

ORDINANCE NO. 85, FOURTH SERIES

AN ORDINANCE AMENDING REDWOOD FALLS CODE OF ORDINANCES § 6.28 RELATING TO DOG KENNELS.

WHEREAS, pursuant to Minn. Stat. § 412.221 Subd. 21 and § 347.53, the City Council of Redwood Falls has broad authority through its police powers to regulate the keeping of animals, to restrain their running at large, to authorize their impounding and sale or summary destruction, to establish pounds, and to regulate potentially dangerous and dangerous dogs; and

WHEREAS, City staff have reviewed the kennel licensing ordinance § 6.28 and have identified and made several changes to the licensing requirements and process; and

WHEREAS, to make the kennel licensing ordinance harmonious and consistent with recent changes made to dog licensing under § 10.46 several changes are recommended to the existing kennel licensing ordinance.

NOW THEREFORE THE CITY COUNCIL OF REDWOOD FALLS ORDAINS:

SECTION 1. That Redwood Falls City Code of Ordinances § 6.28 shall be amended by amending and inserting the following provisions, in their entirety, in lieu thereof:

§ 6.28 DOG KENNELS

~~Subd. 1. *Defined.* For the purpose of this section, "kennel" means any facility used to house five or more dogs at one location. This applies whether the owner of the facility is boarding animals owned by others, is temporarily keeping and training dogs owned by others or is breeding animals for himself, herself or others.~~

Subd. 1. *Defined.* For the purpose of this section, "kennel," means any single location where any number of dogs of any age are kept, confined, or congregated by a person for the purpose of selling, boarding, temporarily keeping and training, or breeding dogs for himself, herself or others.

~~Subd. 2. *License Required.* It is unlawful for any person to own, harbor or keep five or more dogs on his or her premises without obtaining a dog kennel license therefor from the city.~~

Subd. 2. *License Required.* No person shall maintain a kennel in the City without first securing a license from City Hall. Kennel licenses shall be granted by the City Administrator after a conditional use permit has been granted by City Council. All kennel licenses issued by the City, unless sooner revoked or suspended by the City, are annual in nature and shall expire on December 31 of each year.

~~Subd. 3. *Inspection Required.* Prior to the granting of a dog kennel license, the proposed facility shall be inspected.~~

Subd. 3. *Hearing Required.* Prior to issuance of a kennel license, a hearing before the planning commission requesting a conditional use permit must be held. Notice must be

given pursuant to Section 3.11 of the Redwood Falls Unified Development Ordinance. The planning commission will make a recommendation to the City Council on the request.

~~Subd. 4. *Dog License Credit.* Any person who purchases a dog kennel license shall be entitled to receive all of his or her individual dog licenses required for that year.~~

Subd. 4. *Inspection Required.* Prior to the granting of a kennel license, the proposed facility shall be inspected annually. By obtaining a kennel license, licensees authorize City staff or a City contracted inspector to perform periodic, random inspections of the kennel for the purpose of determining compliance with the conditions of their license.

Subd. 5. *License Fee.* The annual fee for a kennel license shall be adopted by resolution of the Council, subject to limitation set forth in state statutes.

~~Subd. 6. *Exception.* Hospitals and clinics operated by licensed veterinarians exclusively for the care and treatment of animals are exempt from the provisions of this section.~~

Subd. 6. *License Limitations.* Licensees who relocate to another area of the City need to reapply for a kennel license. Licenses are not assignable to other parties and no party, person, corporation, or other entity will be allowed more than one kennel license.

~~Subd. 7. *Zoning.* No license shall be issued to a person for operation of a kennel in a zoning district where the operation is not permitted or otherwise allowed under Chapter 11 of this code.~~

Subd. 7. *Legal Nonconforming Licenses.* Kennel licenses in effect on residential property at the time of adoption of the ordinance from which this article is derived that do not meet the requirements of this article are considered legal, nonconforming licenses and can continue to keep dogs as authorized by the kennel license in place at the time of adoption of the ordinance from which this article is derived, provided the annual license requirements are maintained as outlined in subdivisions 4 and 5 of this section.

Subd. 8. *Exceptions.* The following entities are exempt from the provisions of this section:

- A. *Hospitals and clinics operated by licensed veterinarians exclusively for the care and treatment of animals.***
- B. *The "Shelter," as defined in § 10.46 of this code.***

Subd. 9. *Zoning.* No license shall be issued to a person for operation of a kennel in a zoning district where the operation is not permitted or otherwise allowed under Chapter 14 of this code.

SECTION 2. Effective Date. This Ordinance becomes effective from and after its passage.

PASSED AND ADOPTED by the City Council of the City of Redwood Falls, Minnesota this 18th day of April 2023.

ATTEST:



Keith Muetzel
City Administrator



Tom Quackenbush
Mayor

(City Seal)

Subscribed and sworn to before me this
18th day of April 2023.



Notary Public

Introduction: 04/04/2023
Posting: 04/06/2023
Adopted: 04/18/2023
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