

**CITY OF ALBERTVILLE
WRIGHT COUNTY
STATE OF MINNESOTA**

ORDINANCE 2007-05

**AN ORDINANCE AMENDING APPENDIX A, CHAPTER 200,
CHAPTER 2300, AND CHAPTERS 3100– 4850 RELATING TO SPECIFIC THE
KEEPING OF ANIMALS WITH IN THE CITY OF ALBERTVILLE**

THE CITY COUNCIL OF THE CITY OF ALBERTVILLE, MINNESOTA ORDAINS:

SECTION 1. Appendix A, Chapter 200.2 relating to the definitions of commercial and private kennels and veterinary clinics are hereby amended to read as follows:

FACILITIES FOR HOUSING ANIMALS: Any structure designed, built, and/or installed to house animals.

~~KENNEL: Any place where more than two (2) animals over six (6) months of age are kept or harbored, such animals being owned or kept by the owner or lessee of the premises wherein or whereupon the animals are kept or harbored. A "commercial kennel" is any place where a person, firm, or corporation accepts animals from the general public and where such animals are kept for the purpose of selling, boarding, breeding, training, treating or grooming, except a veterinary clinic.~~

KENNEL, COMMERCIAL: any place where: 1) more than two (2) dogs over six months of age are owned, kept, boarded, or bred for purpose of sale; or 2) more than two (2) dogs over six months of age and owned by persons other than the kennel owner are kept or boarded for a fee or other remuneration.

KENNEL, PRIVATE: any place where more than two (2) dogs over six months of age owned by the kennel owner are kept for private enjoyment and not for breeding sale, a fee or other remuneration.

PET SHOP: A place kept or maintained for the exhibition for sale, or sale or purchase of live dogs, cats, rabbits or other small animals, or any birds, reptiles or fish. Pet shops may include incidental animal grooming and adoption activities, but not animal hospitals, veterinary clinics, or places selling live bat for fishing.

VETERINARY CLINIC: Those uses concerned with the diagnosis, treatment, hospitalization, surgery and medical care of animals, which place is owned and operated by a licensed veterinarian. including animal or pet hospitals.

SECTION 2. Appendix A, Chapter 2300.1 relating to the care of animals is hereby amended to read as follows:

Domestic animals kept within any zoning district and farm animals kept within the agricultural districts shall be subject to the following requirements:

- A. The size, number, species, facilities for and location of animals kept shall be maintained so as not to constitute a danger or nuisance by means of odor, noise or other elements.
- B. The person caring for any animal(s) shall be of sufficient age, knowledge and experience to adequately and safely care for and control the animal(s).
- C. Facilities for housing animal(s) shall be:
 - 1. Constructed of such material as is appropriate for the animal(s) involved.
 - 2. Maintained in good repair.
 - 3. Controlled as to temperature, ventilated and lighted compatible with the health and comfort of the animal(s).
 - 4. Of sufficient size to allow each animal to make normal postural and social adjustments with adequate freedom of movement. Inadequate space may be indicated by evidence of malnutrition, poor condition of debility, stress or abnormal behavior patterns.
 - 5. Cleaned as often as necessary to prevent contamination of the animal(s) contained therein and to minimize disease hazards and reduce odors.
- D. Animals shall be provided wholesome, palatable food and water free from contamination and of sufficient quantity and nutritive value to maintain all animals in good health.
- E. Animals kept in pet shops or kennels shall be kept in accordance with regulations for pet shops and kennels in addition to the regulations provided by this ordinance. (Ord. 1988-12, 12-19-1988)
- F. Disposal facilities shall be provided to minimize vermin, infestation, odors, and disease hazards.
- G. All outdoor facilities for housing or confining animals shall maintain the required minimum principal building setbacks for the applicable residential zoning districts.
- H. The entrance of all outdoor facilities and/or dog houses shall be oriented towards the interior of the property on which the outdoor facility is located.

I. No outdoor facilities for housing commercial kennels or veterinarian clinics shall be constructed within the commercial or industrial districts.

SECTION 3. Appendix A, Chapter 3100.4: relating to conditional uses in the A-1, Agricultural Rural District is hereby amended to read as follows:

C. Commercial riding stables, kennels, ~~animal hospitals~~ veterinary clinics with overnight care and similar uses; provided, that:

1. Any building in which animals are kept, whether roofed shelter or enclosed structure, shall be located a distance of one hundred feet (100') or more from any lot line.
2. The animals shall, at a minimum, be kept in an enclosed pen or corral of sufficient height and strength to retain such animals. Said pen or corral may not be located closer than one hundred feet (100') from a lot line.
3. The provisions of Minnesota pollution control agency regulations SW 53 (2), as may be amended, are complied with.
4. All other applicable state and local regulations pertaining to nuisance, health and safety conditions, etc., are complied with.
5. The provisions of subsection 400.2F of this ordinance are considered and satisfactorily met.
6. All requirements of chapter 2300 of this ordinance and 6-2-18 of the City Code are met.

SECTION 4. Appendix A, Chapter 3250.3 relating to accessory uses in the R-1A, Residential Low Density Single Family District is hereby amended to read as follows:

C. The keeping of domestic animals and private kennels on single family lots only per chapter 2300 of this ordinance and 6-2-18 of the City Code.

D. Buildings and structures for the keeping of domestic animals per chapter 2300 of this ordinance and 6-2-18 of the City Code.

SECTION 5. Appendix A, Chapter 3600.2 relating to accessory uses in the R-4, Residential Medium Density Multiple-Family District is hereby amended to be as follows:

- A. All accessory uses as allowed in an R-3 district (section 3500.2 of this ordinance) except for private kennels. (Ord. 1988-12, 12-19-1988)

SECTION 6. Appendix A, Chapter 4100.3 relating to accessory uses in the R-MH, Manufactured Housing Residential District is hereby amended to read as follows:

- A. Any accessory use allowed in an A-2 district (section 3200.3 of this ordinance), ~~except animals and related buildings~~ except the keeping of animals and buildings and structures related thereto.
- B. Community laundry facilities, storm shelter, park office, and recreational building(s); provided that such structures are of a permanent nature and comply with the provisions of the state building code. (Ord. 1988-12, 12-19-1988)
- C. The keeping of domestic animals and private kennels per chapter 2300 of this ordinance and 6-2-18 of the City Code.
- D. Buildings and structures for the keeping of domestic animals per chapter 2300 of this ordinance and 6-2-18 of the City Code.

SECTION 7. Appendix A, Chapter 4350.2 relating to permitted uses in the B-2A, Special Business District is hereby amended to read as follows:

- A. Animal veterinary clinics (small animal) (with no overnight care), as regulated by chapter 2300 of this ordinance.

SECTION 8. Appendix A, Chapter 4400.2 relating to permitted uses in the B-3, Highway Commercial District is hereby amended to read as follows:

- B. Animal veterinary clinics with overnight care, as regulated by chapter 2300 of this ordinance.

SECTION 9. Appendix A, Chapter 4500.2 relating to permitted uses in the B-4, General Business District is hereby amended to read as follows:

B. Animal veterinary clinics (with no overnight care), as regulated by chapter 2300 of this ordinance.

SECTION 10. Appendix A, Chapter 4501.2 relating to permitted uses in the BW, Business-Warehousing District is hereby amended to read as follows:

B. Animal veterinary clinics with overnight care, as regulated by chapter 2300 of this ordinance.

THIS AMENDMENT SHALL BE IN FULL FORCE AND EFFECTIVE IMMEDIATELY FOLLOWING ITS PASSAGE AND PUBLICATION

Adopted by the City Council of the City of Albertville this 21st day of May 2007.

Ron Klecker, Mayor

Bridget Miller, City Clerk