

**Becker Joint Planning Board
Ordinance 2016-06
Summary**

**AN ORDINANCE AMENDING SECTION 5, DEFINITIONS AND SECTION 16, GENERAL PERFORMANCE
STANDARDS, OF THE OF THE BECKER JOINT PLANNING BOARD ZONING ORDINANCE**

The following official summary of the commercial kennel ordinance amendment has been approved by the Becker Joint Planning Board as clearly informing the public of the intent and effect of the ordinance amendment.

Becker Joint Planning Board Zoning Ordinance

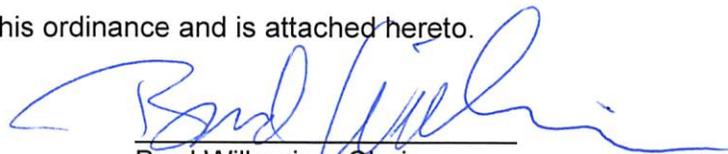
It is the intent of the following ordinance amendment to regulate commercial kennels in a manner that ensures the protection of the planning process and the health safety, and welfare of the citizens of the Town of Becker.

Upon the foregoing Findings and Intent, the Becker Joint Planning Board, does hereby amend the Becker Joint Planning Zoning Ordinance as follows:

1. Section 5, Definitions and Rules of Language Construction, Subdivision 5.02, Definitions, Kennel, Commercial, shall be amended.
2. Section 16, General Performance Standards, Number 15 shall be amended.

A printed copy of the entire ordinance is available for inspection by any person at Becker City Hall, 12060 Sherburne Avenue, or Becker Township Hall, 12165 Hancock Street, during each location's posted regular office hours. Electronic copies may be requested by emailing the Town Clerk at Clerk@beckertownship.org. The entire ordinance is also available for viewing on the Township website: www.beckertownship.org.

This document is hereby made a part of this ordinance and is attached hereto.

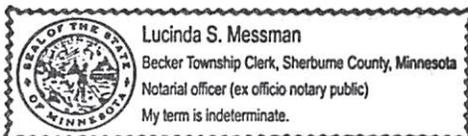


Brad Wilkening, Chair
Becker Joint Planning Board

ATTEST:



Lucinda Messman, Town Clerk
Publish October 28, 2016



**JOINT PLANNING BOARD
ORDINANCE 2016-06**

**AN ORDINANCE AMENDING SECTION 5, DEFINITIONS AND SECTION 16, GENERAL PERFORMANCE
STANDARDS, OF THE OF THE BECKER JOINT PLANNING BOARD ZONING ORDINANCE**

The Becker Joint Planning Board so ordains:

SECTION 1. Section 5, Definitions, shall be amended to include the following:

Kennel, Commercial: Any commercial operation that boards dogs and/or cats.

SECTION 3. Section 16, General Performance Standards, Item 15, shall be amended to read as follows:

15. Kennels, Commercial:

A Commercial Kennel shall be subject to the following standards:

- A. Commercial Kennels are limited to the boarding of dogs and cats. Boarded dogs and cats are to generally be considered domestic, or household pets. No wild or hybrid dogs or cats are allowed on the premises at any time.
- B. Commercial Kennels that transfer or sell dogs and/or cats must be licensed as a dealer by the Minnesota Board of Animal Health.
- C. Commercial Kennels are a conditional use and limited to the AG and GR districts on lots over 2.5 Acres.
- D. Commercial Kennel operators must be licensed by the township.
 - 1. Township Kennel Operator License applications must be submitted to the Township Planning and Zoning department on proper forms and must be accompanied with the following:
 - a. Payment in full of a predetermined fee set by the Township Board
 - b. One copy of the operator's general business plan
 - c. One copy of proof of licensure by the Minnesota Board of Animal Health, if applicable
 - d. A site plan that includes: Primary Structure, accessory buildings, property lines, perimeter fence (type, size and location), outdoor dog run locations and weather shelter type and location
 - e. Operational Plan
 - f. Manure management plan
- E. Township Kennel Licenses must be renewed annually.
 - 1. License Renewal Applications must be submitted on proper forms to the Township Planning and Zoning Department and accompanied by the following
 - a. Payment in full of a predetermined fee set by the Township Board

- b. At the time of renewal, any changes or proposed changes related to the Commercial Kennel operation that were approved under the provisions of subsection C., require review by the township zoning administrator or their appointed representative to verify compliance. A copy of any new Minnesota Board of Animal Health license (if required), or new plans shall be submitted along with the renewal application.
- F. Commercial Kennels are subject to spot inspections by state, county or township authorities
- G. Confinement areas for dogs and cats must meet the following standards:
 - 1. Fence, wall and gate are a minimum 6 feet in height and secured to a solid, waterproof floor that that can be regularly cleaned and insulates the enclosure from earthen surface.
 - 2. Fencing material must be strong enough to prevent an animal from escape and be made of a material that is not injurious to an animal and secured to the floor in a manner that a dog or cannot escape, by digging, chewing, or forcibly causing an opening.
 - 3. The size of the confinement area must be large enough for the animal to stand, exercise, turn around, and fully lie down
 - 4. Make available an access to a ventilated, covered shelter with adequate protection from precipitation and harmful weather conditions
 - 5. Be kept clean and easily accessible for daily cleaning
- H. During any period that a dog or cat is not confined, an employee or the pet owner must maintain control of the animal by means of a leash or other device to prevent escape. Means of control may be subject to the discretion of the zoning administrator or his or her agent.
- I. The maximum allowable number of dogs and/or cats kept may not exceed 40 on any size lot. The maximum number of dogs or cats allowed at any given time on the premises is contingent upon the size of the property as follows: 5 dogs over six months of age, 10 cats over 6 months of age are allowed per acre of land. No more than 10 unsterilized female dogs may be kept on any property, regardless of acreage.
- J. All confinement areas must be 500 feet from any residence not including the on-site operator's residence.
- K. The use shall comply with all applicable Federal, State, County, and Town rules and regulations.
- L. Structures used for animal confinement require a minimum 100 foot setback from any property line and 500 feet from any residential dwelling, other than the applicant's, that is existing at the time of application.
- M. On-site waste facilities shall be designed to accommodate all waste generated from kennels including hosing and cleanup.
- N. Kennel facilities shall be designed to accommodate winter boarding including adequate heating, ventilation, and lighting.

- O. All outdoor kennel facilities shall provide adequate shelter from the elements including sunlight, rain, snow, and cold weather.
- P. Kennel facilities shall be adequately cleaned and drained and maintained to provide a healthy environment for dogs and cats.
- Q. Kennel operations are not exempt from nuisance ordinances including, but not limited to noise, odor, and blight.
- R. Any Commercial Kennel is required to promote the health, safety and welfare of any dog or cat kept on the premises and any person that comes in contact with an animal.
- S. Dogs and cats kept in Commercial Kennel must be treated in a humane manner, be provided proper nutrition, and have constant access to fresh water.
- T. Any injuries or illness to a dog or cat must be treated as advised by a licensed veterinarian.
- U. Vaccination records for each dog and cat must be kept on the premises and vaccinations for each dog or cat must be current and compliant as required by the Minnesota Department of Animal Health on the premises.
- V. Any accessory structure(s) required for a Commercial Kennel must meet regulations for the zoning district it is located.
- W. A Commercial Kennel operated as a home occupation shall comply with all requirements of section 16.14 of the zoning ordinance.
- X. Each violation of any portion of this ordinance is considered a separate misdemeanor offence.

SECTION 3. Effective Date.

This ordinance shall become effective upon its passage and publication.

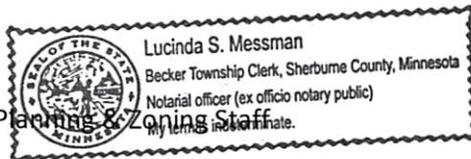
Adopted this 25th day of October, 2016


 Brad Wilkening, Chair

Attest:


 Lucinda Messman, Town Clerk

Drafted by:
 Chris Hedin, Becker Township Planning & Zoning Staff
 PO Box 248
 Becker MN 55308



STATE OF MINNESOTA
 COUNTY OF SHERBURNE} ss.

The foregoing instrument was acknowledged before me this 25th day of October, 2016.
By Brael Willering, the Chairman of the Becker Joint Planning Board.

Kelsi Domgen
SIGNATURE OF PERSON TAKING ACKNOWLEDGEMENT