

**CITY OF OLIVIA**  
**ORDINANCE NO. 2022-06**

AN ORDINANCE AMENDING CODE CHAPTER 93  
REGARDING THE REGULATION OF ANIMALS

WHEREAS, the City of Olivia has established Code Chapter 93, regulating dogs and cats; and

WHEREAS, Minnesota Statutes Section 412.221 Subd. 21 provides that the City Council shall have power by ordinance to regulate the keeping of animals, to restrain their running at large, to authorize their impounding and sale or summary destruction, and to establish pounds, and to license and regulate riding academies; and

WHEREAS, City Staff and the City Council have determined that it would be in the best interests of the City to adopt ordinances related to other domestic animals, non-domestic animals, and farm animals.

NOW, THEREFORE, the City Council of the City of Olivia, Renville County, State of Minnesota, ordains that City Code Chapter 93 shall be amended as follows:

1. Add **§ 93.10 Definitions**. For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

a. **ANIMAL**. Any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom. Animals shall be classified as follows:

b. **DOMESTIC ANIMALS**. Those animals commonly accepted as domesticated household pets. Unless otherwise defined, domestic animals shall include dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, non-poisonous, non-venomous and non-constricting reptiles or amphibians, and other similar animals.

c. **FARM ANIMALS**. Those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, farm animals shall include members of the equine family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, ratitae (ostriches and emus), farm raised cervidae (caribous and mule deer), llamas and alpacas and other animals associated with a farm, ranch, or stable.

d. **NON-DOMESTIC ANIMALS**. Those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, non-domestic animals shall include:

(1) Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats.

(2) Any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.

(3) Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet.

(4) Any member or relative of the rodent family including any skunk (whether or not descended), raccoon, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets.

(5) Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.

(6) Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this section, including but not limited to bears, deer, monkeys and game fish.

e. ANIMAL CONTROL OFFICER. The Chief Law Enforcement Officer, or an individual or employee of a business retained by the City for purposes of enforcing the provisions of this Chapter.

f. AT LARGE. Off the premises of the owner and not under the custody and control of the owner or other person, either by leash, cord, chain, or otherwise restrained or confined.

g. CAT. Both the male and female of the felidae species commonly accepted as domesticated household pets.

h. DOG. Both the male and female of the canine species, commonly accepted as domesticated household pets, and other domesticated animals of a dog kind.

i. OWNER. Any person or persons, firm, association or corporation owning, keeping, or harboring an animal.

j. RELEASE PERMIT. A permit issued by the Animal Control Officer or other person in charge of the pound for the release of any animal that has been taken to the pound. A release permit may be obtained upon payment of a fee to the City Clerk in accordance with the regular license requirement if the animal is unlicensed, payment of a release fee, and any maintenance costs incurred in capturing and impounding the animal. The release fee shall be as established the Council and listed in the Fine and Fee Schedule, as it may be amended from time to time.

2. Add § 93.11 NON-DOMESTIC ANIMALS. Except as provided in M.S. § 346.155, as it may be amended from time to time, it shall be illegal for any person to own, possess, harbor,

intentionally provide food or shelter, or offer for sale, any non-domestic animal within the City. An exception shall be made to this prohibition for animals specifically trained for and actually providing assistance to the handicapped or disabled, and for those animals brought into the city as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition.

3. Add § **93.12 FARM ANIMALS**. Farm animals shall not be kept in the City, except in an agricultural district with a conditional use permit from the City. No animal shelter shall be within 300 feet of an adjoining piece of property. Any owner of a farm animal at the time of adoption of this code shall have 30 days in which to remove the animal from the City after which time the City may impound the animal. Exceptions shall be made to this for those animals brought into the City as part of an operating zoo, veterinarian clinic, scientific research laboratory, or a licensed show or exhibition.

4. Amend § **93.98 VIOLATIONS**., paragraph (B) as follows: It shall be a misdemeanor for anyone, whether owner, caretaker, or person in possession of an animal, to violate the regulations set forth in §§ 93.02, 93.04, 93.05, 93.11, and 93.12.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

OLIVIA CITY COUNCIL

By \_\_\_\_\_  
Jon Hawkinson, Mayor

ATTEST:

\_\_\_\_\_  
Dan Coughlin, City Administrator