

## ORDINANCE NO. 01-22

### AN ORDINANCE RELATING TO THE KEEPING OF ANIMALS WITHIN THE CITY OF DEXTER, AND PROHIBITING THE KEEPING OF NON-DOMESTIC ANIMALS WITHIN THE CITY OF DEXTER, AND PROVIDING FOR A PENALTY OF FOR THE VIOLATION THEREOF.

The City Council of Dexter, Minnesota, ordains:

Section 1. Definitions. As used in this Ordinance, the following words shall be defined to mean:

Subd. (1) Animal. "Animal" shall mean any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as part of the animal kingdom. Animals shall be classified as follows:

- A. Domestic. "Domestic animals" shall mean those animals commonly accepted as domesticated household pets. Unless otherwise defined, such animals shall include dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, non-poisonous, non-venomous and non-constricting reptiles or amphibians of a small size, and other similar animals.
- B. Non-Domestic. "Non-Domestic animals" shall mean those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people which pose a threat or intimidates persons. Unless otherwise defined, such animals shall include:
  - (1) Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats.
  - (2) Any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, and excluding commonly accepted domesticated dogs.
  - (3) Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet.
  - (4) Any member or relative of the rodent or weasel family including any skunk (whether or not descended), racoon, squirrel or ferret, but excluding those members otherwise defined or commonly accepted as a domesticated house pet.
  - (5) Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.
  - (6) Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this subpart, including but not limited to bears, deer, monkeys, apes, and game fish.
- C. Farm. "Farm animals" 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, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, ratitae (ostriches and emus), farm raised cervidae (carbous and mule deer), llamas and alpacas and other animals associated with a farm, ranch or stable.

Section 2. Domestic Animals Running At large Prohibited. Any animal running at large is hereby declared a public nuisance, therefore It shall be unlawful for any person who owns, harbors or keeps a domestic animal, or the parents or guardians of any such person under 18 years of age, to allow their domestic animal to run at large. A person who owns, harbors or keeps a domestic animal which runs at large shall be guilty of a misdemeanor. A domestic animal on a leash and accompanied by a responsible person or accompanied by and under the control and direction of a responsible person, so as to be effectively restrained by command as by leash, shall be permitted in streets or on public land unless the city has posted an area with signs reading "Domestic animal Prohibited."

Section 3. Non-Domestic Animals. It shall be illegal for any person to own, possess, harbor, or offer for sale, any non-domestic animal within the City limits. Any owner of such an animal at the time of adoption of this Ordinance shall have thirty days in which to remove the animal from the City after which time the City may impound the animal as provided in this Section. An exception shall be made to this prohibition for animals brought into the City as part of an operation zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition, which would need to be permitted by the City Council. An exception shall also be made to any licensed stockyard or auction houses that otherwise comply with zoning requirements in the City.

Section 4. Farm Animals. Farm animals shall only be kept in an agricultural district of the City of a parcel of at least ten (10) acres in size. Only the person owning the agricultural property may be allowed to keep farm animals. All animal shelter shall be set back at least three hundred (300) feet of an adjoining piece of property. An exception shall also be made to this Section for those animals brought into the City as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition, which would need to be permitted by the City Council.

Section 5. Kennels. (A). *Definition of kennel.* The keeping of four or more dogs on the same premises, whether owned by the same person or not and for whatever purpose kept, shall constitute a "kennel", except that a fresh litter or pups may be kept for a period of three months before that keeping shall be deemed to be a "kennel." (B). *Kennel as a nuisance.* Because the keeping of four or more dogs on the same premises is subject to great abuse, causing discomfort to persons in the area by way of smell, noise, hazard, and general aesthetic depreciation, the keeping of four or more dogs on the premises is declared to be a nuisance and no person shall keep or maintain a kennel within the city of Dexter unless it is in an agricultural district of the City on a parcel of at least ten (10) acres in size. Only the person owning the agricultural property may be allowed to have a kennel. All animal shelters shall be set back at least three hundred (300) feet of an adjoining piece of property.

Section 6. Ordinance to Cover All Animals. It is the intention of this Ordinance to cover all animals.

Section 7. Violations and Penalties.

1. First time violators of this Ordinance shall receive a letter from the City Clerk along with a copy of the Ordinance.
2. Second time violators and all violations following the second violation of this Ordinance will be issued a citation and a \$50.00 fine from the City Clerk's office to be sent by certified mail. The owner can request a hearing on the matter before the City Council if the owner contracts the Clerk's office within ten (10) days after receiving the citation. If so requested, the hearing will be held on the date of the next council meeting. If a hearing is not requested by owner, the fine must be paid within ten (10) days.
3. Any person in violation of provisions 2 of Section 6 of this Ordinance shall be guilty of a misdemeanor.
4. All sums payable by the property owner in violation of this Ordinance may be collected as a special assessment as provided by M.S. §429.101, as to be amended from time to time.

Section 8. Repeal. All other ordinances, resolutions and acts and proceedings of the City and of the Council which are inconsistent with the terms of this Ordinance are hereby amended or repealed to the extent necessary to give full force and effect of this Ordinance.

Section 9. Effective Date. This Ordinance becomes effective from and after its passage and publication.

Passed and adopted by the Dexter City Council this 14th day of April, 2022 by  
a vote of 7 yeas and 0 nays.

  
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Mayor

Attest:

  
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City Clerk/Treasurer