

**CITY OF TONKA BAY
ITEM NO. 8A**

Memo

To: Honorable Mayor and City Council
From: Joe Kohlmann, City Administrator
Date: May 13, 2014
Re: Animal Ordinance

The South Lake Police Department has been suggesting an effort to pass a "Uniform Animal Ordinance". The City of Tonka Bay has not adopted such an ordinance. The City currently operates under two animal Ordinances – Section 740 and 741.

While Section 740 relates to mainly to horses, the following excerpt of 740.01 makes it very restrictive and prohibits a number of animals that other cities are having issues with (pigeons, chickens, bees, etc.):

*No person, firm, or corporation shall keep, stable, board or harbor horses, colts, ponies, mules, *or any other animal (except household pets) within the City of Tonka Bay, upon land other than that land zoned for agricultural uses without first obtaining a permit from the City Council. Household pets are defined as dogs, domestic cats, gerbils, hamsters, rabbits, and caged household birds, (excluding pigeons). *(Amended June 25, 1985)*

The City Attorney has provided a Memo of the Uniform Animal Ordinance as well as a *draft copy* of the Uniform Animal Ordinance that could be considered.

*Attached is a Memo from the City Attorney
Attached is Tonka Bay City Code Section 740
Attached is Tonka Bay City Code Section 741
Attached is a reviewed copy of the "Uniform Animal Ordinance"
Attached are various statutes relating to Animal Control*

Council Action Requested:

For discussion purposes.

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JAMES G. PENBERTHY

MEMORANDUM

TO: Members of the Tonka Bay City Council and Joe Kohlmann

FROM: James G. Penberthy

DATE: May 8, 2014

RE: Uniform Animal Ordinance

The draft for your first discussion essentially adopts the language in Minnesota Statutes Secs. 347.50 through 347.565 and changes "dog" to "animal". Those sections are attached.

I have reviewed the three ordinances adopted by Excelsior, Greenwood and Shorewood. The draft attempts to follow the format of those ordinances. Each City has modified its ordinance with "indices".

I have highlighted some areas of the draft and have inserted Tonka Bay existing ordinance language for comparison. The color coding I used will probably not show on your packet documents.

I have also added some "indices" including some procedural language for the hearing process.

I suggest that your goals might be to discuss adopting the proposed ordinance with no changes, adopting the ordinance with your adopted changes or not adopting any ordinance and continuing regulation of animals under the current ordinance.