

CHAPTER 46  
CITY OF MAPLE LAKE

**ORDINANCE REGULATING KEEPING OF ANIMALS**

**46.01 GENERAL PROHIBITION**

- Subd. 1 No person shall keep any dangerous or undomesticated animal, or any venomous or stinging reptile or insect, or permit the same to be kept on premises owned, occupied, or controlled by her/him.
- Subd. 2 No person shall keep any horse, cattle, sheep, swine, goat or animal similar in size, or any flock of fowl in number, or permit the same to be kept on premises owned, occupied, or controlled by her/him except under the conditions prescribed by this ordinance.
- Subd. 3 Roosters are prohibited within the City.
- Subd. 4 Slaughter of any kind shall be prohibited within City limits.
- Subd. 5 No person shall treat any animal in a cruel or inhumane manner.

**46.02 AREAS WHERE KEEPING ALLOWED**

Horses, cattle, sheep, swine, fowl, and goats may be kept for agricultural use in those locations in the city where agriculture is a permitted land use.

On any size single family dwelling lot in the R1 and R2 districts, and in the RB1 district if the property is used as a residential lot, up to 6 chickens are permitted for non-commercial use subject to the requirements in section 46.03 including a permit issued by the City. No chicken shall be kept, maintained, housed, or permitted inside any residential dwelling or garage.

**46.03 RESIDENTIAL CHICKEN REGULATIONS**

Subd. 1. Permit Required

- A. No person shall keep, harbor or maintain care, custody, or control over chickens without obtaining a permit. Any person desiring a permit shall make written application to the City of Maple Lake which shall include a site plan illustration showing the location of the coop and run including distance from property lines and other structures on the property.
- B. The City of Maple Lake may grant a permit pursuant to this section only after:

1. Applicant has met the educational requirements as established by City Council Resolution.
  2. The applicant complies with all regulations within this Ordinance.
  3. If the applicant is not the owner of the property, the property owner has signed the permit application.
- C. The Animal Control Officer may prescribe general conditions for the keeping of fowl and specific conditions as to a particular fowl or particular premises as in his/her judgment is necessary to safeguard public health and the general welfare.
- D. The Animal Control Officer may inspect the premises annually or as deemed necessary.
- E. The Animal Control Officer and City Clerk may refuse to issue a permit to keep or maintain fowl hereunder for failure to comply with the provisions of this chapter and shall refuse a permit if in his/her judgment such fowl should not be kept upon the premises described in the application for permit. If any permit application is denied, the fee paid with the application shall be retained by the City to pay its expenses in the investigation and consideration thereof.
- F. Failure to adhere to permit conditions shall be a violation of this Ordinance and shall constitute cause for revocation of the permit. The Animal Control Officer may also revoke any permit granted pursuant to this chapter if any chicken becomes a public nuisance.
- G. Each permit issued hereunder shall expire one year after the issuance unless revoked. The annual fee for a permit shall be as stated in the Fee Schedule, which shall be paid at the time the application is submitted.

Subd. 2. Types of Chickens

- A. Only chickens appropriate to Minnesota climate shall be allowed.

Subd. 3. Coop Requirements

- A. Residential coops, pens, or other structures shall be an allowed accessory to a dwelling subject to the following:
  1. The coop/run must comply with the setback and other regulations for accessory buildings as set forth in the Maple Lake Zoning Ordinance.
  2. The building, including the run, must not exceed 200 square feet.
  3. The use shall be located entirely to the rear of the principal residential structure.

**46.04 ABANDONED OR AT LARGE**

No person shall abandon or permit any horse, mule, donkey, pony, cattle, sheep, goat, swine, rabbit, chicken, geese, duck, or turkey of which he/she is the owner, caretaker, or custodian to be at large within the city. Any such animal is deemed to be at large when it is off the premises owned or rented by the owner or her/his agent and not under her/his individual restraint.

**46.05 DISEASED OR DECEASED ANIMALS**

Subd. 1 Any animal with a contagious disease shall be so confined that it cannot come within fifty (50) feet of any public roadway or any place where animals belonging to or harbored by another person are kept.

Subd. 2 Deceased animals must be disposed of in compliance with state and local regulations.

**46.06 MANNER OF KEEPING**

No person shall keep any dog, cat, fowl, or other animal in the city in an unsanitary place or condition or in a manner resulting in objectionable odors or in such a way as to constitute a nuisance or disturbance by reason of barking, howling, fighting, or other noise or in such a way as to permit the animal to annoy, injure, or endanger any person or property.

**46.07 CARE OF PREMISES**

**Subd. 1 Clean Shelters**

Every structure, pen, coop, and yard in which animals or fowl are kept shall be maintained in a clean and sanitary condition and free of all rodents, vermin, and objectionable odors. The interior walls, ceilings, floors, partitions and appurtenances of any such structure shall be whitewashed or painted as the health officer shall direct. Upon the complaint of any individual or otherwise, the health officer shall inspect such structure or yard and issue any such order as may be reasonably necessary to carry out the provisions of this ordinance.

**Subd. 2 Manure**

Manure shall be removed with sufficient frequency to avoid nuisance from odors or from the breeding of flies. From May 1 to September 30, manure shall be removed at least once every two weeks; from October 1 to April 30, manure shall be removed at least once per month. Unless used for fertilizer, manure shall be removed by hauling beyond the city limits. If used for fertilizer, manure shall be spread upon the ground evenly and turned under at once or as soon as the frost

leaves the ground. Manure shall not be disposed of in garbage or recycling receptacle unless specifically allowed by the garbage hauler.

## **46.08 IMPOUNDING**

### **Subd. 1 Who Impounds**

The animal control officer or any police officer may take up and impound any animal or fowl found running at large in violation of this ordinance and shall provide proper sustenance for every animal impounded.

### **Subd. 2 Notice**

Within 24 hours after any animal has been impounded, the animal control officer shall post notices in three conspicuous places in the City, describing the animal and stating that it has been impounded. He/she shall also make a reasonable attempt to give oral or written notice to the owner where known.

### **Subd. 3 Release**

No animal impounded shall be released except to a person displaying a receipt from the City Clerk showing payment of the impounding fee or the sale price.

### **Subd. 4 Fees**

The fee for impounding for first and subsequent offenses shall be set according to the City's fee schedule to which shall be added the actual costs of impoundment and feeding.

### **Subd. 5 Sale**

If any impounded animal is not redeemed within six (6) days, the animal control officer shall give an additional three (3) day posted notice as provided in Subdivision 2 of the time and place when and where the animal shall be sold. If the animal control officer is unable to sell the animal on the day stated, he/she may sell the animal as soon thereafter as possible without further notice.

### **Subd. 6 Proceeds of Sale**

The clerk shall turn over the proceeds of such sale to the treasurer. The treasurer shall pay the animal control officer his/her fees for the impounding. The balance shall be paid, on order of the council, to the owner of the animal or fowl if claimed within one (1) year from the date of sale; otherwise, it shall be forfeited to the city.

#### **46.09 DOGS**

The keeping of dogs shall not be governed by this ordinance.

#### **46.10 PENALTY**

Any person who violates this ordinance is guilty of a misdemeanor.

---

#### **Amendment History of this Section**

**Amended May 1, 2018 (R2018-15). Effective Date: May 9, 2018.** Amend Section 46.01 General Provisions: additional language regarding restrictions against roosters, and live slaughter were added.

Amend Section 46.02 Areas Where Keeping Allowed: provisions were added to allow for up to 6 chickens for non-commercial use for single family dwellings in the R1, R2, and RB1 districts subject to the requirements of this ordinance and the issuance of a permit.

Amend Section 46.03 Residential Chicken Regulations: provisions were added regarding the application process, including an educational requirement, inspection by the Animal Control Officer, issuance of annual permits, types of chickens allowed, and coop requirements.

Amend Section 46.04 Abandoned or At Large: added reference to abandoned animals.

Amend Section 46.05 Diseased or Deceased Animals: added reference to deceased animals.

Amend Section 46.07 Care of Premises: added reference to pen and coop and added language regarding the removal of manure.

Amend Section 46.08 Impounding: changed reference to pound master to Animal Control Officer.

Amend Section 46.10 Penalty: changed the violation from a petty misdemeanor to misdemeanor.