

CHAPTER 5. ANIMALS

Section 500 – General Provisions

500.01 Purpose. It is the purpose of this ordinance to protect and promote public health, safety and the general welfare of humans and animals. To regulate the care and keeping of animals within the city. To reduce or eliminate the encroachment on private property, public right of ways, and public property of unrestrained, unregistered, unvaccinated, prohibited, or dangerous animals and the risks posed to humans and other animals caused by the improper care, control, and keeping of animals.

500.02 Definitions. The following definitions shall be used in the application and interpretation of the provisions of this chapter:

Animal. “Animal” shall mean any non-human mammal, reptile, amphibian, fish, or bird.

Animal Control Officer. “Animal Control Officer” shall mean an individual or employee of a business retained by the City for purposes of enforcing provisions of this Chapter.

Animal, Domestic. “Animal, Domestic” shall mean animals kept within the home as pets, such as fish, dogs, cats, household bird, and similar animals.

Animal, Farm. “Animal, Farm” shall mean those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, such animals shall include members of the equestrian family (horses, ponies, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, and other animals associated with a farm, ranch, or stable. Backyard Chickens as defined in this Chapter are exempt from this definition. *(Adopted 6/9/14; Ord. 250)*

Animal, Non-Domestic. “Animal, Non-domestic” shall mean any animal which is of a species not usually domesticated and of a species which, due to size, wild nature, or other characteristics is commonly considered to be inherently dangerous to the health, safety and welfare of people and would ordinarily be confined in a zoo or found in the wild. The term includes, but is not limited to:

- A. Animals and birds, the keeping of which is licensed by the state or federal government, such as wolves, raptors, and pheasants.
- B. Eagles, birds, such as falcons and pigeons, ocelots, jaguars, cougars, weasels, wild ferrets, deer, and bison.
- C. Crossbreeds of wild animals and domesticated animals such as the cross between dogs and coyotes and dogs and wolves.
- D. Any large cat of the family Felidae, such as lions, tigers, jaguars, leopards, cougars, and ocelots.
- E. Any member of the family Canidae such as wolves, coyotes, dingoes, and jackals, except domesticated dogs.
- F. Any poisonous snake such as a rattlesnake, coral snake, water moccasin, puff adder, or cobra.
- G. Any snake or reptile by its size, vicious nature, or other characteristic is dangerous to human beings such as alligators and crocodiles.
- H. Any skunk, raccoon, or fox whether captured in the wild, domestically raised, de-scented or not de-scented, vaccinated against rabies or not vaccinated against rabies.
- I. Any bear, ape, gorilla, chimpanzee, monkey, or badger.
- J. Any other animal or reptile, which is commonly considered wild.

At Large. "At large" shall mean an unattended animal on public property, or an unattended animal on private property without the consent of the property owner.

Backyard Chicken. "Backyard Chicken" shall mean a female chicken that serves as a source of eggs or meat. *(Adopted 6/9/14; Ord. 250)*

City. "City" shall mean the City of Norwood Young America.

City Pound. "City Pound" shall mean the designated pound for the City of Norwood Young America.

Coop. "Coop" shall mean the structure for the keeping or housing of backyard chickens as permitted by this Chapter. *(Adopted 6/9/14; Ord. 250)*

Dangerous Dog. "Dangerous dog" shall mean any dog that has committed any of the acts set forth below:

- A. Without provocation, inflicted substantial bodily harm on a human being on public or private property;
- B. Killed a domestic animal without provocation while off the owner's property, or;
- C. been found to be potentially dangerous, and after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Dog. "Dog" shall mean any canine animal, male or female, whole or neutered.

Law Enforcement Officer. "Law Enforcement Officer" shall mean an individual or employee retained, by the City, for purposes, in part, of enforcing the provisions of this Chapter; or a member of the County law enforcement agency.

Licensed Commercial Kennel. "Licensed Commercial Kennel" shall mean a place where more than three (3) dogs over six (6) months of age are kept, and where the business of selling, boarding, breeding, showing, treating or grooming of dogs shall be conducted with license from the City.

Nuisance. "Nuisance" shall mean any animal that unreasonably annoys or disturbs the peace of other members of the public due to excessive, continuous or untimely barking, whining or crying.

Owner. "Owner" shall mean any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in or having custody or control of an animal.

Potentially Dangerous. "Potentially Dangerous" shall mean any dog that has committed any of the acts set forth below:

- A. When unprovoked, bites a human or domestic animal;
- B. When unprovoked, chases or approaches a person upon the streets, sidewalks or any other public property in an apparent attitude of attack; or
- C. Has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Proper Enclosure. "Proper Enclosure" shall mean securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal 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 animal to exit of its 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 dog from exiting.

Regular Business Day. "Regular Business Day" shall mean a day in which the City Pound shall be open to the public for four (4) consecutive hours.

Restrained. "Restrained" shall mean on a leash of not more than six (6) feet in length or a leash which can be retracted to a length of six (6) feet or less, and in the custody of a person of sufficient age to adequately control the animal; in a vehicle; or confined to the owner's property by an enclosure or fencing.

Rooster. "Rooster" shall mean a male chicken. *(Adopted 6/9/14; Ord. 250)*

Run. "Run" shall mean an area attached to a coop where backyard chickens can roam unsupervised. *(Adopted 6/9/14; Ord. 250)*

Substantial Bodily Harm. "Substantial bodily harm" shall mean bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.

500.03 Enforcement. The provisions of this Chapter shall be enforced by the Animal Control Officer or the City's Law Enforcement contractor. No person shall, in any manner, interfere with or hinder an Animal Control Officer or the City's law enforcement contractor in the discharge of their duties.

500.04 Interference with Animal Control Officer. It shall be unlawful for any person to molest or in any way interfere with any peace officer, animal control officer, or any officer of the City, while engaged in performing work under the provisions of this Section.

500.05 Exemptions. The following provisions of this Chapter shall not apply in the following circumstances:

- A. Unless specified herein, the provisions of this Chapter shall not apply to animals used or confined at hospitals, clinics, or businesses operated by licensed veterinarians.
- B. Regulations relating to dangerous animals and potentially dangerous animals shall not apply to dogs under the control of a law enforcement officer.

Section 510 – Dog and Cat Licenses and Regulations

510.01 License Required. No person shall keep any dog or cat over six (6) months of age within the City unless a license therefore has been secured from the City Administrator. The City Administrator shall keep a record of all licenses issued and shall issue a metal tag for each license.

510.02 Rabies Certificate Prerequisite to Issuance. No license or metal tag shall be issued until the owner of the dog or cat has provided proof that the animal to be licensed has been vaccinated against rabies and the vaccination shall be current.

510.03 Limit of Dogs and Cats on Any One Premise. No person shall keep more than three (3) dogs, and more than three (3) cats, over six (6) months of age on any one premise except at a licensed commercial kennel.

510.04 Affixing Tags. The owner shall cause the license tag to be affixed by a permanent metal fastening to the collar of the dog or cat so licensed, in such a manner that the tag may be easily seen by the officers of the City. The owner shall see that the tag is constantly worn by such dog or cat, and any dog or cat found within the City without tag shall be deemed to be unlicensed.

510.05 Duplicate Tags. In case any dog or cat tag is lost the Clerk may issue a duplicate. A fee for each such duplicate tag may be established by the City Council in the fee schedule.

510.06 Annual License Fee. The fee for each license issued under this Section shall be as set from time to time by the Council in the fee schedule. Licenses shall expire on the 31st day of December next following their issuance. The full license fee shall be paid for each dog or cat regardless of the date of issue.

510.07 Penalties and Fines. Any person who shall not have obtained a license for any dog or cat as required by this Section shall be liable to a fine as set in the fee schedule from time to time adopted by the Council, together with the cost of the license fee.

Section 520 – Animal Prohibitions and Regulations

520.01 Obligation to Prevent Nuisances. It shall be the obligation and responsibility of the owner of any animal in the City, whether permanently or temporarily therein, to prevent the animal from committing any act, which constitutes a nuisance or is dangerous to the health, safety and welfare of a person.

520.02 Animals Running at Large Prohibited. It shall be unlawful for any person to permit any animal to run at large within the City. An animal shall be considered running at large if found off of the owner's premises and not controlled by a leash, cage, or other similar restraint.

520.03 Cleaning up Litter.

- A. The owner of an animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner.
- B. The owner of an animal shall not permit such animal to be on public property or the private property of another without having in the owners' immediate possession, a device for the removal of feces and a proper receptacle for the feces.
- C. The owner of an animal shall remove feces left by such animal on public property or the private property of another and dispose of such feces in a sanitary manner.

520.04 Barking Dogs. No person shall allow an animal to unreasonably annoy or disturb the peace of other members of the public due to excessive, continuous or untimely barking, whining or crying. Barking, crying, whining, or similar noise shall be considered a nuisance if it is audible off of the owner's premises for a continual period of more than five minutes with interruptions of less than one minute duration.

520.05 Dangerous Dogs. The provisions of Minnesota Statutes Sections 347.50 through and including 347.56 are hereby adopted as the potentially dangerous and dangerous dog regulations for the City of Norwood Young America. Every provision contained in the foregoing Minnesota Statutes is hereby adopted and made a part of this chapter by reference as if fully set forth herein. Where a conflict exists between the provisions of the City Code and the provisions of Minnesota Statutes 347.50 through and including 347.56, the latter provisions shall apply.

- A. Process: A City Animal Control Officer, other law enforcement official, or county attorney shall be responsible for determining whether a dog is a potentially dangerous or dangerous dog.
- B. Notice: Upon determination by the Animal Control Officer, other law enforcement official, or county attorney that a dog is a potentially dangerous or dangerous dog, the City or a representative of the City shall provide the owner with notice of the determination by personally serving the owner or a person of suitable age at the residence of such owner. The notice shall describe the dog deemed to be a potentially dangerous or dangerous dog; shall identify the officer making the determination; and shall specify the facts relied upon by the officer in making the potentially dangerous or dangerous dog determination. If the officer determines that the dog is a potentially dangerous or a dangerous dog, the notice shall also inform the owner of the owner's rights to appeal the determination.
- C. Appeal: An Owner may appeal a determination that a dog is a potentially dangerous or dangerous dog by filing a written notice for a hearing to the City Administrator within ten (10) days of the owner's receipt of the notice. If an owner files a timely appeal, a hearing shall be held within thirty (30) days after the City's receipt of the appeal. The City Administrator shall assign a hearing examiner to hear the appeal. The hearing examiner may be a City employee, provided the employee has not been involved in determining if the dog was potentially dangerous or dangerous. During the hearing the Minnesota Rules of Evidence do not need to be strictly followed and the records of the Animal Control Officer or Law Enforcement Officer shall be considered without further foundation. After considering all of the evidence submitted, the hearing

examiner shall make written findings of the fact and shall determine whether the dog is a potentially dangerous or a dangerous dog. The findings and conclusions shall be made within ten (10) working days after the hearing and shall be thereafter personally served upon the owner or a person of suitable age at the residence of such owner. The decision of the hearing examiner shall be the final decision of the City. If an appeal is not filed within ten (10) working days, the owner of a dangerous dog must comply with the requirements set forth in this section and Minnesota Statutes Sections 347.50 through and including 347.56.

D. Dangerous Dog Restrictions:

1. Registration Required. No person may own a dangerous dog in the City of Norwood Young America unless the dog is registered as provided in this section. The Animal Control Officer shall issue a certificate of registration to the owner of the dangerous dog if the owner presents the following information:
 - a) Proper Enclosure. A Proper Enclosure exists for the dangerous dog and there is a posting on the premises with a clearly visible warning sign, including a warning symbol to inform children, that there is a dangerous dog on the property.
 - b) Bond/Insurance. A surety bond issued by a surety company authorizing to conduct business in the State of Minnesota in a form acceptable to the Animal Control Officer in the sum of at least \$50,000.00, payable to any person injured by the dangerous dog, or a policy of liability insurance issued by an insurance company authorized to conduct business in the State of Minnesota in the amount of at least \$50,000.00, insuring the owner for any personal injuries inflicted by the dangerous dog.
 - c) Annual Fee. The owner has paid an annual fee as set forth in the City Fee Schedule, if any, in addition to any regular dog licensing fees, to obtain a certificate of registration for a dangerous dog under this section.
 - d) Microchip. The owner has had a microchip identification implanted in the dangerous dog.
2. Annual Renewal. The owner of a dangerous dog must renew the registration of the dog annually until the dog is deceased. If the dog is removed from the City of Norwood Young America, it must be registered as a dangerous dog in its new jurisdiction.
3. Warning Symbol. If a certificate of registration is issued to the owner of a dangerous dog, the owner must post a warning symbol to inform children that there is a dangerous dog on the property. The design of the warning symbol must have been approved by the Minnesota Commissioner of Public Safety.
4. Tag. The dangerous dog must have a standardized, easily identifiable tag identifying the dog as dangerous and containing the Uniform Dangerous Dog symbol, affixed to the dog's collar at all times.
5. Sterilization. The City or District Court may require a dangerous dog to be sterilized at the owner's expense.
6. Death/Transfer from City. The owner of any dangerous dog must notify the City, in writing, of the death of the dog; its transfer to a residence outside of the City of Norwood Young America or its transfer within the City of Norwood Young America within thirty (30) days of the death or transfer.
7. Notice to Landlord. The owner of a dangerous dog who rents property from another where the dog will reside must disclose to the property owner, prior to entering into the lease agreement and at the time of any lease renewal that the person owns a dangerous dog that will reside at the property.
8. Sale. The owner of a dangerous dog must notify the purchaser that the dog has been identified as a dangerous dog. The seller must also notify the City, in writing, of the sale and provide the City with the new owner's name, address and telephone number.
9. Photograph. The owner or custodian of any dangerous dog shall make the dog available to be photographed for identification by the City at a time and place specified.
10. Muzzling. If the dog is outside the Proper Enclosure, the dog must be muzzled and restrained by substantial chain or leash and be under the physical restraint of a responsible person. The muzzle must be made in a manner that will prevent the dog from biting any person or animal but that will not cause injury to the dog or interfere with its vision or respiration.

11. Custody Pending Determination. The City may retain custody of any dog declared dangerous until the dog is duly and properly registered as required herein.

Section 530 – Impoundment; Quarantine

530.01 Poundkeeper and Animal Control Officer

- A. Appointment. A pound keeper and an animal control officer shall be appointed by the City Council. The positions may be combined and one person appointed at the discretion of the Council.
- B. Duties. It shall be the duty of the animal control officer to capture all animals found running at large in violation of this Chapter and turn them over to the pound keeper who shall be responsible for the safe keeping of all impounded animals, including the providing of food, water, and shelter for each animal.
- C. Poundkeeper to Render Monthly Statement; Duty to Pay Moneys Received. It shall be the duty of the poundkeeper to render to the City Council a monthly statement, under oath, of all fees and monies received by him or her, exclusive of his or her fees and expenses, for penalties and shall, at the same time pay over to the City Administrator all monies so received by him or her for impounding any such animals.

530.02 Seizure and Removal of Animals. Subject to the provisions of this section, animals found in violation of this Chapter may be seized by a Law-Enforcement Officer, impounded in a designated animal shelter, and confined therein in a humane manner for a period of not less than five (5) business days or until claimed by the animal's owner, whichever occurs first.

- A. Law-Enforcement Officer shall not enter the private dwelling of an individual for purposes of seizing animals or otherwise enforcing the provisions of this Chapter without first obtaining a search warrant. However, a Law-Enforcement Officer is empowered to enter upon a property adjacent to a private dwelling for purposes of enforcing the provisions of this Chapter.
- B. Before seizing an animal on private property, the Animal Control Officer shall make a reasonable attempt, taking into consideration the time of day and nature of the violation, to notify the owner that the animal is being seized because it was observed by the Law-Enforcement Officer to be in violation of the provisions of this Chapter.
- C. When an animal is seized from the private property of its owner and the Law-Enforcement Officer has been unable to notify the owner of the reason for seizing the animal, the Law-Enforcement Officer shall leave a written notice affixed to the dwelling unit, in a conspicuous manner, which includes the following information:
 - 1. A description of the animal seized.
 - 2. Purpose for seizure of the animal.
 - 3. The time, place and circumstances under which the animal was seized.
 - 4. The location, address, telephone number, and contact person where the animal will be impounded.
 - 5. A statement indicating that the person claiming the animal will be required to pay for the fees and costs associated with impoundment of the animal.
 - 6. A statement indicating that failure to claim the animal within five (5) business days will result in the disposition of the animal.
- D. Immediately upon impounding animals, reasonable efforts shall be made to notify the owner and inform the owner of the animal's confinement and the procedures for release of the animal to the owner.
- E. An animal which is not redeemed within five (5) business days after impoundment may be disposed of in any manner provided by law. Any animal which is not claimed by the owner or sold shall be euthanized and disposed of in a sanitary manner.
- F. Animals taken into custody pursuant to the provisions of Minn. Stat. 343.22 or 343.29 shall be disposed of pursuant to the provisions of Minn. Stat. 343.235.

530.03 Notice of Impoundment. Upon impounding any animal, the City shall post notice in at least two (2) or more conspicuous places within the City. If the owner of the animal is known, written notice shall be provided to the

owner. The notice shall state where the animal is being held and that if not reclaimed within five regular business days it may be sold, destroyed, or otherwise humane disposed of.

530.04 Redemption. Any animal impounded for running at large, being unlicensed, or creating a nuisance may be redeemed from the pound by the owner within five regular business days. Any dog impounded as a dangerous or potentially dangerous dog shall be held by the City pursuant to Subsection 520.05- Dangerous Dogs, of this Chapter.

530.05 Impoundment Fees. Animals may generally be reclaimed by payment to the City of an impounding fee plus all charges incurred as a result of the impoundment. In addition, if the animal is not properly licensed, the license fee shall also be paid before the animal is released. The impounding fee shall be as set from time to time by the Council in the fee schedule. Dogs impounded as being dangerous or potentially dangerous may be redeemed by the same process plus satisfaction of all requirements of Subsection 520.05-Dangerous Dogs, of this Chapter.

530.06 Illegal Release. No unauthorized person shall break into the pound or release any animal legally impounded.

530.07 Authority to Sell or Dispose of Animals. The pound keeper shall have the authority to sell or dispose of any impounded animal not redeemed within the required holding period from the date notice of impoundment is given as provided by Subsections 530.02 and 530.04.

530.08 Biting Animals To Be Quarantined. Whenever an animal has bitten a person, or whenever the Law-Enforcement Officer picks up a known or suspected rabid animal, such animal shall be confined for a minimum of ten (10) days as follows:

- A. Upon proof of a current rabies vaccination, the owner of the animal may, with the consent of the City, quarantine the animal at the owner's residence provided that such animal shall not be permitted to come in contact with other animals or persons and, provided further that the animal shall be muzzled and on a leash not to exceed four (4) feet, and in control of a competent person when taken from the place of confinement for sanitation purposes.
- B. If no proof of a current rabies vaccination is provided, or if the City does not consent to confinement of the animal to the owner's residence, the animal shall be quarantined at the animal shelter or a licensed veterinary clinic at the expense of the owner.
- C. A quarantined animal shall not be removed from the place of confinement without the written permission of the City.
- D. A quarantined animal shall be confined in an enclosure constructed of materials suitable to prevent the animal from escaping. All openings to the enclosure shall be locked at all times and the animal shall not be removed from the enclosure unless the animal is muzzled on a leash not exceeding four (4) feet in length and in control of a competent person.

530.09 Summary Destruction. Whenever a Law-Enforcement Officer has reasonable cause to believe that a particular animal represents a clear and immediate danger to the Law-Enforcement Officer, the Law-Enforcement Officer, after making reasonable attempts to impound such animal, may summarily destroy the animal.

Section 540 – Non-Domestic Animals

540.01 Prohibited Animals. No person shall keep, maintain or harbor within the City any non-domestic animals, as defined in Section 500.02, Subd. 5 of this Chapter.

540.02 Exceptions; Permit Required.

- A. Any persons desiring to keep animals prohibited under this Subsection shall obtain a temporary permit from the City Council. The permit shall be issued for a period not to exceed thirty days and shall specify under what conditions the animal(s) shall be kept. Permits shall be issued only if animal shall be brought into

City for entertainment, exhibition, show or promotional purposes only, and only at the discretion of the Council which may consult with a veterinarian at the applicant's expense as to the risks posed by the animal(s) sought to be allowed by the permit.

- B. Non-poisonous snakes, birds kept indoors, hamsters, mice, rabbits, gerbils, white rats, guinea pigs, chinchillas, turtles or lizards, and similar small animals capable of being maintained continuously in cages shall also be exempt and shall not require a permit.
- C. Persons keeping animals for a public zoo as volunteers, docents or otherwise, any bona fide research institution or veterinary hospital, shall be exempt from the permit requirement, provided protective devices adequate to prevent the animals from escaping or injuring the public shall be provided.
- D. Handicapped persons keeping monkeys trained as household helpers shall be exempt.

540.03 Selling Prohibited. No person shall offer for sale, within City limits, any exotic animal covered by this Subsection.

540.04 Impoundment of Non-Domestic Animals. Any non-domestic animal kept in violation of this Section may be impounded by the City, and after being kept for five days or more without being reclaimed by the owner, may be sold or destroyed. Any person reclaiming the animal shall pay the costs of impoundment and keeping of the animal.

540.05 Existing Non-Domestic Animals. Any person keeping any non-domestic animal at the time of adoption of this Code shall remove the animal from the City within 90 days following adoption of this Section.

Section 550 – Farm Animals

550.01 Keeping of Farm Animals. Farm animals may be kept in the Transition/Agricultural District of the City, as provided for in Chapter 12-Zoning of the Norwood Young America City Code. An exception may be made to this subsection for those animals brought into the City as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition.

550.02 Beekeeping Prohibited. No person shall keep any bees in the City on any property.

550.03 Keeping of Backyard Chickens.

- A. Purpose. It is recognized that the ability to cultivate one's own food is a sustainable activity that can also be a rewarding past time. It is further recognized that the keeping of backyard chickens, if left unregulated, may interfere with the residential character of certain neighborhoods. Therefore, it is the purpose and intent of this Section to permit but strictly limit the keeping of backyard chickens for egg and meat sources in a clean and sanitary manner that is not a nuisance to or detrimental to the public health, safety, and welfare of the community.
- B. Keeping of Backyard Chickens Allowed. A person may keep up to four (4) backyard chickens on a residential property that is not in the Transitional/Agricultural District of the City as provided for in Chapter 12-Zoning of the Norwood Young America City Code, provided:
 - 1. The parcel where the backyard chickens are kept is within a Residential District as provided for in Chapter 12 (Zoning) of the Norwood Young America City Code;
 - 2. The keeper of the backyard chickens resides in a detached dwelling at the parcel at which the backyard chickens are kept;
 - 3. The subject parcel is a minimum of 10,000 square feet; and,
 - 4. The owner of the subject parcel obtains a backyard chicken permit from the City, issued in compliance with this Chapter.
- C. Permit Required: A permit is required for the keeping of backyard chickens.
 - 1. Those desiring to keep backyard chickens shall file a written application with the City Administrator on

a form provided by the City and pay an application fee. Fees to be charged for the permit to keep backyard chickens shall be set by City Council on the fee schedule.

2. The application shall include:
 - a. The breed and number of chickens to be maintained on the premises;
 - b. A site plan of the property showing the location and size of the proposed coop and run, setbacks from the coop to property lines and surrounding buildings (including houses on adjacent lots), and the location, style, and height of fencing proposed to contain the backyard chickens in a run; and,
 - c. Written statements that the Applicant will at all times keep the backyard chickens in accordance with all of the conditions prescribed by the City Administrator, or modifications thereof, and that failure to obey such conditions will constitute a violation of the provisions of this Chapter and will be grounds for cancellation of the permit;
 - d. Such other and further information as may be required by the City Administrator; and
 - e. The required fee.
3. The City Administrator and/or designee shall process the application.
4. All initial permits will expire on December 31st of the following year after their issuance unless sooner revoked. Renewal permits shall expire on December 31st of the second year following their issuance unless sooner revoked.
5. The City, upon written notice, may revoke a permit for failure to comply with provisions of this Section or any of the permit's conditions.
6. The City may inspect the premises for which a permit has been granted in order to ensure compliance with this Section. If the City is not able to obtain the Occupant's consent to enter the property, it may seek an administrative search warrant or revoke the permit.

D. General Standards and Limitations for the Keeping of Backyard Chickens.

1. The keeping of roosters as a backyard chicken is prohibited.
2. Backyard chickens shall not be raised or kept for the purpose of fighting.
3. Backyard chickens shall not be kept in a dwelling, garage, or accessory structure other than those meeting the requirements of an enclosed coop.
4. All backyard chickens must have access to an enclosed coop meeting the following minimum standards:
 - a. The enclosed coop may not occupy a front or side yard.
 - b. The enclosed coop must have a minimum size of four (4) square feet per animal and shall not exceed a maximum of forty (40) square feet in total area.
 - c. The enclosed coop shall be setback a minimum of twenty-five (25) feet from any principal structure on the subject parcel and any property line. The enclosed coop shall not exceed ten (10) feet in height.
 - d. The enclosed coop shall have a roof type and pitch that is similar to the principal structure on the lot.
 - e. The enclosed coop shall be similar in color to the principal structure on the lot.
 - f. The enclosed coop shall employ exterior building materials that are similar in type and quality to those employed on the principal structure.
 - g. The enclosed coop shall be constructed of permanent residential dwelling building materials. Coop components that are not designed or intended for use as permanent residential dwelling building materials, including but not limited to, garage doors, tires, pallets, employment of interior residential structural components on the exterior (drywall, particle board, plywood), sheet metal, fiberglass panels, plastics, corrosive metal, household items (appliances, fixtures, furniture), canvas, flimsy materials, tarps, non-permanent items (cages, portable kennels), wire panels, and the like are prohibited.
 - h. The floor of the enclosed coop shall be comprised of impervious surface such as vinyl, tile,

- concrete, or treated wood.
- i. The enclosed coop must be built to protect the backyard chickens from extreme heat or cold.
 - j. The enclosed coop shall be at all times maintained in a good condition.
 - k. The enclosed coop shall meet all applicable building, electrical, HVAC, plumbing, and fire code requirements.
5. All backyard chickens shall have access to a run meeting the following minimum standards:
- a. The run shall be a fully-enclosed and covered area attached to a coop where backyard chickens can roam unsupervised.
 - b. The run shall adhere to setbacks required for enclosed coops to which they are attached.
 - c. The enclosed run shall be well drained so there is no accumulation of moisture.
 - d. Run components shall feature fencing materials approved for use in the R-1 Single Family Low Density Residential District as provided for in Chapter 12-Zoning of the Norwood Young America City Code
 - e. Run components not designed or intended for use as fence material, including, but not limited to, garage doors, tires, pallets, sheet metal, ribbed steel, metal siding, corrosive metal, solid (i.e. more than ninety percent (90%) opaque) metal, galvanized ribbed steel, household items (appliances, fixtures, furniture), makeshift or flimsy materials (plastic, paper, twine, rope, tin, webbing), farm animal fencing (barbed wire, chicken wire, high tensile, electric wire, woven wire, or other livestock fencing), canvas, tarps, non-exterior grade residential construction materials, and the like are prohibited.
 - f. Landscaping shall be employed on the perimeter of the run to shield views of the run from adjacent properties.
 - g. The run shall be at all times maintained in a good condition.
6. The following minimum sanitation standards shall be observed at all times:
- a. Slaughtering of backyard chickens on the property is prohibited.
 - b. Leg banding of all backyard chickens is required. The band must identify the owner, the owner's address, and the owner's telephone number.
 - c. The owner shall keep a written record from a Doctor of Veterinary Medicine licensed to practice in the State of Minnesota. The written record shall certify the health of each backyard chicken before obtaining the chicken and annually thereafter.
 - d. All premises on which backyard chickens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding area must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property. Failure to comply with these conditions may result in the City Administrator and/or Enforcement Officer removing backyard chickens from the premises or revoking the backyard chicken permit.
 - e. All grain and food stored for backyard chickens permit shall be kept indoors in a rodent proof container.
 - f. Backyard chickens shall not be kept in such a manner as to constitute a Nuisance as provided for under Chapter Six of the Norwood Young America City Code.
 - g. Persons no longer intending to keep backyard chickens on the subject property shall notify the City in writing and remove the enclosed coop and run.
 - h. The enclosed coop and run shall be removed from the property upon permit expiration and/or permit revocation. *(Adopted 6/9/14; Ord. 250)*

Section 560 – Violation and Penalty

560.01 Penalty. Violation of any provision of this Chapter shall be a misdemeanor.