Chatfield Planning and Zoning Commission
Meeting Agenda

Monday, November 4, 2013
7:00 p.m.
City Council Chambers
Thurber Community Building

I. Regular Meeting - Consider and Approve the Meeting Agenda (pg. 1)

II. Approve Prior Meeting Minutes (pg. 2-8)

III. Review and Approve City of Chatfield to Chatfield EDA
    Land/Owner Conveyance – Chris Giesen (pg. 9-13)

IV. Request to Review the Animal Ordinance (pg. 14-19)

V. Adjourn

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Members Present: Lee Amundson, Jerry Barry, Terry Bradt, and Mary Peterson,
Members Absent: Aaron Armstrong, Dave Frank, and Dan Tuohy
Others Present: Kristi Clarke, Kay Coe, Chris Giesen, Adam Griffin(th)? and Joel Young

Bradt called the regular meeting to order at 7:00 p.m.

I. Consider and Approve the Meeting Agenda
Amundson entered a motion, with a second by Peterson, to approve the agenda as presented. All ayes, motion carried.

II. Approve Prior Meeting Minutes
Barry entered a motion, with a second by Peterson, to approve the September 3, 2013 Meeting Minutes as presented. All ayes, motion carried.

III. Review and Approve Municipal Development District No 3 TIF District Summary – Chris Giesen
Clarke introduced Chris Giesen from Community and Economic Development Associated (CEDA). Chris is the Community and Business Development Specialist for the City of Chatfield.

Giesen went on to explain that the City of Chatfield was approached by EZ Fabrication, Inc. for assistance with the site costs and expansion of an existing manufacturing facility and has requested that a TIF District be formed. The City is also aware of a possible expansion of Tuohy Furniture Corporation in the near future which may require some public improvement adjacent to the property.

Therefore, the City intends to expand the boundaries of Municipal Development District No. 3 to allow the creation of a new TIF District 3-4 to assist this project. Chris explained that tax increment financing, or TIF, is a powerful public financing method that is used as a subsidy for redevelopment, infrastructure and other community improvement projects.

TIF is a method to use future gains in taxes to subsidize current improvements. The Planning Commissions role in a TIF Project is to confirm that the project fits in with the City’s Comprehensive Plan and general development policies.

Barry entered a motion with a second by Peterson to recommend adoption of the following Resolution
RESOLUTION RECOMMENDING APPROVAL
OF THE MODIFICATION OF MUNICIPAL DEVELOPMENT DISTRICT NO. 3 AND THE ESTABLISHMENT OF TAX INCREMENT FINANCING DISTRICT NO. 3-4 THEREIN

WHEREAS, the Planning & Zoning Commission has reviewed the documents relating to the proposed modification of Municipal Development District No. 3, the modification of the Development Program relating thereto, the establishment of Tax Increment Financing District No. 3-4, therein; and the adoption of the Tax Increment Financing Plan relating thereto;

WHEREAS, the Planning & Zoning Commission has been asked to provide a recommendation to the City Council regarding the modification and adoption of the same;

NOW THEREFORE BE IT RESOLVED by the Planning & Zoning Commission of the City of Chatfield, Olmsted and Fillmore Counties County, Minnesota (the “City”), as follows:
1. The proposed development of the project area as described in the modified Development Program and Financing Plan will serve to complement the City's plans for creation of development opportunities in the City, and serves to promote the City's development objectives.

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Peterson and upon vote being taken thereon, the following voted in favor: Amundson, Barry, Bradt, Peterson

And the following voted against the same: none  Absent: Armstrong, Frank, and Tuohy

Whereupon said resolution was declared duly passed and adopted.

IV. 2013 Conditional Use Permit Review

Clarke provided an annual update after reviewing the approved Conditional Use Permits for the City of Chatfield in September 2013.

The following is a summary of this review:
Sixteen Conditional Use Permits, dating from May of 2000 to September of 2013 were reviewed. The attached “Summary Review” provides the dates when these permits were approved, their proposed use, the conditions placed on the permit, and a summary statement generated after an in-office and site visit were completed.

Conditional Use Permits in Compliance:
Bernard's Day Care Center (Learn & Play)
Bernard's First Preliminary Plat & CUP
Chatfield – Booster Station
Chatfield School District, 227 – Storage Facility
Chatfield – Water Tower
Chosen Valley Care Center
Coyote Bar Apartments
Coyote Saloon
Hidden Valley Estates
McClimon - Open-Air Display
Oakenwald Terrace - Bed & Breakfast
Orchard Ridge Townhomes
Peterson – Lower Level Apartment
Price-Troska/Krusemark - Retreat/Rental Home *(The home was sold to a single family home owner in 2012.)*
Simpson - Storage Facility
WIT Boyz Inc. – Automotive Service and open-air display

1- Bernards Day Care Center - (Learn & Play Daycare Center)


Use: To construct a daycare facility on the corner of Mill Creek Road and Highway 30.

Conditions:
1. A 10’ easement be provided along the southerly property line between lots 9 and 10
2. A hedge to be planted to screen the chain link fence from the neighboring property on the south from the south edge of the building to the east end of the fence.
3. Only security lighting is placed on the south side of the building
4. 25 designated off street parking spaces be provided for employees and event parking
5. A 5’ concrete sidewalk to be installed from the SW corner of lot 9 to Hwy 30.
6. The building be constructed of similar style and color of the neighboring townhomes.
7. The building be a single story structure.

**Summary completed on:** 9/24/13. The City is still working on determining if a connecting sidewalk along Mill Creek Road is possible from Division Street north to the Learn & Play Daycare site. Until that study is complete, Condition 5 will not be required. All other conditions are in compliance.

**2- Bernard’s First Plat & CUP**


**Use:** To construct residential units on lots 2-9 as a Planned-Unit-Development.

**Conditions:**
1. An 8” watermain must be between lot 1 and lot 2, Block 1 is located within a utility easement
2. Access easement to Lot 3, Block 1 is 45’ wide
3. The 40’ utility esmt. located on the north side of Division Street needs to be extended to include the 8” in-place sanitary sewer.
4. An agreement between City and Mr. Bernard to clarify the current and future status of Lot 3 Block 1
5. An esmt. needs to added in the NW corner of lot 2
6. Access control need to be in place from Division St. to Skippy’s first entrance and access needs to be controlled for 80’ on Mill Creek Rd. to allow for four to five car stacking.

**Summary:** All six conditions were completed during the final plat which was approved on 3/11/2002.

In compliance.

**3- Chatfield – Booster Station**

**Approvals:** P & Z recommended approval 5/5/08, Council approved on 5/12/08

**Use:** To build a water utility pump house at the southern end of Outlot C in the Hilltop Estates Addition First Plat

**Conditions:** No listed Conditions. In compliance.

**4- Chatfield School District, Storage Facility Hillside Elementary School Site**

**Approvals:** P & Z recommended approval 08/24/2009, Council approved on 08/24/2009.

**Use:** To construct a post-frame storage facility that is 40’ x 80’ or approximately 3,200 square feet in size with an approximate roof height of 24’.

**Conditions:** No listed conditions. In compliance.

**5- Chatfield – Water Tower**

**Approvals:** P & Z recommended approval 5/5/08, Council approved on 5/12/08

**Use:** To build a water tower within Outlot B in the Hilltop Estates Addition First Plat

**Conditions:** No listed Conditions. In compliance.
6- Chosen Valley Care Center
   Approvals: P & Z recommended approval 5/2/05, Council approved on 5/9/05
   Use: To build an assisted living care facility located at 1102 Liberty Street
   Conditions:
   1. Install a Knox Box on the property to gain access without resident or management assistance. A Knox Box was installed and the Fire Marshal has the key.
   2. In compliance.

7- Coyote Bar Apartments
   Approvals: P & Z recommended approval 4/4/04, Council approved on 4/11/05
   Use: To develop apartments located on 15 SE Second Street.
   Conditions:
   1. Installation of Knox box on the property to provide the Fire Department and Police Department the ability to gain access to the building without resident or management assistance in the case of an emergency.
   2. Installation of 8 designated and sufficiently signed off-street parking spaces for Coyote Bar Apartment residents only. The management of these spaces is the responsibility of the property owners.
   3. Sufficient garbage management system that provides complete screening from view, and containment to prevent any loose materials.
   4. Exterior dark sky lighting for security purposes that meets the approval of the Police Chief.
   5. No advertising signage on the exterior of the building or in the apartment windows.
   6. When required, apartment for rent sign limited to approximately 11 x 17 in the Coyote Club entrance area.
   7. Payment in full of applicable water and sewer hook up fees based on a single family residential equivalency factor for the added demand that will be created by the eight apartments, over and above the demand that was previously made by the commercial use on those two floors.
   8. Require the use of a six months lease for apartment rentals.
   Summary completed on: 9/24/13 – All conditions are in compliance.

8- Coyote Bar Saloon
   Use: To open a saloon/bar at 15 SE 2nd Street.
   Conditions:
   1. The on-site garbage and recycling area/containers be completely enclosed/screened from view from neighboring properties.
   2. Adequate dark sky lighting be added to the parking area to meet security requirements, as approved by the City.
   Summary completed on: 9/24/13 – All conditions are in compliance.

9- Hidden Valley Estates
Use: To construct three twin home structures to be planned as a Planned Unit Development. The property is located at 1018 Main Street South.

Conditions: No listed conditions. In compliance.

10- McClimon Open-air display


Use: To use the property located at 7 Main Street North as an open-air display land use.

Conditions:
1. No access will be allowed on (Main Street) Highway 52 and public access from Spring Street is discouraged.
2. The property should be properly maintained and remain in compliance with all of the codes within the Chatfield City Code.
3. All sale items must be displayed within the property.
4. All sale items displayed must be in good repair.
5. Only temporary signs will be allowed on the property and the property owner must follow the Sign Ordinance.
6. All sale items should be at least 5' from the southern property line to ensure that the viewers of the equipment do not go on the residential neighbor’s property.
7. No sale items can obstruct the view from the residential driveway by maintaining a 15' clear vision triangle.

Summary completed on: 9/24/13 – All conditions in compliance

11- Oakenwald Terrace Bed & Breakfast


Use: To operate a Bed & Breakfast establishment located at 218 Winona Street SE

Conditions:
1. Six sleeping rooms
2. The availability of five off street parking spaces for guests, one of which will be handicap accessible.

Summary completed on: 9/26/13 – All conditions are in compliance.

12- Orchard Ridge Townhomes


Use: To develop townhomes as a Planned Unit Development. Orchard Ridge Townhomes are located on 6.3 acres of land on the north side of Highway 30 and west of Mill Creek Road.

Conditions:
1. The developer will plant a minimum of 1.5 trees per living unit created
2. A temporary turnaround will be constructed at the north end of the street

Summary completed on: 9/26/13 - All conditions are in compliance.

13- Peterson – Lower Level Apartment

Approvals: P & Z recommended approval 09/03/2013, Council approved on 09/10/2013

Use: A residential use located below street-level.
Conditions:
1. One parking stall per apartment (three total stalls) must be maintained and available for residents adjacent to the rear of the building.
2. The street level portion of the building must be maintained as a commercial use.
3. Access to the lower level apartment must utilize the rear entrance adjacent to the alley so that lower level residents do not conflict with the commercial use.
4. Upon the issuance of a CUP, the City shall require an annual inspection of the building for compliance of the CUP.
Summary completed on: 10/1/13 - All conditions are in compliance.

14- Price-Troska/Krusemark Rental Home
Use: To use the existing home located at 615 South Main Street as a retreat/rental space for groups or individuals to work on various hobbies or projects on weekend and potentially weekdays.
Conditions:
1. No more than eight (8) guests can rent or occupy the home at any one time.
2. Four (4) parking stalls must be provided. The parking provided shall be maintained so that it is accessibility and usable at all time during the year, when the home is occupied. Parking is not allowed in the alley. Guests must park on the concrete pad or in the garage before using on-street parking.
3. A sign relating to the rented home shall comply with the sign ordinance.
4. No alcoholic beverages may be sold to guests, and cooking within the home shall be limited to the kitchen of the home.
5. No retail or other sales shall be permitted unless they are clearly incidental.
6. Upon the issuance of a CUP, the City shall require an annual inspection and compliance for the CUP.
7. Leases shall be limited to 2 weeks.
8. The exterior of the home and yard must be maintained throughout the year by complying with all applicable snow removal and summer maintenance standards within the City Code.
9. Activity relating to the principle business use shall be contained within the house.
Summary completed on: 9/24/13 - All conditions are in compliance. The property was sold as a single family residence in late 2012. However, the approved CUP goes with the property and not a land owner so another owner could use the property as a retreat/rental space in the future with the same nine (9) conditions that were placed on the property in 2007.

15- Simpson Property - Post-Frame storage shed construction
Approvals: P & Z recommended approval 09/07/09, Council approved on 09/14/09
Use: To construct a post-frame storage facility that is approximately 600 square feet in the rear yard of an R-1 zoned (single-family) property.
Condition:
1. The siding must be constructed with a material that does not exceed 12" in panel width.
Summary: Siding has been installed and is in compliance.

16- WIT BOYZ Inc. – Automotive Service and Open Air Display  
Approvals: P & Z recommended approval 06/07/10, Council approved on 06/14/10  
Use: To use the property located at 5 & 15 Main Street North as an automotive service and open-air display land use.  
Condition:  
1. The property should be properly maintained and remain in compliance with all of the codes within the Chatfield City Code.  
2. All sale items must be displayed within the property and be in good repair.  
3. No additional accesses will be allowed along Main Street and public access from Spring Street is discouraged.  
4. No parking or commercial property shall be located within the public right-of-ways along Spring Street and Main Street and creating a stronger visual separation of private property and right-of-way is encouraged.  
5. An eight foot landscape buffer is required along the northern property line of 15 Main Street North if the single family home at 15 Main Street North is removed and commercial uses are expanded into the site while the existing single family home located at 23 Main Street North remains. See Section 113-265 (e) for a more detailed landscape description.  
Summary completed on: 09/26/13 – All conditions are in compliance.  

V. Request to Review the Animal Ordinance  
The Public Services Committee has requested that the Planning & Zoning Commission review Chatfield’s rules concerning the number of dogs allowed in the City.  
There are several options to amend the City Code to allow a greater number animals that range from less restrictions and less city oversight to more restrictions and more oversight. These potential options include:  
a. allow a greater number of animals of the same species in Section 6-6 (a)  
b. eliminate Section 6-6 and do not restrict the number of animals  
c. allow “kennels” to be permitted or conditional uses in residential zones with or without setbacks from property lines  
d. create a permit process such as the chicken ordinance that allows residents to apply for a permit and regulate the location, use, and number of animals  
After a brief discussion the Commissioners concluded they wanted to have conversations with citizens within our community and continue this discussion at a later date.  

VI. Adjourn  
Amundson entered a motion with a second by Barry to adjourn at 7:51 pm. All ayes, motion carried.
Planning & Zoning Commissioners typically don’t review land conveyances because they usually only need approval from the City Council. However, Minnesota State Statute requires that publicly owned property that is acquired or sold must be reviewed by the planning agency and that their findings must conclude that the sell or acquisition of publicly owned land is in compliance with the comprehensive municipal plan.

The Chatfield Economic Development Authority has submitted a request to purchase two parcels that are approximately .30 acres within the Twiford and Co’s Addition. Both parcels are currently owned by the City of Chatfield. The properties are used as a garage facility.

Both properties are zoned B-2 (Neighborhood Commercial) and have a land use designation of Highway Commercial. The current zoning district and land use designation are consistent with uses are intended to serve automobile-oriented commercial businesses.

The proposed conveyance from the City of Chatfield to the Chatfield EDA would be in compliance with the goals and policies outlined in the Comprehensive Plan as the parcels are moving from a public use to a redevelopment site with mixed commercial uses in the future. Staff recommends approving this request.
November 4, 2013
To: Chatfield Planning & Zoning Commission
From: Chris Giesen, EDA Coordinator
RE: Conveyance of Land from City to EDA (Twiford Redevelopment Area)

Background
The EDA has been assembling property in the Twiford/Division/Main Street area over the past several years for the purpose of being able to attract commercial development to the site and also address public infrastructure issues present at the site. The EDA has acquired and now owns the following properties at this site: 105 Main N; 127 Main N; and 129 Main N. It has already demolished one residential building at 129 Main.

The EDA is currently negotiating a purchase agreement for a portion of the site with a national retail variety store.

The City of Chatfield holds title to two parcels of land on which a garage structure is located (currently used for storage of city equipment). PIN#'s: 51.31.34.000323 & 51.31.34.000414 as shown on the attached map. In order to successfully negotiate the purchase agreement with the prospect, the EDA will need ownership of these two parcels.

Per Minn. Stat. § 462.356, subd. 2, if a city has a comprehensive plan, it may not acquire or dispose of any property until the city’s planning commission has reviewed the proposed transaction and reports, in writing, on whether it will comply with the city’s Comprehensive Plan.

The EDA believes that this project complies with the city’s Comprehensive Plan because it is located within the “North Main Street Area” and as described in the Plan, this project will consist of a larger retail/predominately automobile-served commercial destination. Additionally, current zoning at site fits the proposed ultimate end-use; zoning is B-2 “Neighborhood Commercial” which “is intended to accommodate those uses which are oriented to automobile travel and require highway access” and specifically allows for retail services.

Next Steps
In order for the City to convey this property to the EDA, Planning and Zoning must review the transaction for consistency with the established Comprehensive Plan.

Request
The EDA requests that the Chatfield Planning and Zoning Commission review the proposed conveyance of land from the City to the EDA in the Twiford Redevelopment Area for consistency with the Chatfield Comprehensive Plan.

If the Commission finds the transaction consistent with the Comprehensive Plan, the EDA requests that the Commission adopt the attached resolution entitled, “RESOLUTION FINDING PROPOSED LAND CONVEYANCE TO CITY EDA CONFORMS WITH THE CHATFIELD COMPREHENSIVE LAND USE PLAN.”
CITY OF CHATFIELD
PLANNING AND ZONING COMMISSION

RESOLUTION FINDING PROPOSED LAND CONVEYANCE TO CITY EDA CONFORMS WITH THE CHATFIELD COMPREHENSIVE LAND USE PLAN.

WHEREAS, the City of Chatfield (“City”) is the owner of properties legally described in the attached Exhibit “A” (the “Subject Property”); and,

WHEREAS, the Chatfield Economic Development Authority (“EDA”) is in the process of platting property for the Twiford Street Redevelopment Area project, which will include the Subject Property; and,

WHEREAS, the City holds fee title to the Subject Property; and,

WHEREAS, to facilitate the platting process, the City proposes to convey the Subject Property to the EDA for nominal consideration; and,

WHEREAS, at its November 24, 2008 meeting the City adopted a Comprehensive Plan and Land Use Plan; and,

WHEREAS, the Planning and Zoning Commission of the City, in accordance with Minn. Stat. § 462.356, subd. 2 and any other applicable statutes reviewed the proposed conveyance of the Subject Property from the City to the EDA;

NOW, BE IT RESOLVED, that the Chatfield Planning and Zoning Commission finds the proposed land conveyance of the Subject Property from the City to the EDA is consistent with the established Comprehensive Plan of the City.

PASSED AND DULY ADOPTED by the Chatfield Planning and Zoning Commission, this ___ day of ____________________, 2013.

ATTEST:

_________________________  ________________________
Chair         Date   Its:             Date
EXHIBIT “A”

**Legal description of Subject Property:**

SECT-31 TWP-105 RANGE-011 TWIFORD AND CO'S ADD LOT-001 BLOCK-001 LOTS 1 AND 2 LESS R R BLK 1, OLMSTED COUNTY, MINNESOTA. (PIN# 51.31.34.000323).

and

SECT-31 TWP-105 RANGE-011 TWIFORD AND CO'S ADD BLOCK-001 TH PT BLK 1 TWIFORD & CO'S ADD & TH PT SE1/4 SW1/4 SEC 31 105-11 DES AS COM AT INTERSECTION OF SWLY LINE MAIN ST & SELY LINE OF DIVISION ST TH SW148FT AL SELY LINE OF DIVISION ST TO NELY COR OF LOT 1 SD BLK 1 & PT OF BEG TH NW26.09FT AL NWLY EXTENSION OF NELY LINE OF LOTS 1-2 & 3 SD BLK 1 TO A PT DIST 15FT ELY MEASURED RADially FR CEN-LINE MAIN TRACK (NOW ABANDONED) OF C NW RR CO TH SE208.34FT AL IRREGULAR CURVE PAR WITH & 15FT DIST ELY MEASURED RADially FR SD MAIN TRACK CEN-LINE TH NE35FT TO A PT ON NWLY LINE OF SELY 15FT OF LOT 3 BLK 1 TH NE88.18FT AL SD NWLY LINE OF SELY 15FT OF LOT 3 TO NELY LINE OF SD LOT 3 TH NW45.03FT TO MOST NLY COR OF LOT 3 TH SW59.38FT AL NWLY LINE OF SD LOT 3 TO A PT 50FT NELY FR SD MAIN TRACK CEN-LINE, OLMSTED COUNTY, MINNESOTA. (PIN# 51.31.34.000414).
During our last meeting, the Commissioners discussed a recent issue that came to the City's attention concerning the number of dogs allowed in the City. We talked about several options that we might be able to take if the Commissioners thought that a changes was needed in the City Code.

These potential options could include:

a. recommend that no change to the code is needed at this time

b. allow a greater number of animals of the same species in Section 6-6 (a)

c. eliminate Section 6-6 (number of pets) and do not restrict the number of animals

d. allow "kennels" to be permitted or conditional uses in residential zones with or without setbacks from property lines

e. create a permit process such as the chicken ordinance that allows residents to apply for a permit and regulate the location, use, and number of animals

The Commissioners determined that they would like to spend some time reviewing the ordinance and talking with neighbors and other community members concerning this issue and talk about it again during our next meeting. I have attached a copy of Chapter 6 (Animals) for your quick reference as well as the definition of kennel. I look forward to our discussion on this issue Monday.

**Chapter 6 Animals – Chatfield City Code**

Sec. 6-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
Animal means any animate being, not human, which is endowed with the power of voluntary motion.

At large means off the premises of the owner and not under the control of the owner or some other person of suitable age and discretion, either at heel by command or by leash, cord or chain of not more than ten feet in length. Except as otherwise provided in this definition, the term "under control" does not mean a dog under control solely by means of command or signal. The term "at large" does not mean a dog properly confined within a motor vehicle or properly confined within a motor vehicle or properly within such enclosure, house or other building by leash.

Livestock means cattle, sheep, horses, mules donkeys, goats, pigs, llamas, and other animals typically associated with commercial agriculture, not including permitted chickens.

Owner means any person owning keeping, harboring, or maintaining an animal within the city or permitting such animal to be at large within the city.

Sec. 6-2. - Penalties.

Any person keeping livestock or any wild animal in violation of this section shall be guilty of a misdemeanor, the penalty for which shall be as provided for by state law at the time of the violation. Any person violating any other portion of this section is guilty of a petty misdemeanor, unless such acts constitute a misdemeanor or greater offense under state law.

Sec. 6-3. - Written notice of violations.

The city clerk is authorized to issue a written notice of violation of the provisions of this chapter containing a warning that a criminal complaint may be issued if the violation continues.

Sec. 6-4. - Livestock prohibited.

No person shall keep livestock within the city, except in agriculturally zoned, rural residential, areas of the city.

Sec. 6-5. - Wild animals prohibited.

No person shall keep any wild animal within the city.

(1) Definition. The term "wild animal" means any animal which is of a species that is wild by nature or one which, due to its size, vicious nature, or other characteristics, is inherently dangerous to human beings.

(2) Examples. The term "wild animal" means and includes, without limitation, any:

a. Large cat of the family Felidae, domestic house cats excluded;
b. Member of the family Canidae, domestic dogs excluded;  
c. Poisonous snake; skunk, raccoon, fox, deer, bear, badger, or animal protected under state  
or federal wildlife regulations; and  
d. Ape or monkey in excess of five pounds.

Sec. 6-6. - Number.

(a) No person shall own, keep, harbor or maintain more than two animals of each species, not  
including permitted chickens, on his premises within the city or permit such animals to be at  
large in the city. An owner shall have 90 days from the date of birth of any new members of  
that species in which to comply with the provisions of this section.  

(b) This section shall not restrict any owner who has a kennel license issued by the state and  
which is located in an area properly zoned for such use under the provisions of chapter 113  

(c) This section shall not apply to duly licensed abattoir or any livestock buying station located  
within the city. In addition, this section shall not apply to owners of livestock which are  
grazing in agriculturally, rural residential, zoned areas of the city.

Sec. 6-7. - Running at large.

(a) Prohibition. No owner or person in possession of any animal, except a licensed domestic  
house cat, shall permit or suffer such animal to run or move at large at any time within the  
city. This section applies whether the animal is usually kept within or without the city. For the  
purpose of this section, every such animal at large shall be deemed at large with the  
permission and at the sufferance of its owner, and in the event of a violation of the  
provisions of this section, it shall be no defense that the offending animal escaped or is  
otherwise at large without the permission or sufferance of its owner.  

(b) Licensed cat. Notwithstanding the provisions of subsection (a) of this section, the owner of  
a licensed cat shall not permit or suffer such animal to be at large on the private property of  
another, unless the owner of such property actually consents thereto.

Sec. 6-8. - Rabies vaccination.

(a) Owner's duties; certificate of vaccination. Every animal over the age of six months which is  
susceptible to rabies and which is kept, harbored or maintained by its owner in the city or  
permitted by its owner to run at large in the city, shall be vaccinated once the first year and  
thereafter at least every 24 months or as determined by a veterinarian. Vaccination shall be  
performed only by a doctor qualified to practice veterinary medicine in the state in which the  
animal is vaccinated. A veterinarian who vaccinates an animal to be kept, harbored, or  
maintained in the city shall prepare and deliver to the owner a certificate of vaccination  
setting forth the name and address of the owner, sufficient information to identify the animal  
vaccinated, the date of vaccination and the type and lot of vaccine used. In addition, the  
veterinarian shall issue to the owner of each animal so vaccinated a distinctive metal tag
which sets forth the year of vaccination, and the owner shall forthwith cause such animal to wear this tag on a collar.

(b) City clerk's duties. No dog shall be licensed by the city clerk if the dog has not been vaccinated against rabies as provided in subsection (a) of this section during the 12 month period immediately preceding the date application for license is made. No cat shall be licensed which has not been vaccinated against rabies as provided in subsection (a) of this section during the 12 month period immediately preceding the application date. However, a certificate from a veterinarian stating that the animal need not receive a vaccination during the period shall fulfill this subsection.

(c) Harboring unvaccinated animals. No person shall keep, harbor or maintain an animal required to be vaccinated pursuant to subsection (a) of this section which has not been vaccinated.

Sec. 6-9. - Animal causing disturbance.

In addition to other prohibitions against keeping any animal or bird causing frequent or long continued noise, no person shall keep or harbor a dog, cat, or other animal which barks, cries, or causes a disturbance for repeated intervals of at least five minutes with less than one minute of interruption. To constitute a prohibited disturbance under this section, such barking, crying or other disturbance must be audible off the owner's or keeper's premises.

Sec. 6-10. - Diseased or vicious animals.

(a) Immediate threat to life or safety. Any police officer is hereby authorized and empowered to kill any animal which because of disease or viciousness constitutes an immediate threat to human life or safety and, in the case of dogs, cannot be safely taken up and impounded as provided for by law. No impounding or killing of any animal shall exempt the owner or keeper of such animal from the penalties provided by law. An immediate report of such killing shall be made to the city clerk.

(b) Confiscation and disposition of dangerous dogs. The confiscation and disposition of any dangerous dog shall be as set forth by Minn. Stat. § 347.54, or any successor statute.

Sec. 6-11. - Condition of premises; excrement.

(a) Premises must be healthy and sanitary. No person who owns, keeps, or harbors an animal shall permit the premises where the animal is kept, to be or remain in an unhealthy, unsanitary, or obnoxious condition, or to permit the premises to be in such condition that obnoxious odors are carried to adjacent public or private property.
(b) Dog and cat excrement. It is unlawful for any person who owns or has custody of a dog or cat to cause or permit such animal to defecate on any private property without the consent of the property owner or on any public property, unless such person immediately removes the excrement and places it in a proper receptacle. The provisions of this subsection shall not apply to seeing-eye dogs under the control of a blind person or dogs while being used in city police activity.

Sec. 6-12. - Chickens limited.

It is unlawful for any person to own, keep or maintain hen chickens in the city unless the property is in the rural residential zoning district or the person is issued a zoning certificate. A zoning certificate shall only be issued for a property situated in the R-1 ("single family residence") district. No zoning certificate shall be issued for more than six hen chickens or one chicken per 1,800 square feet of lot size, whichever number is less. The issuance of a zoning certificate shall not permit the keeping of a rooster.

Sec. 6-13. - Zoning certificate.

A person applying for a zoning certificate shall include the following information in written form: A scaled diagram with the location of the chicken coop or run on the property; property lines with dimensions and location of buildings; distance from the coop or run to adjacent buildings not located on the property; and, a completed application.

Sec. 6-14. - Chicken coops and runs.

All chicken coops and runs must be located within the rear yard and are subject to the required setbacks for accessory structures; must be located at least 50 feet from any existing residential building not located on the property; and, must be screened from all adjacent properties and streets. Screening can include: An existing building; a four-foot high solid fence; or a four-foot in height (high) landscaped hedge. Hen chickens must be confined in a chicken coop or run at all times.

Sec. 6-15. - Additional considerations.

No zoning certificate holder shall allow a premises where hen chickens are kept to be or remain in an unhealthy, sanitary or noxious condition. The slaughter of chickens on any premises within the city, other than property zoned in the "rural residence" district, is prohibited.

Sec. 6-16. - Violations.
Any person who owns, keeps or maintains hen chickens without obtaining or maintaining a current zoning certificate, or after a zoning certificate has been suspended or revoked, shall be guilty of a misdemeanor. In addition, a violation of this section shall be considered a nuisance and the city may abate the same as provided if in the provisions of chapter 16 of this Code.

Chapter 113-1, Zoning Definitions – Chatfield City Code

Kennel means any structure or premises on which two or more of each species of dogs, cats, etc., over six months of age are kept for sale, breeding, profit, training, etc., and are either owned or permanently or temporarily boarded.

Chapter 113-118, RR (Rural Residential District) – Chatfield City Code

Kennels are allowed in the RR (Rural Residential Zone) as a CUP

Section 113-181 (10) Operation and maintenance of kennels; provided, however, that no such kennel shall be located less than 100 feet from the nearest lot line.