

SECTION 740
DOGS, ANIMALS, AND ANIMAL TRAPPING

740 **REGULATION OF STABLES; KEEPING OF HORSES OR PONIES**

740.01 **PERMIT**

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 sum payable for such a permit shall be established by the council from time to time as specifically set out in the fee schedule #402.01 of this code.

740.02 **APPLICATION FOR PERMIT**

Application for the permit shall be made in writing by the owner of the animal or animals upon blanks or forms furnished by and obtainable from the City Clerk. Each application for permit shall have thereon the correct legal description of the property on which the animal or animals will be kept and the name of the owner of the land; the area of land available for pasture; the total number of horses to be kept by the applicant; the description of shelter provided for the animal or animals.

740.03 **INSPECTION OF PREMISES**

No permit shall be issued by the City Clerk until the Animal Inspector, to be appointed by the Council, has inspected the premises upon which the animal or animals are to be kept and the application has been approved by the City Council.

Subd. 1 The following standards are to be met and provided by the applicant before the permit shall be issued:

1. A pasture of at least one-half (1/2) acre.
2. A sturdy wood or metal fence for the pasture which would keep the animal or animals confined. Barbed wire or electrical fences shall not be permitted.
3. Shelter which shall keep the animal or animals comfortable and protected from the elements and the shelter shall be so located so as not to create a nuisance.
4. Pasture which will be of a nature that can be used by the animal for grazing. Pastures closer than 30 feet from any structure used for residential purposes shall not be permitted.
5. The number of animals per one-half (1/2) acre shall be limited to one.
6. Clean and sanitary premises which will not be a harbor for rodents, flies and insects.

Subd. 2 Inspection Report

Upon receipt of an inspection report from the Animal Inspector, disclosing that the applicant has complied with the standards provided above, and approval of the application by the City Council, the City Clerk may issue a permit for the keeping of said horses, colts, or ponies; which permit shall expire on the 31st day of December of the same year.

740.04 REVOCATION

Permits issued pursuant to this ordinance may be revoked by the City Council if the Council finds, after investigation by the inspector and after holding a hearing thereon (notice of said hearing to be given to the holder of the permit) that:

1. The premises upon which the animal is kept are unsightly and a harbor for rodents, flies and insects; or
2. The winter accumulation of manure is not removed from the premises prior to April 15 of each year; or
3. Accumulations of manure are not removed at such periods as will insure that no objectionable aroma exists and that the requirements of Subdivision 1 above are complied with; or
4. The applicant has failed to make a reasonable effort to keep the animal or animals under control and fenced within its pasture; or
5. The applicant has not met the standards set forth in 740.03 of this ordinance; or
6. The animal has been cruelly or inhumanely treated.

740.05 PENALTY

Any person violating the provisions of this ordinance shall be guilty of a misdemeanor.