zones A and B;
- C. Existing land uses and character of the neighborhood around the South St. Paul airport;
- D. Population of the community;
- E. That the average population density in all areas within one mile of any point on a runway of the South St. Paul airport be equal to or greater than one dwelling unit per acre;
- F. Population density near the South St. Paul airport compared with population density in other areas of the community;
- G. The age and the economic, political and social stability of the neighborhood and the community as a whole;
- H. The proximity of supporting school, commercial, religious, transportation and other facilities and their degree of integration with residential land uses;
- I. Presence or absence of public utilities including, but not limited to, public sanitary sewer system, electric service and gas mains;
- J. Whether or not the factors listed in subsections H and I of this definition tend to make the community surrounding the South St. Paul airport a self-sufficient unit;
- K. Whether the area within one mile of the perimeter of the South St. Paul airport property would be considered primarily residential in character; and
- L. Other material factors deemed relevant by the governmental unit in distinguishing the area in question as established, residential, urban and built up.

EXCAVATION: A. Any breaking of ground, except common household gardening and ground care.

- B. In the sand and gravel zoning district, the removal, filling with, or storage of rock, sand, gravel, clay, black dirt or other similar material.

EXCAVATION PERMIT: A permit issued by the city to remove, excavate or store rock, sand, dirt, gravel, clay or other like material.

EXTERIOR STORAGE (Includes Open Storage): The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed by a building.

FACILITY: In integrated resource management overlay districts, means the land, structures, monitoring devices, and other improvements on the land used for monitoring, treating, processing, storing, or disposing of solid waste, leachate, or residuals from solid waste processing.

FAMILY: An individual, or two (2) or more persons related by blood, marriage or adoption, or a group of not more than four (4) persons not so related, living together as a single housekeeping unit using common cooking facilities.

FARM: A tract of land that is principally used for agricultural activities.

FEEDLOT: A confined, unenclosed area where there is no vegetation for the feeding, breeding, raising or holding of livestock, where livestock manure can accumulate and where there is no vegetation growing on the site.

FENCE: Any partition, structure, wall or gate erected as a divider, marker, barrier or enclosure and located along the boundary or within the required yard.

FLOOD: A temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in the inundation of normally dry areas.

FLOOD FREQUENCY: The frequency for which it is expected that a specific flood stage or discharge may be equaled or exceeded.

FLOOD FRINGE: That portion of the floodplain outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the flood insurance study for the city of Inver Grove Heights.

FLOODPLAIN: The beds proper and the areas adjoining a wetland, lake or watercourse that have been or hereafter may be covered by the regional flood.

FLOODPROOFING: A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.

FLOODWAY: The bed of a wetland or lake and the channel of the watercourse and those portions of the adjoining floodplain that are reasonably required to carry and discharge the regional flood.

FLOOR AREA: The sum of the horizontal areas of each story of the building measured from the interior faces of the exterior walls. The floor area measurement is exclusive of areas of unfinished attics, attached garages, breezeways and enclosed and unenclosed porches.

FOREST LAND CONVERSION: The clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.

FRONTAGE: That boundary of a lot that abuts a street.

FRONTAGE ROAD: A local road or street auxiliary to and located on the side of a highway for service to abutting property and adjacent areas and for control of access.

GALLERY OR ART GALLERY: A room or structure in which original works of art or limited editions of original art are bought, sold, loaned, appraised or exhibited to the general public.

GARAGE, PRIVATE: An accessory building or accessory portion of the principal building which is intended for and used to store the private passenger vehicles of the family or families resident upon the premises.

GARAGE, PUBLIC: Any building or premises, except those used as a private or storage garage, used for equipping, repairing, hiring, selling or storing motor driven vehicles.

GARBAGE: Discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.

GOVERNING BODY: City council of Inver Grove Heights.

GRADE: The average of the finished level at the center of the exterior walls of the building.

GREEN WASTE: Food scraps, soiled and nonrecyclable paper packaging, pet waste, disposable diapers, and organic sludges.

GROUP HOME, MULTIPLE-FAMILY: A state licensed residential facility serving from seven (7) through sixteen (16) persons.

GROUP HOME, SINGLE-FAMILY: Either a state licensed residential facility serving six (6) or fewer persons or a state licensed group family daycare facility to serve fourteen (14) or fewer children. Any residential facility whose purpose is to treat juveniles who have violated criminal statutes relating to sex offenses shall not be considered a single-family group home.

HARDSHIP, UNDUE: Where property cannot be put to reasonable use under the conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to his property, not created by the landowner, and a variance, if granted by the city council, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if a reasonable use for the property exists under terms of the official controls.

HAZARDOUS WASTE: Any refuse, sludge, or other waste material or combinations of refuse, sludge or other waste materials, in solid, semisolid, liquid, or contained gaseous form which, because of its quantity, concentration, or chemical, physical or infectious characteristics, may: a) cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or b) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed. Categories of hazardous waste materials include, but are not limited to: explosives, flammables, oxidizers, poisons, irritants, and corrosives. Hazardous waste does not include source, special nuclear, or byproduct material as defined by the atomic energy act of 1954, as amended. Determination of whether a waste is a hazardous waste shall be made in accordance with the procedures, criteria and lists set forth in Minnesota rules ~~chapter~~ 7045 and code of federal regulations title 40, parts 260 and 261. In any circumstances where there is a conflict between state rules and federal regulations regarding determination of hazardous waste, the more stringent provision shall apply.

HEALTHCARE FACILITY: An institution providing health services primarily for human inpatient medical or surgical care for the sick and injured and including related facilities such as laboratories, outpatient, departments, training facilities, central services facilities, and staff offices that are an integral part of the facilities.

HEIGHT: For the purpose of determining the height limits in all airport zones set forth in [chapter 13, article H](#) of this title and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified. See also definition of Building Height for a definition not related to airport regulations.

HERITAGE TREES: Healthy, large, hardwood trees which equal or exceed twenty seven inches (27") dbh and large coniferous trees which equal or exceed twenty four inches (24") dbh which have been determined to be of high value because of their type, size (diameter at breast height [dbh]), age or other professional criteria. A tree in fair or better condition must meet the following criteria:

- A. A life expectancy of greater than ten (~~10~~) years.
- B. A relatively sound and solid trunk with no extensive decay or hollow.
- C. No major insect or pathological problem.
- D. A lesser size tree can be considered a heritage tree if a certified forester determines it is a rare or unusual species or of exceptional quality.

HISTORIC PRESERVATION: The protection by various means of buildings or other structures, land areas, or districts that are identified by the Minnesota State Historical Society or the National Register of Historic Places.

HOME OCCUPATION: See subsection [10-15-26B](#) of this title for definition.

HOMEOWNERS' ASSOCIATION: An incorporated nonprofit organization operating under recorded land agreements through which:

- A. Each lot and/or homeowner is automatically a member;
- B. Each lot is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property; and
- C. The charge, if unpaid, becomes a lien against the property.

HORSE STABLE, COMMERCIAL: A building or structure and/or land whose operator boards more than three (3) horses other than his own.

HOTEL: A building that provides a common entrance, lobby, halls and stairway and in which twenty (20) or more people can be, for compensation, lodged with or without meals.

IMPERVIOUS SURFACE: That surface of the lot: a) which has been covered or has been physically altered and b) that contains a constructed hard surface, which would prevent or retard the entry of water into the soil and cause water to run off in greater quantities or at an increased rate of flow than prior to development. Examples include concrete, asphalt, pavers, permeable pavement systems and various compacted materials including aggregate, limestone, gravel driveways, gravel parking areas, gravel storage areas and recycled bituminous. Buildings, rooftops, sidewalks, patios, driveways, parking areas, storage areas, tennis and basketball courts, covered decks and decks with an impervious surface below and any other structure shall be included for the purpose of calculating maximum lot coverage. Exception: Decks with grass, bare ground or other natural porous surfaces below will not be considered when calculating lot coverage percentage.

INCINERATOR: A furnace or container for burning solid waste to ash.

INDUSTRIAL INCINERATOR ASH: The ash generated from a commercial, industrial, manufacturing, or service establishment incinerator.

INDUSTRIAL SOLID WASTE: All solid waste generated from an industrial or manufacturing process and solid waste generated from nonmanufacturing activities such as service and commercial establishments. Industrial solid waste does not include office materials, restaurant and food preparation waste, discarded machinery, demolition debris, municipal solid waste combustor ash, or household refuse.

INDUSTRIAL SOLID WASTE LAND DISPOSAL FACILITY: A site used to dispose of industrial solid waste in or on the land.

INDUSTRIAL USE: Within the Mississippi River critical area overlay district, this includes, without limitation, factory, office building, warehouse, elevators, material transfer site, pipeline, refuse and material storage areas.

INDUSTRY, HEAVY: A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials.

INDUSTRY, LIGHT: A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts.

INFECTIOUS WASTE: Waste originating from the diagnosis, care, or treatment of a person or animal that has been or may have been exposed to a contagious or infectious disease. Unless the materials have been rendered noninfectious by procedures approved by the state commissioner of health, infectious waste includes:

- A. All wastes originating from persons or animals placed in isolation for control and treatment of an infectious disease;
- B. Bandages, dressings, casts, catheters, tubing, and similar disposable items which have been in contact with wounds, burns, anatomical tracts, or surgical incisions and which are suspect of being or have been medically verified as infectious;
- C. All infectious anatomical waste, including human and animal parts or tissues;
- D. Infectious sharps and needles;
- E. Laboratory and pathology waste of an infectious nature; or
- F. Any other waste, as defined by the state commissioner of health, which, because of its infectious nature, requires handling and disposal in a manner prescribed for subsections A through E of this definition.

INFILTRATION BASIN/TRENCH: An area that allows storm water rainfall/runoff to gradually seep into the ground.

INFILTRATION RAINGARDEN: Landscaped garden designed and planted to receive and infiltrate storm water runoff.

INTENSIVE VEGETATION CLEARING: The removal of fifty percent (50%) or more of the canopy massing of trees, grasses or shrubs in a contiguous patch, strip, row, or block.

INTERIM USE: A temporary use of a property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit the use. Interim uses will only be allowed where the zoning expressly permits such interim uses.

KENNEL, COMMERCIAL: Any 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 animal hospitals, clinics, and other premises operated by a licensed veterinarian exclusively for the care and treatment of animals.

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

- 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 sixteen feet (16') 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.
- G. Designated bathroom area shall be cleaned daily.

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 sixteen feet (16') at all times when out of doors or kept within an approved fenced area. (Ord. 1098, 11-8-2004)

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COMMISSION ACTION

Consider Recommendation for a ½ Basketball Court at Seidls Lake Park

Meeting Date: February 13, 2019
 Item Type: Regular Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Brian Swoboda-651-450-2582
 Reviewed by: Eric Carlson – Parks & Recreation

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

Consider approval of adding a ½ Basketball Court at Seidls Lake Park located at 2655 47th St. Staff is following up with discussion held at a neighborhood meeting on September 25, 2018 with the Seidls Park neighbors. In general, staff heard support from many that attended of adding a ½ basketball court and to follow the Master Plan developed in 2007. Staff has sent letters recently to all neighbors so they can provide feedback via email, phone, or by attending the Park and Recreation Advisory Commission meeting (PRAC).

SUMMARY

In October of 2018, the (PRAC) and City Council approved the replacement and relocation of Seidls Lake Playground. As part of the approval process, staff held a neighborhood meeting to get input on playground features and to identify other amenities shown on the Master Plan. Approximately 45 residents/neighbors attended the meeting and were excited about future improvements. The consensus staff heard repeatedly was the addition of a ½ basketball court with connecting trails to both the playground and court.

Staff has been working with Inver Grove Heights Engineering on design and installation specification. The work would include excavating existing soils, adding aggregate base course, paving two 1 ½ inch lifts of bituminous specification SPWEA240B, and color coating the court. Cost estimates for the project is \$25,000 and would be funded out of the Park Acquisition and Development Fund – Fund 402.

PUBLIC COMMENT

CYNTHIA SPORCIC 651.393.0130

SEDL'S LAKE PARK

CONCERNED ABOUT TRAFFIC
ON BLAINE AND POTENTIAL
CONFLICTS W/ PARK USERS

PHONE CALL 2/5/19

Eric Carlson

From: COLLEEN JOYCE <cleancall1@comcast.net>
Sent: Friday, February 1, 2019 8:48 AM
To: Eric Carlson
Subject: Sleepy Hollow and Seidl's Lake Park

I am writing in regards to your correspondence of January 28. I am a resident of the Lafayette Town homes and I am not in favor of a basketball court in Seid's Lake Park area. This open area is used all the time in the summer with kids playing tag, pick up games of soccer, whiffle ball and flying kites. With the playground coming in it surely will bring more people. I think if you put in a 1/2 basketball court it will attract teenagers and young adults and we will have all kinds of cars parked on Blaine Avenue and they would hang out after hours. I am not in favor of a basketball court.

In regards to off leash dog park in this area, I do not feel it is a good idea. Who is going to police it, people come from all over as I am a dog owner and have used the South St. Paul dog park regularly and I see people not watching their dogs, not picking up after their dogs and dogs getting into it because no matter how nice your dog is when there is a group of dogs they become a pack and well they are animals. I think space is an issue too. With the new dog park opening this summer let us try that out.

Thank you for letting give my opinion and if I can come to one of the meetings I will.

Eric Carlson

From: Shelley Allen2 <shelleyaallen@comcast.net>
Sent: Friday, February 1, 2019 7:39 AM
To: Eric Carlson
Subject: <no subject>

Good morning Eric.

My name is Shelley Allen and I live at 2646 Bower Court E; Inver Grove Heights. I received the letter regarding Seidl Lake Park. My property's backyard backs up to the park. I have a question and maybe it could be re-directed for me. There is a small parcel of land between my house and the park and everyday we have people wandering through the trees and basically looking into our yard. It is a privacy issue and I have two dogs that don't appreciate it. Is there any possibility that we could purchase that small parcel of land? We would not change the landscape of the trees, it would remain the same. It would be helpful if we could attempt to keep people from coming into our backyard by marking that parcel as private property. Many times the activity and language coming from the park and into our backyard is not appropriate and not appreciated and we would like to think this could help. We would greatly appreciate it if you would take this into consideration.

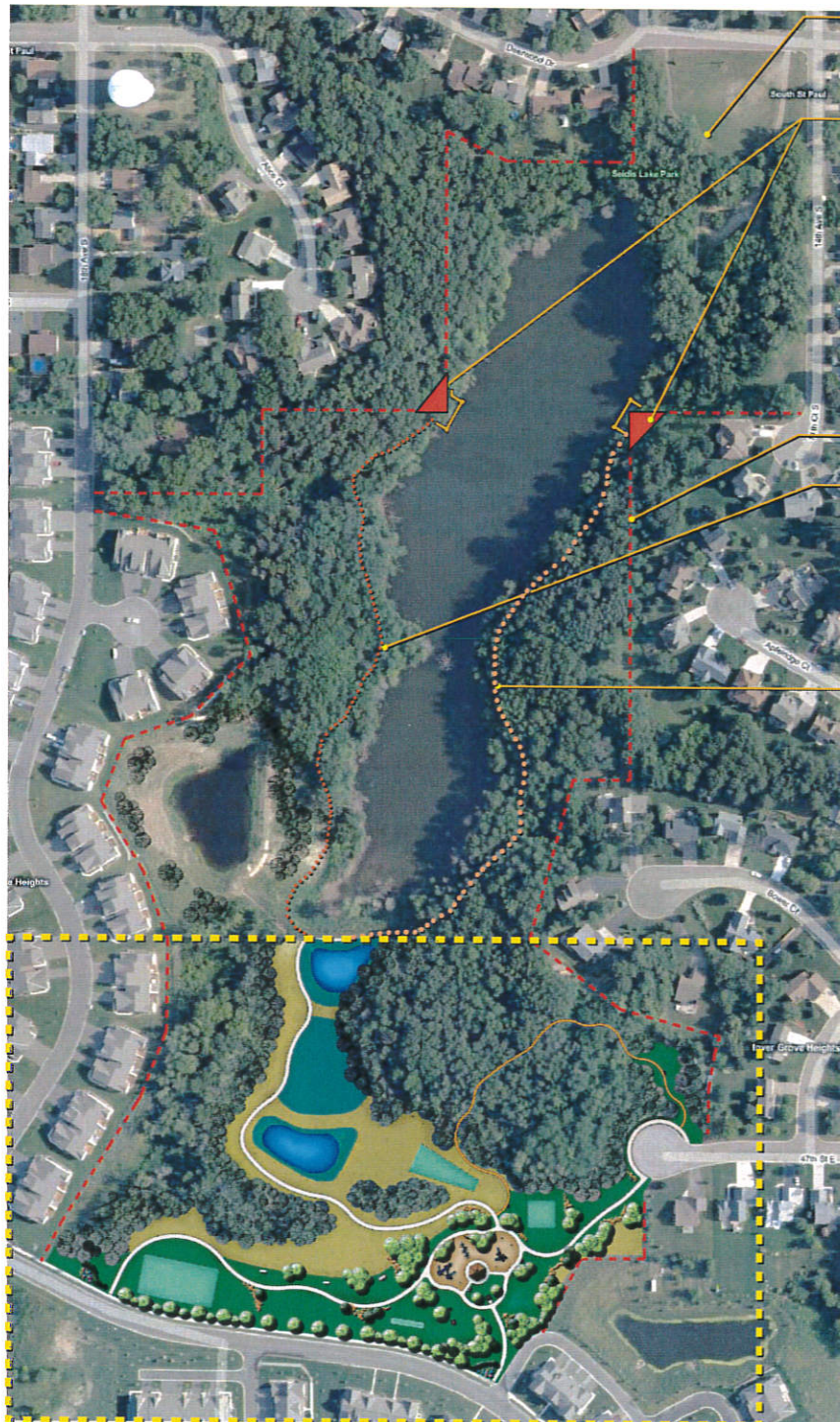
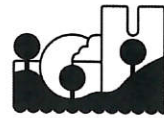
Thank you for your help.

Shelley

MASTER PLAN

Seidl's Lake Park

Overall Preliminary Master Plan



South St. Paul Site

Trails should tie into the South St. Paul's portion of Seidl's Lake Park.

Property Crossing Options

Crossing the two sections of lakeshore to join the Inver Grove Heights site to the South St. Paul site should be pursued.

One option consists of using boardwalks with overlooks across the water in order to bypass the private property.

The other option consists of the city obtaining trail easements from the private property owners to build the trail on solid ground.

Park Property Lines (typ)

Future Trail Alternate

A future trail to complete a loop around the lake could be implemented, if desired, and would tie into the South St. Paul park site. The trail should be minimal in width, possibly built of a nature trail material (bare soil, wood chips, etc.) and should minimize disturbance to the site.

Lakeside Trail

Future lakeside trail should be a minimum of 6' wide, with an ideal width of 8' and should tie into the South St. Paul trail system.

The trail should be built above the future high water level, where feasible, once this is established and control structures are in place. In areas where it is not feasible, use of suitable construction materials shall be used to reduce the propensity for water damage.

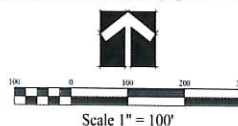
Where the trail is adjacent to steep slopes, the edge of the trail shall have retaining walls built of suitable materials that would blend with the natural character of the site, such as limestone blocks, natural boulders, etc.



Interpretive / Educational Information

Placement of interpretive / educational signs along the various park trails would provide the users information about their surroundings and encourage stewardship for the park.

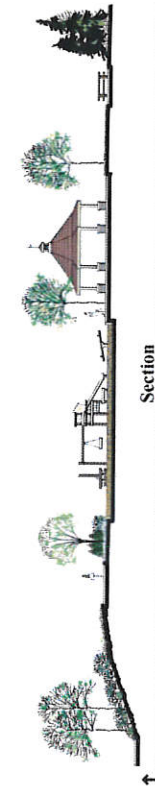
REFER TO ENLARGEMENT
PLAN FOR INFORMATION
WITHIN THIS AREA



PROJECT #07-01
DATE: JUNE 13TH, 2007

Seidl's Lake Park

Preliminary Master Plan



Section

City of Inver Grove Heights

Vegetative Thinning:

Selective thinning of the existing overstory trees in this area to improve sightlines for safety.

Nature Trail:

A field located nature trail with a couple of bench seating areas winds around the hill and connects into the paved trail system.

Future Use:

An area shall be left open for possible future hardcourt (basketball 1/2 court, 4-square, hopscotch, etc.) should the demand exist.

Park Access:

The cul-de-sac provides a secondary park access that has a trail all the way around and a stone park sign to enhance the park entrance, as well as to discourage vehicular traffic from cutting through the park.

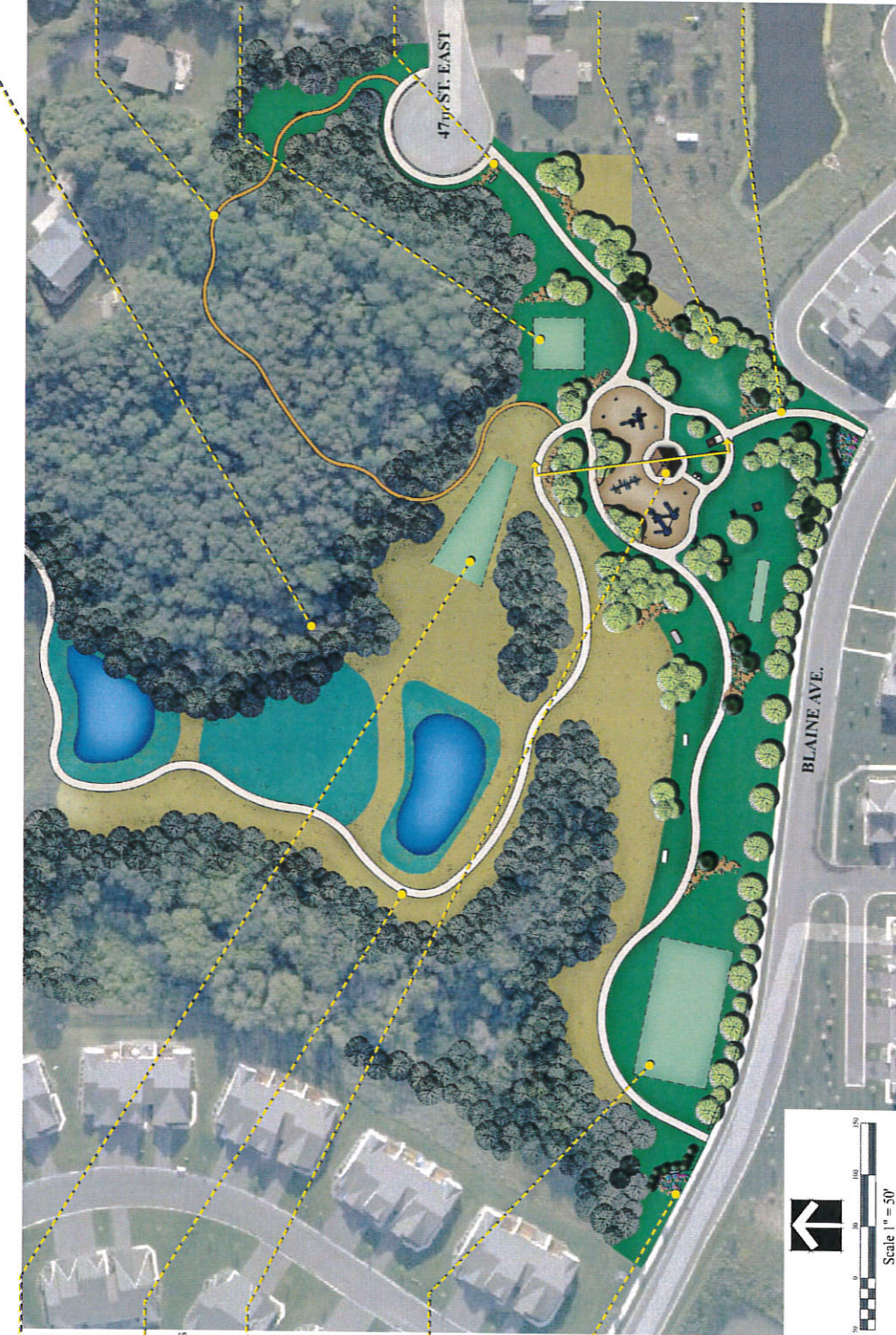
Enhanced Landscaping:

The use of various trees and shrubs are incorporated to enhance aesthetics, provide shade, separate use areas, and naturalize the site.

Park Trail:

The park trail allows access to the various recreational amenities, creates loop systems and is aligned to discourage traffic from cutting through the park.

PROJECT #07-01
DATE: JUNE 13TH, 2007



Sledding:

An area on the hillside shall be left open (not planted with trees) and can be used for winter sledding.

Future Trail:

The future trail winds down the hill to provide H.C. access to the lower areas of the park.

Main Gathering Space:

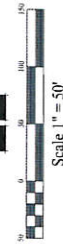
A gathering area is created to provide space for childrens play equipment, a small shelter structure, adjacent picnic space and lawn games (boocce ball, horseshoes, etc.)

Informal Field Space:

Open lawn area for informal use, such as picnics, frisbee, winter general skating, soccer, ball play, etc. and is not intended to be for programmed activities.

Park Entrance Identification:

The park entrances along each end of Blaine Ave. are enhanced by providing some sections of ornamental fence, the addition of a park sign on the west end, ornamental planting beds around the park signs, and additional street tree plantings



Scale 1" = 50'



BRAUER & ASSOCIATES, LTD.
LAND USE PLANNING AND DESIGN

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COMMISSION ACTION

Approve Plans and Specifications for the North Valley Pickleball Court Project

Meeting Date: February 13, 2019
 Item Type: Regular Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Brian Swoboda -651-450-2582
 Reviewed by: Eric Carlson – Parks & Recreation

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

On November 13, 2018 the Inver Grove Heights Park and Recreation Advisory Committee (PRAC) approved Fred Kolkman Tennis & Sport Surfaces, LLC to provide Design Services for plans and specifications to replace the 4 tennis courts at North Valley Park with 6 Pickle Ball Courts.

SUMMARY

On October 4, 2018 the North Valley Pickleball Sub-Committee toured neighboring pickleball courts in Eagan, Cottage Grove, and Woodbury. This tour was very helpful by talking with users and making decisions as to what North Valley Park Pickleball Courts would include and look like.

A letter was sent out to all neighbors within 350 ft. of North and South Valley Parks on February 1, 2019 inviting them to comment and/or attend the PRAC meeting to address any pros or cons of the proposed project. The project details are attached, but in general consists of removing the four tennis courts and replacing them with 6 Pickle Ball **only** Courts. The fence perimeter will be 8ft high with a 6ft. high dividing fence in the center. Fencing shall include 6ft. PVC slatting on north, center, and south fences. Interior courts will be coated/painted bi-color blue/gray with white lines and exterior will be green. The plans also include adding a shade shelter and increasing the parking lot from 8 stalls to 21 stalls; including 2 handicap stalls with ADA accessibility.

The preliminary estimated cost of the project and funding sources are as follows:

Project Item	Funding Source	Estimated Cost
6 Courts/Fencing	Fund 444	\$185,00
Shade Shelter	Fund 444	\$35,000
Park Amenities	Fund 444	\$7,000
Design & Inspection Fees	Fund 444	\$18,000
Parking Lot Addition	Pavement Management Fund	\$65,000
	Total Project	\$310,000

The tentative Project Timeline from start to finish are as follows:

Date:	Description:
February 13, 2019	PRAC Recommending Approval
February 25, 2019	City Council Approval
March 3, 2019	1 st Posting - Advertisement for Bid in South West Review
March 10, 2019	2 nd Posting – Advertisement for Bid in South West Review
March 15, 2019	Pre-Bid Conference Meeting
April 2, 2019	Sealed Bids Due/Bid Opening
April 8, 2019	Recommend Approval by City Council
April 9, 2019	Notify Vendor of Approval
April 23, 2019	Pre-construction Meeting
April 30, 2019	Tentative Start Date
September 15, 2019	Completion Date

PUBLIC COMMNET

Eric Carlson

From: Brian Swoboda
Sent: Wednesday, February 6, 2019 7:29 AM
To: Eric Carlson
Subject: FW: Pickleball

FYI

From: Craig M. Abbott <craigabbott03@yahoo.com>
Sent: Tuesday, February 5, 2019 7:00 PM
To: Brian Swoboda <bswoboda@invergroveheights.org>
Subject: Pickleball

Brian,

I appreciate our city addressing the needs of its park system. I know my family really enjoys outside time when the snow melts!

We live very close to the tennis courts at North Valley Park, and while I think we would love to learn about and play pickleball, we would much rather actual tennis courts. I have 3 small children and we planned on tennis lessons in the near future for our little ones. Tennis is very good exercise, and we would really miss the courts!

There is a lot of grass out there that is simply not used often. Is there a way to have tennis courts and pickleball courts?

Thank you for seeking our input,

Craig Abbott

Eric Carlson

From: Kirk Lindberg <lindberg.kirk@gmail.com>
Sent: Thursday, February 7, 2019 8:04 PM
To: Eric Carlson
Cc: Clyde Reynolds; Wayne Ogorek; Brian Swoboda; Judy Wonick
Subject: Re: PICKLEBALL

Eric,

Thanks for including us in the information. My only thoughts at the moment are:

1. First of all the entire pickleball community is very excited about getting some dedicated outdoor courts. It will be a fantastic amenity for the city.
2. Hopefully there could be room for a row of benches inside the courts along the west fence for people to either watch, or more likely sit and wait their turn to play. I don't know if that could fit comfortably inside the current 12' sideline shown on the drawing or if more room is needed for that.
3. There should be some kind of locker/cabinet for storage of maintenance tools (squeegees, brooms, leaf blower, etc.)
4. It would be wonderful if there could be some tables (outside the fence most likely) for people to sit, watch, cool off, etc.
5. I know parking will be an issue. With six courts, that could be as many as 24 people playing if the courts are full, more if people are waiting to play.

Thank you to you, your staff and the city for your support of this project. I will plan on attending the meeting on Wednesday.

- Kirk

On Wed, Feb 6, 2019 at 4:29 PM Eric Carlson <ecarlson@invergroveheights.org> wrote:

All

I am attaching some preliminary plans for the North Valley Pickleball project. The Parks Commission will be reviewing these on Wednesday, February 13th at 7:00pm at City Hall. Please let me know if you have any questions/concerns and please attend the meeting if you can.

Thanks,

Eric

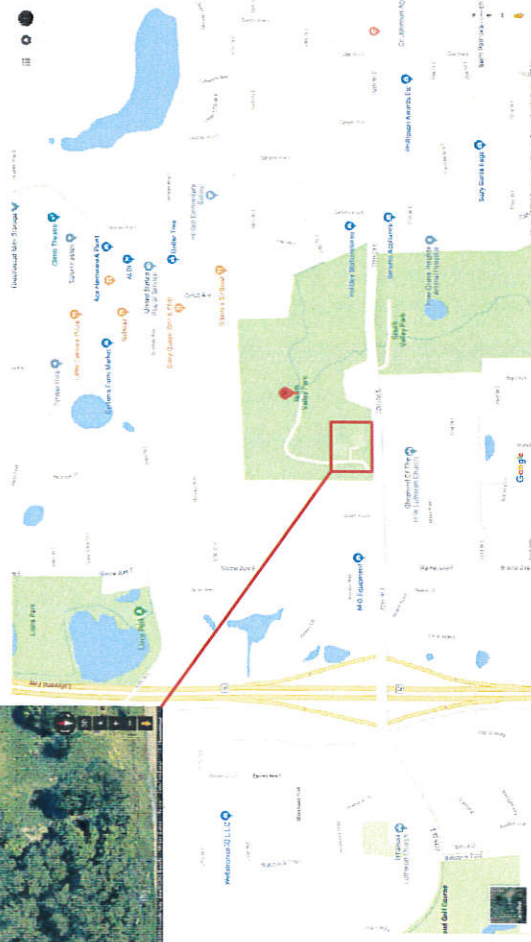
PRELIMINARY PLANS

Inver Grove Heights

North Valley Park



2019 Pickleball Courts And Parking Reconstruction

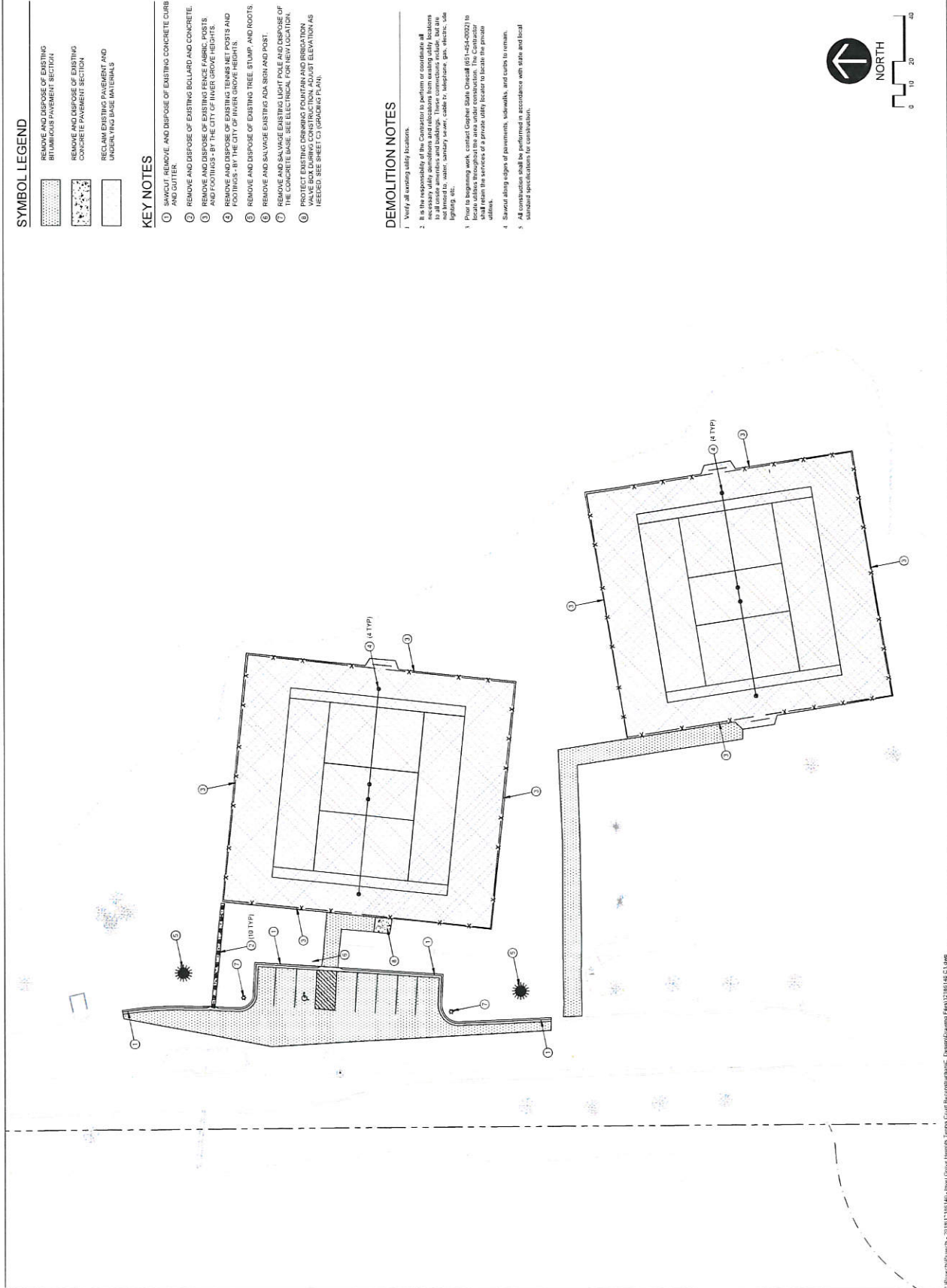


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And Sport Surfaces, LLC
1921 Mayfair Rd. Grafton, WI 53024
www.kolkmancourtbuilder.com
Courtbuilder@ameritech.net
262-485-7507

City Of Inver Grove Heights
North Valley Park
2800 70th St. East
Inver Grove Heights MN 55076

Title Page

Project #	18-036
Sheet #	1
Date	2-3-2019
CAD By	Peter K.
Scale	NTS



SYMBOL LEGEND

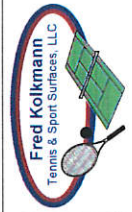
- REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT SECTION
- REMOVE AND DISPOSE OF EXISTING CONCRETE PAVEMENT SECTION
- RECLAIM EXISTING PAVEMENT AND UNDERLYING BASE MATERIALS

KEY NOTES

- 1. SAWCUT, REMOVE, AND DISPOSE OF EXISTING CONCRETE CURB AND GUTTER.
- 2. REMOVE AND DISPOSE OF EXISTING BOLLARD AND CONCRETE.
- 3. REMOVE AND DISPOSE OF EXISTING FENCE, FASING, POSTS, AND FOOTINGS BY THE CITY OF INVER GROVE HEIGHTS.
- 4. REMOVE AND DISPOSE OF EXISTING TENNIS NET POSTS AND FOOTINGS BY THE CITY OF INVER GROVE HEIGHTS.
- 5. REMOVE AND DISPOSE OF EXISTING TREE, STUMP, AND ROOTS.
- 6. REMOVE AND SALVAGE EXISTING ADA SIGN AND POST.
- 7. REMOVE AND SALVAGE EXISTING LIGHT POLE AND DISPOSE OF THE CONCRETE BASE. SEE ELECTRICAL FOR NEW LOCATION.
- 8. PROTECT EXISTING DRINKING FOUNTAIN AND IRRIGATION SYSTEMS. SEE CIVIL FOR ELEVATION AND ELEVATION AS NEEDED. SEE SHEET C3 GRADING PLAN.

DEMOLITION NOTES

- 1. Verify all existing utility locations.
- 2. It is the responsibility of the contractor to determine the location of all existing utilities and to mark them with flags and stakes. These markings shall be made to all inside structures and buildings. These markings include, but are not limited to, water, sanitary sewer, cable tv, telephone, gas, electric, and lighting, etc.
- 3. Prior to beginning work, contact Cooper State Official (651-454-4920) to locate address throughout the site under construction. The Contractor shall retain the services of a private utility locator to locate the private utilities.
- 4. Staked along edges of pavements, sidewalks, and curbs to remain.
- 5. All construction shall be performed in accordance with state and local standard specifications for construction.



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Larson Engineering, Inc.
3524 Labore Road
White Bear Lake, MN 55110
Tel: 651-207-1500
www.larsoneng.com

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I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Greg A. Larson P.E.
Date: 02/04/19 Reg. No. 27373

City Of Inver Grove Heights
North Valley Park Pickleball Complex
Inver Grove Heights, MN

DEMOLITION PLAN	
Project #	12186140
Sheet #	C1
Date:	02/04/19
CAD By:	KBK
Scale:	1" = 20'

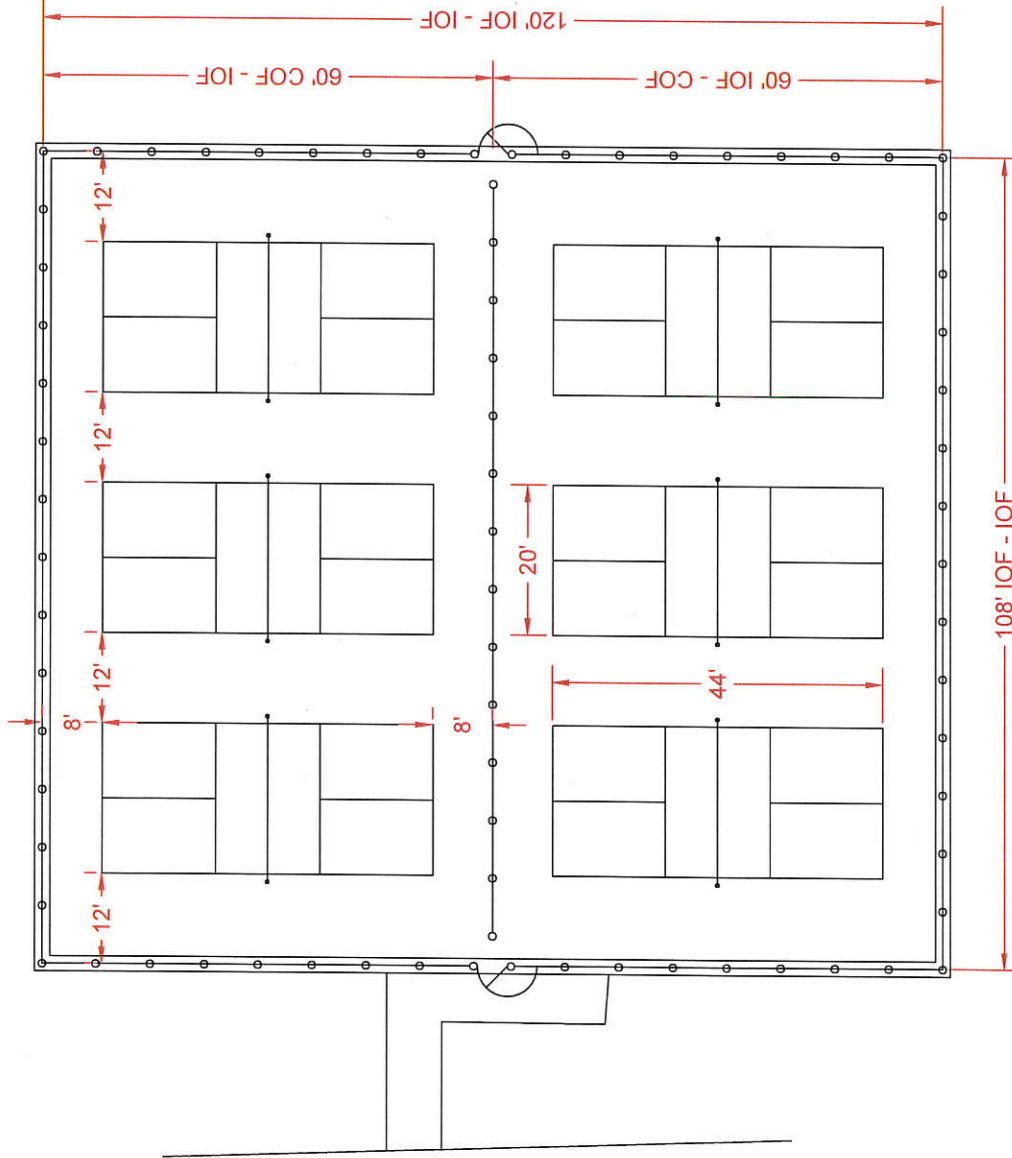


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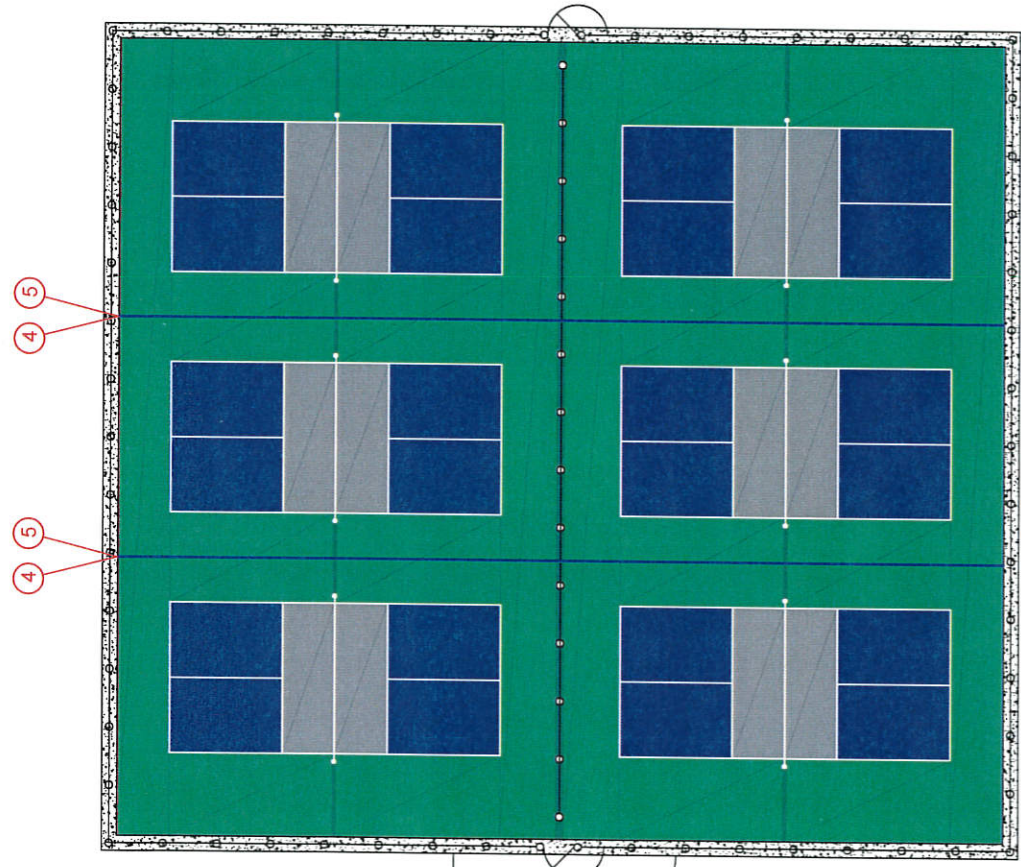
City Of Inver Grove Heights
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New Layout Page

Project #	18-036
Sheet #	9
Date	2-3-2019
CAD By	Peter K.
Scale	NTS



- ① Light Green Exterior
- ② Grey And Dark Blue Interior
- ③ White Lines
- ④ Control Joints
- ⑤ Armor Over Joints

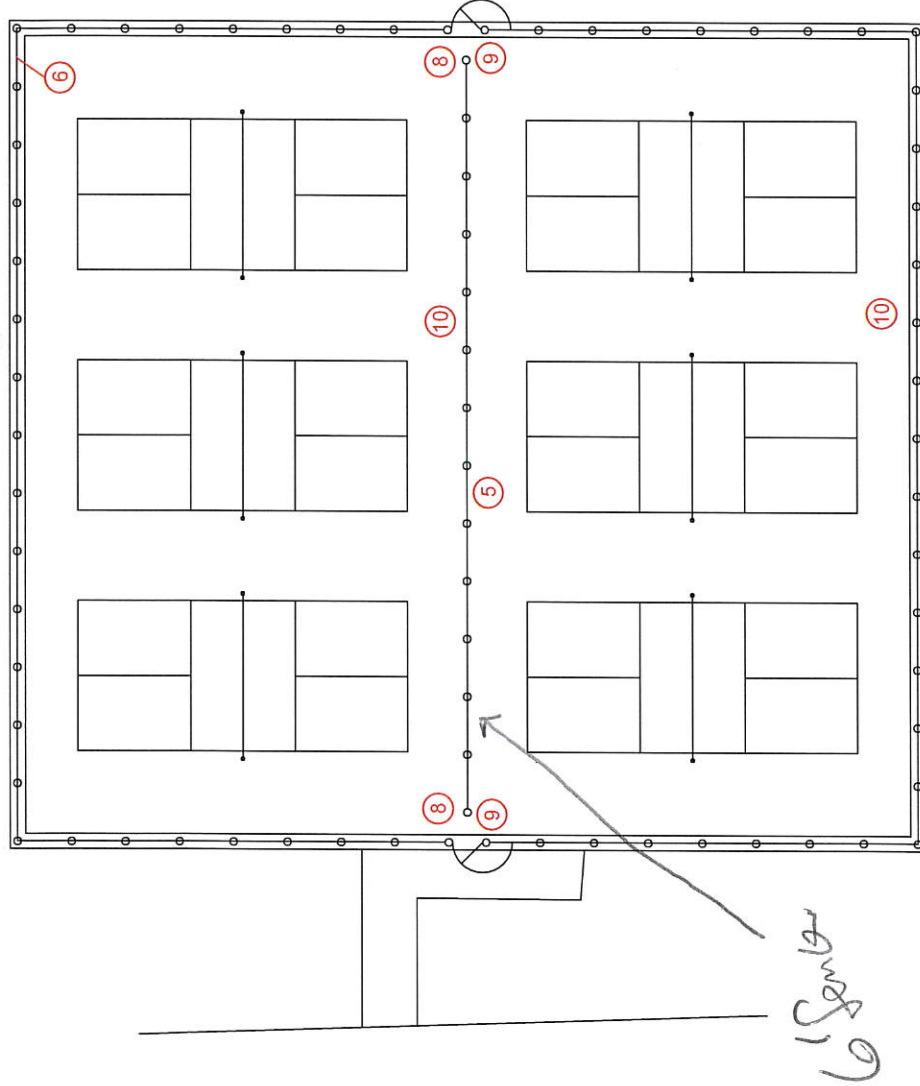


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City Of Inver Grove Heights
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Color Page	
Project #	18-036
Sheet #	10
Date	2-3-2019
CAD By	Peter K.
Scale	NTS

- ① Drive New 8' High 3" Diameter Galvanized SS-40 Posts. Max 8' Spacing. Before Curb Pour
- ② Install New Top And Bottom Rail
- Galvanized
- ③ New 1 $\frac{3}{4}$ " Mesh Galvanized
- ④ Corner And Gate Posts To Be Concrete Set
- ⑤ New 8' High Fence
- Core And Drive Fence On 8' Centers
- ⑥ Install New Leaf Gate
- ⑦ Set All Net Post Sleeves After Binder Course And Before Surface Course
- ⑧ New 4' Gate
- ⑨ When Setting Gate Posts, Verify That Gate Will Not Hit Divider Fence
- ⑩ Install 6' High Blue Privacy Slatting On North, South, Divider Fences



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Fence Details

Project #	18-036
Sheet #	11
Date	2-3-2019
CAD By	Peter K.
Scale	NTS

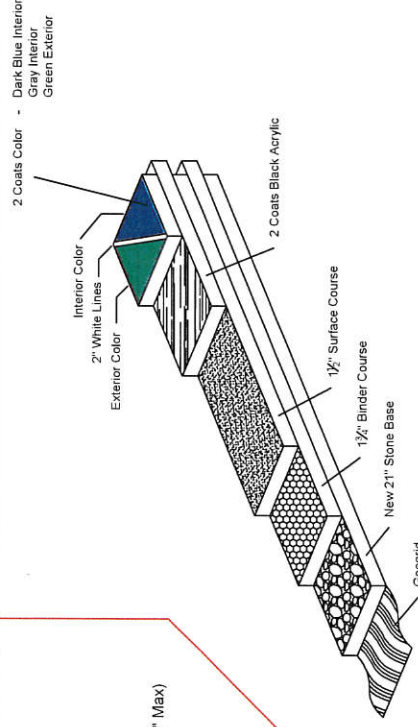


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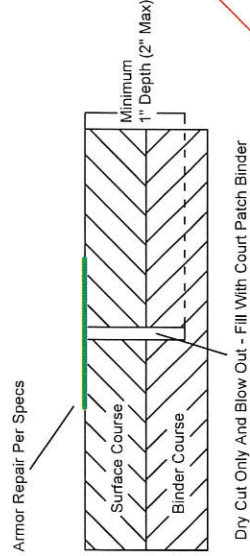
City Of Inver Grove Heights
North Valley Park
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Inver Grove Heights MN 55076

Details Page

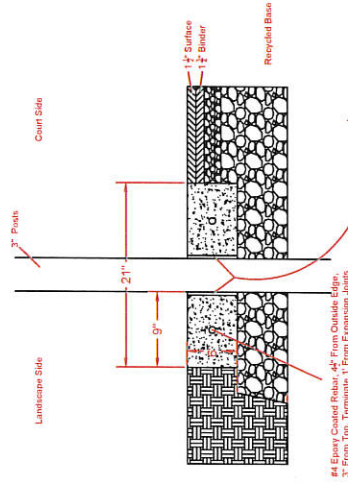
Project #	18-036
Sheet #	12
Date	2-3-2019
CAD By	Peter K.
Scale	NTS



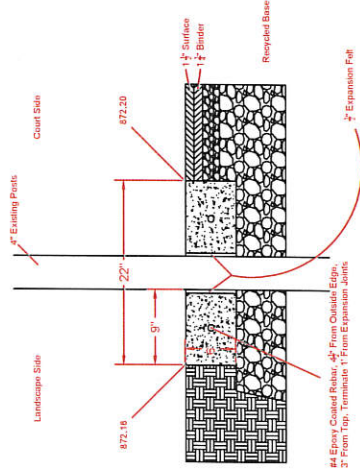
Composite



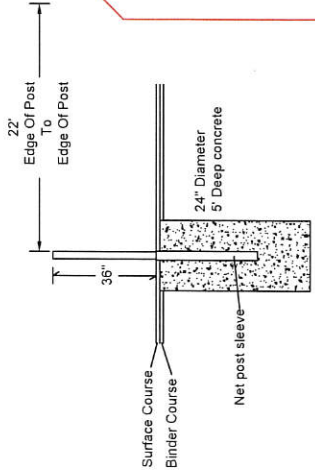
Saw Cuts For Control Joints With Armor



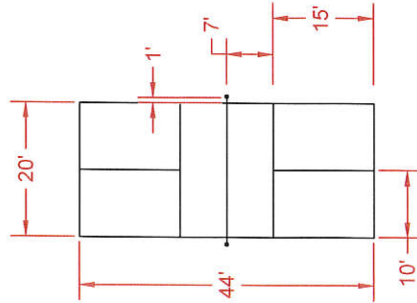
Detail A-A For Line Posts



Detail B-B For Line Posts



Pickleball Net Post Detail



Pickle Ball Line Detail

- DETAIL APPLIES TO ALL TERMINAL POSTS. ALL GATE POSTS AND LINE POSTS AS INDICATED
- BOTTOM RAIL TO BE 1 1/2" ABOVE PAVEMENT

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COMMISSION ACTION

Approve Portable Toilet Contract

Meeting Date: February 13, 2019
 Item Type: Regular Agenda
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Brian Swoboda-651-450-2582
 Reviewed by: Eric Carlson – Parks & Recreation

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

Approve a 3-year contract with Nature Calls which will be effective April 1, 2019 – March 31, 2022. This expense is included in the annual Parks Division Budget.

SUMMARY

Portable toilet quote requests were received from three vendors for provision/servicing of facilities for a three-year contract. The low quote was received from Nature Calls for a monthly rate of \$60.00, which includes weekly cleanings. All quotes also contain Damage Waiver protecting the City from any liability for damage or destroyed units including vandalism and arson. The bid tabulation is provided below. Staff recommends contracting with Nature Calls for the next 3 years.

Nature Calls	\$60.00/month serviced weekly
On Site Sanitation	\$67.00/month serviced weekly
Biffs	\$92.50/month serviced weekly

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COMMISSION ACTION

Consider Approval of 2019 Park and Recreation Commission Work Plan

Meeting Date: February 13, 2019
Item Type: Regular Agenda
Contact: Eric Carlson – 651.450.2587
Prepared by: Eric Carlson
Reviewed by: Eric Carlson – Parks &
Recreation

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 Commission should adopt a Work Plan for the year.

SUMMARY

The Commission reviewed the attached work plan at your January Work Study Session. The Work Plan has been modified slightly. The Commission should discuss the plan, make appropriate changes, and adopt a plan to help guide the work that will be completed in 2019.

Draft Work Plan
2019 Parks and Recreation Advisory Commission
City of Inver Grove Heights

- 1) Heritage Village Park
 - i) Heritage Village Park Phase I (2018)
 - (1) Dog Park – Ribbon Cutting Tuesday, June 11, 2019
 - b) Heritage Village Park Phase II (2019)
 - (1) Inclusive Playground
 - (2) Parking
 - (3) Shelter
 - (4) Site work
 - c) Heritage Village Park Future Phases (TBD)
 - i) Old Town Hall
 - ii) Former One-Room School House
 - iii) Picnic Area
 - iv) Amphitheatre/Bandshell
 - v) Splash Pad
 - vi) Historical Interpretation
- 2) Winter Skating Site Discussion
 - a) Capital Investments
 - b) Operational Investments
 - c) Usage Statistics
 - d) Other Building Uses
 - i) Oakwood
 - ii) Skyview
 - iii) Groveland
- 3) NW Area Park Land Acquisition
 - a) South of 70th
 - i) Argenta Hills (5-10 acres)
 - (1) property acquisition
 - (2) park development
 - (3) on-going park maintenance
 - (4) future capital replacement
 - b) North of 70th
 - i) Cole Property (15-20 acres) – cooperation/Dakota County Regional Trail
 - (1) property acquisition
 - (2) park development
 - (3) in on-going maintenance
 - (4) future capital replacement

- 4) North/South Valley Park
 - a) Phase I (2019)
 - i) Pickleball Court
 - ii) NV additional parking
 - iii) Archery range site preparation
 - iv) Disc Golf hole relocation
 - v) Natural Trail around pond
 - b) Phase II (2021)
 - i) MN DNR Outdoor Recreation Grant
 - ii) SV additional parking
 - iii) Archery Range
 - iv) Playground
 - v) Picnic Shelter
 - c) Phase III (2022)
 - i) Community Garden
 - ii) Lookout Tower
 - iii) Natural Trail identification
- 5) 10-Year Capital Improvement Plan
 - a) Funded Projects
 - b) Un-Funded Projects
 - c) Park Acquisition and Development Fund (Fund 402)
 - d) Park Capital Replacement Fund (Fund 444)
 - e) VMCC/Grove
 - f) Inver Wood Golf Course
- 6) Inver Wood Golf Course
 - a) Golf Carts
 - b) Capital Equipment
 - c) Re-Roof Comfort Station
 - d) Anniversary Pass
 - e) Cash Reserve Policy
- 7) VMCC/Grove
 - a) Lap Pool HVAC
 - b) Lap/Dive Pool Shell
 - c) Gymnasium Improvements
 - d) BB Hoops
 - e) Gym Divider
 - f) Remodel Racquetball Space
 - g) Pool Deck
 - h) Pool Filters
 - i) Sustainability

- 8) Park Dedication
 - a) Update Fees
 - b) Address Senior Living
- 9) River Heights Park
 - a) Natural Resource Management Plan - FMR
- 10) Joint Meeting with City Council
- 11) Seidls Lake
 - a) Basketball Court
 - b) Playground
- 12) Babcock Trail - Trail

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COMMISSION ACTION

Department Happenings

Meeting Date: February 13, 2019
 Item Type: Administrative Presentations
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Eric Carlson – Parks & Recreation

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

No action required. Item is for informational purposes and Commissioners are encouraged to ask appropriate questions.

SUMMARY

Items included:

- Department Happenings Report
- Miscellaneous



Parks & Recreation Department Department Happenings



Vacant Recreation Positions

We had 52 applicants for the Recreation Superintendent position and 45 for the part time Recreation Specialist. Contingent job offers have been accepted by the recommended candidates and we are currently doing the necessary pre-employment background and testing. We plan to bring recommended candidates to the Council for consideration on Monday, February 25th.

The Operations & Maintenance Supervisor position closed Friday, February 8th. We will be reviewing application materials and offering interviews soon. Several departments will have representatives involved in the interview process based on the fact the position will be responsible for all city facilities.

MN DNR Outdoor Recreation Grant

The MN DNR has an outdoor recreation grant that provides applicants up to \$250,000 in grant proceeds which must be matched 1:1 to make capital park improvements. The City received one of these grants for the Skyview Rectangular Field project a few years ago.

Staff has identified that our planned improvements at South Valley Park (picnic shelter, bathrooms, playground equipment) would be good candidates for this grant. To be able to apply we must have schematic drawings completed for the shelter and specific plans completed for the playground. To accomplish this, we are developing a Scope of Services that we plan to share with a consultant to help us get the necessary planning documents together so we can apply for the grant opportunity in 2020 for funding in 2021. We expect the Parks and Recreation Commission to review a proposal in April and for the Commission and Council to consider hiring a firm in April.

Babcock Trail – Off Road Trail

In July of 2018 the Council authorized the City to submit a \$300,000 grant request to the Metropolitan Council for a Transportation Advisory Board (TAB) Regional Solicitation Grant to support construction of an off-street trail along Babcock Trail. We have recently been notified that our grant request will not be funded. We will contact our partners CHS Inc. and Dakota County to let them know.

Ice Fishing Contest

A local organization called "Protect All Children from Bullying" will be having an ice fishing contest/benefit on Saturday, February 16th from 10am – 6:00pm on the pond behind City Hall. Neither the City nor the School District are associated with the event. We are allowing the event participants to park in the City Hall parking lot and we are



Parks & Recreation Department Department Happenings



also coordinating a portable toilet for the event which will be paid for by event organizers.

High School Swim Team Lockers

Simley High School will be updating the lockers found in the High School Swim locker room the week of March 4th. The district is responsible for 100% of the cost to upgrade the lockers.

Doffing Ave. – LSS Property

We have sat down with Lance and Angie Sanders (6455 Doffing Ave.) to discuss the potential sale of their property to the City for Heritage Village Park. Currently, there are State Bonding Grant funds still available to acquire the property should we be able to come to a mutually acceptable agreement. If the Sanders do make an offer, we will schedule an Executive Session with the Council.

Inver Wood Golf Course Capital Equipment

We recently made the following purchases of capital equipment for Inver Wood:

- Purchase a new fairway mower and greens rollers financed internally through the capital equipment fund with an interest free loan paid back over a 3-year period with golf course revenue
- Purchase of a new golf car fleet replacing all 68 carts that are now 8 years old financed internally through the capital equipment fund with an interest free loan paid back over a 6-year period with golf course revenue

CITY OF INVER GROVE HEIGHTS

REQUEST FOR COMMISSION ACTION

Commission Comments

Meeting Date: February 13, 2019
 Item Type: Commission Presentations
 Contact: Eric Carlson – 651.450.2587
 Prepared by: Eric Carlson
 Reviewed by: Eric Carlson – Parks & Recreation

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

No action required. Commissioners are encouraged to make appropriate comments.

SUMMARY

None.