

City of Cuyuna, Minnesota

ORDINANCE NO. 042A

Regulation of Horses

July 12, 1995

ORDINANCE NO. 42A

AN ORDINANCE REGULATING HORSES, AMENDING ANIMAL ORDINANCES  
AND PROVIDING A PENALTY FOR VIOLATION

The Council of the City of Cuyuna, Minnesota, ordains:

SECTION 1. Definitions.

- Subd. a. Customary Household Pets. Animals such as dogs, cats and birds which can be contained within the main dwelling, without special modification.
- Subd. b. Dangerous Animals. A mammal, bird or large or poisonous reptile with a propensity to be dangerous to the safety and welfare of any person, property or other domestic animal. Included are bears, lions, wolves, coyotes, cougars, tigers, panthers, apes, alligators, crocodiles, large snakes, poisonous snakes, badgers, ocelots excluding dogs, cats or other traditional pets or livestock, etc. Also included are any animal that has attacked or bitten any person when that attack or bite was unprovoked, and animals which are cross-bred with dangerous animals.
- Subd. c. Exotic Animals. Animals which are not considered to be domesticated but are not dangerous animals as defined herein.
- Subd. d. Farm Animals. Horses, cows, sheep, bees, pigs, chickens, ducks and other commonly known animals normally associated with farms, but excluding customary household pets.

SECTION 2. Prohibitions.

- Subd. a. Farm Animals Except Horses. The keeping of farm animals on parcels of less than 40 acres in size shall not be permitted, except for horses, subject to the conditions in Section 3.
- Subd. b. Dangerous Animals. The keeping of dangerous animals is prohibited.
- Subd. c. Exotic animals and others. The keeping of exotic animals is prohibited.

SECTION 3. Permits. The keeping of horses on parcels of less than 40 acres in size shall be permitted subject to the following conditions:

- Subd. a. The property must contain 10 acres in contiguous ownership or leasehold.
- Subd. b. The property must contain at least one and one half (1½) acres per horse. This number may be exceeded only by conditional use permit.
- Subd. c. All buildings intended to house horses shall be set back at least 60 feet from all property lines, and at least 300 feet from a dwelling other than the dwelling in question.
- Subd. d. All pens, yards, or other confinement areas (excluding pastures) where horses are kept shall be set back at least 60 feet from all property lines. A minimum enclosure or corral of at least 800 square feet per animal is required, with a roofed enclosure of at least 100 square feet.
- Subd. e. The Minnesota Pollution Control Agency does not require that a Feedlot Permit be issued.
- Subd. f. The keeping of said animals does not cause a nuisance, as defined by Cuyuna Nuisance Ordinance 95-805.

SECTION 4. Removal Device and Removal of Excrement: Offense.

- Subd. a. Offense: Removal Device. It is unlawful for any person to cause or permit a horse to be on any property, public or private not owned or possessed by such person, unless such person has in their immediate possession a device for the removal of excrement and depository for the transmission of excrement to a proper receptacle located upon property owned or possessed by such person.
- Subd. b. Offense: Removal of Excrement. It is unlawful for any person in control of, causing or permitting any horse to be on any property, public or private, not owned or possessed by such person, to fail to remove excrement left by such horse to a proper receptacle located on property owned or possessed by such person.

SECTION 5. Nuisance. Except as provided above, the keeping of farm animals, dangerous animals or exotic animals is hereby declared to be a nuisance.

SECTION 6. Penalty. Any person violating any provision of this ordinance is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$700 or

imprisonment in the county jail for not more than 90 days, or both, plus the cost of prosecution in any case.

SECTION 7. Amendment. Cuyuna animal ordinances are hereby amended.

SECTION 8. Effective Date. This ordinance becomes effective upon its passage and publication according to law.

Passed by the council this \_\_\_ day of \_\_\_\_\_, 1995.

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Steven Endrizzi, Mayor

ATTEST:

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William Bedard, Clerk

Published in the Cuyuna-Ironton Courier on \_\_\_\_\_, 19\_\_.

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042A Regulation of Horses 002 07-12-1995.doc