



APPLICATION FOR LICENSE

City of Crystal

4141 Douglas Drive N, Crystal, MN 55422

Telephone: 763-531-1000 Website: www.crystalmn.gov

Deaf and hard-of-hearing callers may call Minnesota Relay at 711.

PLEASE PRINT CLEARLY

Applicant's Name:	Fee:* (0100-4145)	\$
Home Address:	Home Phone: ()	
City/State/Zip:	Cell Phone: ()	
Doing Business As:	Email:	
MN Tax ID #: Federal Tax ID #: <u>or</u> Social Security #		
Location (full address, including zip code):		

I enclose the sum of _____ and 00/100 dollars to the City of Crystal as required by the Ordinances of said City and have complied with all the requirements of said Ordinances necessary for obtaining a (*check one*) **Multiple Animal** or **Commercial Kennel** at the above address from _____ through April 30, 20____, subject to all conditions and provisions of said Ordinance.

ADDITIONAL REQUIREMENTS

- Multiple Animal License Supplemental Form
- Noncommercial license*: Copy of current rabies vaccination forms

The information in this Application For License is true and complete to the best of my knowledge.

Signature of Applicant

Date

*Fee: *If exempt, fill out Licensing Fee Exemption Form*

(Fee: multiple animal = \$100/new or \$80/renewal; commercial kennel = \$150/new or \$130/renewal)

APPLICATION FOR LICENSE INVOLVING PRIVATE OR CONFIDENTIAL INFORMATION

(Includes Tennessee Warning)

Under Minnesota law (M.S. 270.72), the agency issuing you this license is required to provide to the Minnesota Commissioner of Revenue your Minnesota business tax identification number or the Social Security number of each license applicant.

Under the Minnesota Government Data Practices Act and the Federal Privacy Act of 1974, we must advise you that:

- This information may be used to deny the issuance, renewal or transfer of your license if you owe the Minnesota Department of Revenue delinquent taxes, penalties, or interest;
- The licensing agency will supply this information only to the Minnesota Department of Revenue. However, under the Federal Exchange of Information Act, the Department of Revenue is allowed to supply this information to the Internal Revenue Service;
- Failure to supply this information may jeopardize or delay the issuance of your license or the processing of your renewal application.

CITY USE ONLY:	JDE# _____	Date Entered: _____
	PIMS ID# _____	Council Date: _____
Approved by:	_____ City Manager Anne Norris	_____ City Clerk Chrissy Serres

Certificate of Compliance

Minnesota Workers' Compensation Law

This form must be completed by the business license applicant.

Print in ink or type

Minnesota Statutes § 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of Minn. Stat. chapter 176. If the required information is not provided or is falsely stated, it shall result in a \$2,000 penalty assessed against the applicant by the commissioner of the Department of Labor and Industry.

A valid workers' compensation policy must be kept in effect at all times by employers as required by law.

License or certificate number (if applicable)	Business telephone number	Alternate telephone number
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Business name (Provide the legal name of the business entity. If the business is a sole proprietor or partnership, provide the owner's name(s), for example John Doe, or John Doe and Jane Doe.)

DBA ("doing business as" or "also known as" an assumed name), if applicable

Business address (must be physical street address, no P.O. boxes)	City	State	ZIP code
County	Email address		

You must complete number 1 or 2 below.

Note: You must resubmit this form to the authority issuing your license if any of the information you have provided changes.

1. I have a workers' compensation insurance policy.

Insurance company name (not the insurance agent)		
Policy number	Effective date	Expiration date

I am self-insured for workers' compensation. (Attach a copy of the authorization to self-insure from the Minnesota Department of Commerce; see www.mn.gov/commerce/industries/insurance/licensing/self-insurance.)

2. I am not required to have workers' compensation insurance because:

- I only use independent contractors and do not have employees. (See [Minn. Stat. § 176.043](#) for trucking and messenger courier industries; [Minn. Stat. § 181.723, subd. 4](#), for building construction; and [Minnesota Rules chapter 5224](#) for other industries.)
- I do not use independent contractors and have no employees. (See [Minn. Stat. § 176.011, subd. 9](#), for the definition of an employee.)
- I use independent contractors and I have employees who are not required to be covered by the workers' compensation law. (Explain below.)
- I only have employees who are not required to be covered by the workers' compensation law. (Explain below.) (See [Minn. Stat. § 176.041](#) for a list of excluded employees.)

Explain why your employees are not required to be covered

I certify the information provided on this form is accurate and complete. If I am signing on behalf of a business, I certify I am authorized to sign on behalf of the business.

Print name

Applicant signature (required)	Title	Date
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If you have questions about completing this form or to request this form in Braille, large print or audio, call (651) 284-5032 or 1-800-342-5354.

MULTIPLE ANIMAL / COMMERCIAL KENNEL LICENSE SUPPLEMENTAL FORM

1. Type of license (check one): Multiple Animal Commercial Kennel
2. Zoning classification of land: _____
3. Adjacent property uses:
 North: _____ East: _____
 South: _____ West: _____
4. Nature and/or extent of operation, including number of animals on the premises:

5. Kennel layout and construction:

Please provide in the table below the information requested from neighbors located on either side of your property, the two houses across the street, and the two houses behind you. If your property is located on a corner lot, signatures must be obtained from the side houses and all corners. Please print clearly.

We, the undersigned, consent to the residence at _____,
(house number, street, and zip code)

Crystal City Code Section 910.07, Subd. 1

in Crystal, no more than three dogs over the age of three months shall be kept on a property without a multiple animal license. No more than three cats over the age of three months shall be kept on a property without a multiple animal license. Without a multiple animal license, the combination of dogs, cats, or pot-bellied pig shall not exceed four. A multiple animal license shall entitle a property owner to keep no more than five total animals on the property. In no event shall more than one pot-bellied pig be kept on a property. In no event shall more than four chickens be kept on a property. A pot-bellied pig is counted toward the total number of animals, but chickens are not.

Print Name	Signature	Address w/ Zip Code	Home Phone	Work Phone

Please note that letters will be sent to each person listed in this table. The letter will include the applicant's name and address and the date of the council meeting at which this kennel license will be an agenda item.

An applicant for license must provide an up-to-date detailed plan and description of the premises and structures, the number and types of animals proposed to be handled therein, and such other information as the City may deem necessary.

A license may not be issued to an applicant located within 50 feet of an existing restaurant, except upon approval of the health authority and subject to such limitations as may be prescribed by the health authority.

Applicant Signature: _____ Dated: _____



CITY of CRYSTAL

4141 Douglas Drive North • Crystal, Minnesota 55422-1696

Tel: (763) 531-1000 • Fax: (763) 531-1188 • www.crystalmn.gov

Certification of Financial Responsibility

This form must be completed and returned with a City license application.

To the best of my knowledge, based upon a review of the status of the property/business located in the City of Crystal at _____, I attest that the foregoing property/business is financially responsible as outlined in Crystal City Code Section 1000.39, which is printed in full on the reverse side of this form.

I hereby certify that I/we are current on the following financial obligations:	YES	NO
All real estate and personal property taxes are paid.		
If "NO," provide the years and amounts that are unpaid:		
Utility bills are paid.		
State taxes are paid.		
Federal taxes are paid.		
Other governmental obligations or claims concerning me or the business entity named in this license application are paid.		

If you or the business entity named in this license application have received a notice of delinquency or default, provide details: _____

If "NO" is checked for any of the items in the table above, describe the payment plan or other agreement approved by the applicable governmental entity: _____

I certify under penalty of perjury that the foregoing is true and correct.

Dated: _____, 20____

Signature

Printed Name

Note: Filing a false statement with a government agency is a criminal offense.

Staff use only:

__UB __Prev UB __UB Cert __Tax __Prev Tax

Verified compliance on: _____ <date>

Staff initials: _____

Crystal City Code Section 1000.39 – Financial responsibility. Prior to the issuance of a license the applicant must file with the city clerk satisfactory evidence of financial responsibility. Satisfactory evidence of financial responsibility shall be shown by a certification under oath that the property taxes, public utility bills, and all state and federal taxes or other governmental obligations or claims concerning the business entity applying for the license are current, and that no notice of delinquency or default has been issued, or if any of the financial obligations stated in this subsection are delinquent or in default, that any such delinquency or default is subject to a payment plan or other agreement approved by the applicable governmental entity. The certification shall be signed by an individual applicant or all individual owners and/or shareholders of the business entity. Operation of a business licensed by the city without having updated evidence on file with the city of the financial responsibility required by this subsection is grounds for revocation or suspension of the license. This subsection shall apply to all licenses issued by the city except for intoxicating liquor licenses regulated by Crystal city code, chapter XII, which are regulated by that chapter.

What does this mean for a City-issued business license?

Prior to the issuance of a City-issued business license or renewal license, license holders are required to certify that the property taxes, utility bills, and all state and federal taxes for the property or the business entity applying are current. Also, the applicant must certify that no notice of delinquency or default has been issued or is subject to a payment plan.

What will happen if a license holder is not financially responsible?

A hearing is granted before the City Council. The Council may deny, suspend, or revoke the City-issued business license. Upon providing satisfactory evidence of financial responsibility, the business owner may reapply for the license.

CRYSTAL CITY CODE
SECTION 910 – ANIMAL CONTROL

910.01. Definitions. For purposes of this section, the terms defined in this subsection have the meanings given them in this subsection.

Subd. 1. Animal. "Animal" means a dog or other domestic animal.

Subd. 2. Animal control officer. "Animal control officer" means an agency of the state, county, municipality, or other governmental subdivision of the state which is responsible for animal control operations in its jurisdiction.

Subd. 3. Commercial kennel license. "Commercial kennel license" means a license required of any person, firm, corporation, or organization operating, or in control of, a commercial kennel.

Subd. 4. Custodian. "Custodian" means any person, firm, corporation, or organization that is temporarily responsible for the care, custody, or control of an animal, other than the owner of the animal.

Subd. 5. Owner. "Owner" means any person, firm, corporation, organization, or department possessing, owning, harboring, having an interest in, or having care, custody, or control of an animal on more than a temporary basis.

Subd. 6. Commercial kennel. "Commercial kennel" means any place where dogs or other animals are kept as part of a business involving the raising, selling, boarding, breeding, showing, treating, or grooming of dogs or other animals. The term includes pet shops, animal hospitals, kennels and other similar types of operations.

Subd. 7. Dangerous dog. "Dangerous dog" means any dog that has:

- (a) Without provocation, inflicted substantial bodily harm on a human being on public or private property;
- (b) Killed a domestic animal without provocation while off the owner's property; or
- (c) Been found to be potentially dangerous, and after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Subd. 8. Domestic animal. "Domestic animal" means a domesticated dog, cat, ferret, chicken, pot-bellied pig, or rabbit.

Subd. 9. Great bodily harm. "Great bodily harm" has the meaning given it under Minnesota Statutes, section 609.02, subdivision 8.

Subd. 10. Multiple animal license. "Multiple animal license" means a license required of any person possessing or maintaining more animals on a property than is allowed under this section without a license.

Subd. 11. Potentially dangerous dog. "Potentially dangerous dog" means any dog that:

- (a) When unprovoked, inflicts bites on a human or domestic animal on public or private property;
- (b) When unprovoked, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack; or
- (c) Has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Subd. 12. Proper enclosure. "Proper enclosure" means securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal from escaping and providing protection from the elements for the dog. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the dog to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the dog from exiting.

Subd. 13. Provocation. "Provocation" means an act that an adult could reasonably expect may cause a dog to attack or bite.

Subd. 14. Special event. "Special event" means an event designated by city council resolution and occurring in a city park, other than a designated dog park.

Subd. 15. Substantial bodily harm. "Substantial bodily harm" has the meaning given it under Minnesota Statutes, section 609.02, subdivision 7a.

910.03. General provisions.

Subd. 1. Custodians of animals. A custodian is required to comply the requirements imposed on an owner under this section while the person is in possession of an animal.

Subd. 2. Animal control officer. The city manager shall designate the animal control officer.

Subd. 3. Enforcement. The police department and animal control officer are authorized to enforce the provisions of this section, including issuing citations for violations, transporting animals to the city animal pound, and destroying animals in accordance with the provisions of this section.

Subd. 4. Interference with officers. An unauthorized person shall not take or attempt to take from any officer any animal taken up by a police officer or the animal control officer in

compliance with this section, or in any manner interfere with or hinder the officer or agent of the city in the discharge of the person's duties.

Subd. 5. Muzzles. When the animal control officer determines that a dog is infected with rabies, the police chief may require that the dog be muzzled while in public.

Subd. 6. Diseased animals prohibited. It is unlawful to knowingly bring into the city, or have in one's possession, an animal that is afflicted with infectious or contagious diseases. Such diseased animals must be destroyed in a humane manner unless the disease is curable and the animal is under the care of, and receiving treatment from, a licensed veterinarian.

Subd. 7. Zoning regulations. It is unlawful to keep or harbor an animal or fowl, except domestic animals, within any district of the city zoned residential unless otherwise permitted by the Crystal city code.

910.05. Vaccination of animals.

Subd. 1. Required. Each dog, cat, or ferret over three months of age must be vaccinated for rabies. The vaccination must be administered by or under the supervision of a licensed doctor of veterinary medicine. The certificate of vaccination must show that the animal has been vaccinated in accordance with the current recommendation of the National Association of State Public Health Veterinarians and the Centers for Disease Control of the United States Department of Health, Education and Welfare. The certificate is prima facie proof of the required vaccination.

Subd. 2. Vaccination tag. An owner must have a current rabies vaccination tag securely affixed to the collar of its dog or cat when the animal is off of the owner's property. It is unlawful to falsify a vaccination tag.

910.07. Regulations on number of animals.

Subd. 1. Noncommercial. The number of animals that may be kept on a property without a license, or with a multiple animal license, are as follows:

	Dogs	Cats	Pot-bellied Pig	Chickens	Combined Total Number of Animals Allowed*
No license required	Up to 3	Up to 3	1	4	Up to 4
Multiple animal license required	4 to 5	4 to 5	No more than 1 allowed	No more than 4 allowed	Up to 5

* No more than three dogs over the age of three months shall be kept on a property without a multiple animal license. No more than three cats over the age of three months shall be kept on a property without a multiple animal license. Without a multiple animal license, the combination of dogs, cats, or pot-bellied pig shall not exceed four. A multiple animal license shall entitle a property owner to keep no more than five total animals on the property. In no

event shall more than one pot-bellied pig be kept on a property. A pot-bellied pig is counted toward the total number of animals, but chickens are not.

Subd. 2. Commercial. Anyone engaging in the business of raising, selling, boarding, showing, treating, or grooming animals is required to obtain a commercial kennel license regardless of the number of animals involved in the business.

910.09. Multiple animal licenses and commercial kennel licenses. Every person proposing to keep more animals on a property than are allowed without a license, or to operate a commercial kennel, is required to obtain either a multiple animal license or a commercial kennel license from the city and is required to comply with the provisions of this subsection. No license shall be required for veterinarians as provided in Minnesota Statutes, section 347.40.

Subd. 1. Application. Application for an appropriate license must be made using the forms provided by the city and shall be submitted to the city clerk together with the payment of the appropriate fees required by appendix IV of this Crystal city code. The applicant must provide, at the time of application, an up-to-date detailed plan and description of the premises and structures wherein the kennel is to be operated, the number and types of animals proposed to be handled therein, and such other information as the city may deem necessary. If the application is for a renewal of a previous license and no changes in the premises, structures, or operation have been made or are contemplated to be made, a new plan or description need not be provided but the completeness and accuracy of the existing plan must be so certified.

Subd. 2. Procedure.

- (a) The city clerk shall forward complete applications to the animal control officer for review.
- (b) The animal control officer shall review the application, conduct an inspection of the property if deemed needed, and make a recommendation regarding the requested license.
- (c) The city council shall determine whether to issue the requested license.

Subd. 3. License term. Licenses expire on April 30 of each year.

Subd. 4. Posting. A commercial kennel license must be posted in a conspicuous place on the property. A multiple animal license need not be posted, but must be produced upon request by the city.

Subd. 5. Vaccination of animals. A certificate of vaccination for rabies shall be kept for every dog, cat, and ferret kept at a licensed premises and must be produced upon request by the city.

910.11. Pot-bellied pigs. In addition to the other regulations contained in this section, the following additional regulations shall apply to pot-bellied pigs.

Subd. 1. Only one allowed. No person may keep more than one pot-bellied pig, which must be kept solely for the private use and enjoyment of the person.

Subd. 2. Single-family dwelling. A pot-bellied pig may be kept only by residents of single family detached dwellings.

Subd. 3. Neutered or spayed. All male pot-bellied pigs must be neutered by the age of three months, and all female pot-bellied pigs must be spayed by the age of one year. The owner shall maintain a record showing the animal has been neutered or spayed by a licensed doctor of veterinary medicine upon the animal reaching the age indicated herein.

910.13. Chickens. In addition to the other regulations contained in this section, the following additional regulations shall apply to chickens.

Subd. 1. Prohibitions.

- (a) No person shall keep on any single family or two family residential property more than four total chickens. Chickens are not counted toward the number of animals that may be kept on a property without a multiple animal license.
- (b) No person shall keep roosters, or adult male chickens, on any property within the city.
- (c) Chickens are not allowed on properties with three or more dwelling units.
- (d) Cockfighting is specifically prohibited within the city.
- (e) The slaughter of chickens is prohibited in the city.
- (f) The raising of chickens for breeding purposes is prohibited in the city.
- (g) Chickens over the age of four weeks shall not be kept inside of a dwelling or garage.

Subd. 2. Owner present. The owner of the chickens shall live in the dwelling on the property. If the property is not owner-occupied, then the property owner must provide a written statement to the city confirming that the tenant may have chickens at the property.

Subd. 3. Shelter requirements. Chickens shall be properly protected from the weather and predators in a shelter or coop, and have access to the outdoors in an enclosure or fenced area. The shelter and/or enclosure shall meet all of the following requirements:

- (a) Applicable building, property maintenance and zoning requirements of Crystal city code, chapters 4 and 5;
- (b) All electrical work shall be done according to applicable codes and with appropriate permits;
- (c) The shelter shall be situated closer to the chicken owner's dwelling than to any of the neighboring dwellings, and in no case closer than five feet to the lot line;
- (d) Shelter and enclosure must not be located closer to an adjacent street than the owner's dwelling;
- (e) Screening from abutting residentially used properties and streets in the form of a solid privacy fence of at least four feet in height constructed according to the fence standards of Crystal city code, section 515.13, subdivision 7 shall be provided for the shelter and enclosure;
- (f) A shelter shall not exceed 120 square feet in size and shall not exceed six feet in height;
- (g) An enclosure or fenced area for chickens shall not exceed 20 square feet per bird and shall not exceed six feet in height and shall have protected overhead netting to prevent attracting predators and other animals running at large;
- (h) An enclosure or fenced area may be constructed with wood and/or woven wire materials that allow chickens to contact the ground; and
- (i) The structure must be properly constructed and of quality materials to deter rodents and predators.

Subd. 4. Prevention of nuisance conditions. Owners shall care for chickens in a humane manner and shall prevent nuisance conditions by ensuring the following conditions are met:

- (a) The shelter and enclosure are maintained in good repair, and in a clean and sanitary manner free of vermin and objectionable odors;
- (b) Feces and discarded feed is regularly collected and stored in a leak-proof container with a tight-fitting cover to prevent nuisance odors and the attraction of vermin until it can be disposed properly;
- (c) Chicken feed shall be stored in leak-proof containers with a tight-fitting cover to prevent attracting vermin;

- (d) Chickens shall be secured inside of a shelter from sunset to sunrise each day to prevent nuisance noise and attracting predators;
- (e) Chickens shall remain in either the shelter or enclosure at all times and shall not run at large; and
- (f) The shelter shall be winterized to protect the chickens in cold weather.

Subd. 5. Sale of farm poultry or eggs. Owners must comply with all requirements and performance standards for home enterprises in Crystal city code, subsection 515.33, subdivision 3b and all Minnesota Department of Agriculture requirements for the sale of eggs.

910.15. Manner of keeping animals.

Subd. 1. Sanitary conditions. It shall be unlawful to engage in any of the following:

- (a) Keeping an animal in an unclean or unsanitary place or in an unclean or unsanitary condition so as to endanger the animal's health or safety;
- (b) Owning, harboring, keeping, or having in possession or on one's premises an animal in a manner that produces an odor that can be detected by any person from a location outside of the building or premises where the animal is kept; or
- (c) Owning, harboring, keeping, or having in possession or on one's premises an animal that by howling, yelping, barking, fighting or otherwise, produces noise that disturbs the peace, quiet or repose of a person of ordinary sensibility.

Subd. 2. Basic care. All animals shall receive kind and humane treatment from their owners, which shall include proper, adequate, clean, ventilated, and sanitary housing or shelter from the elements and sufficient food and water for their comfort. Failure to provide basic care is a violation of this section.

Subd. 3. Removal of animal feces required. An owner or custodian shall immediately pick up and remove any feces deposited on public property or on the property of another. Any such person must have in their possession a means to collect and dispose of all fecal matter in a proper manner.

Subd. 4. Accumulation of feces prohibited. An owner or custodian shall keep the premises on which an animal is kept free from an unreasonable accumulation of fecal matter.

910.17. Confinement and control. A person who owns or keeps an animal, or the parent or guardian of a person under 18 years of age who keeps an animal, may not permit the animal to

be on private land in the city unless the animal is effectively restrained from leaving the land by leashing or fencing, except on the owner's own private land. The owner of the land may keep an animal on that land but the animal must be kept under the immediate supervision and verbal command of a responsible person. A person having custody or control of an animal may not permit the animal to be on public property in the city unless the animal is effectively restrained by leash not exceeding six feet in length. An animal in heat must be confined in an enclosure that prevents its escape and the entry of other animals. While on the owner's property, a dog designated as dangerous must be kept in a proper enclosure and as otherwise provided in Minnesota Statutes, sections 347.51 and 347.52 and this section.

910.19. Public nuisance.

Subd. 1. Violation. An animal is a public nuisance if its owner or custodian violates Crystal city code, subsection 910.15:

- (a) Three times within a period of 60 consecutive days;
- (b) Four times within a period of 180 consecutive days; or
- (c) Five times within a period of 360 consecutive days.

For purposes of this subsection, the date of a violation is the date the violation occurs, not the date of conviction for the violation.

Subd. 2. Other nuisance conditions. An animal is a public nuisance if the animal:

- (a) Attacks a person without provocation, causing injury to that person;
- (b) Attacks a domestic animal outside the premises of the animal's owner, causing injury to that domestic animal;
- (c) Has a demonstrated propensity to attack without being provoked or to otherwise endanger the safety of persons or domestic animals;
- (d) Habitually interferes with the public use of a public right-of-way;
- (e) Habitually destroys or damages real or personal property of a person other than its owner; or
- (f) Is required to be quarantined pursuant to section, but is at large.

Subd. 3. Proceedings for disposition of nuisance animals. An animal that is a public nuisance under this subsection is to be disposed of in the manner provided by Minnesota Statutes, sections 347.04 to 347.07.

Subd. 4. Complaint. The complaint required by Minnesota Statutes, sections 347.04 to 347.07 may be prepared and presented to the district court by the animal control officer or any peace officer designated by the police chief.

910.21. Commercial kennels.

Subd. 1. Design. Kennel floors and walls must be constructed of impervious and easily cleanable materials and all structures, areas, and accessories shall be designed to facilitate frequent and easy cleaning. All areas must be adequately and properly ventilated. Every kennel must be suitably enclosed or fenced in such a manner as to prevent the running at large or escape of animals confined therein. Doors, windows and other openings must be screened from May 1 to October 1. The premises must be provided with the adequate and safe sewer and water connections, plumbing and plumbing fixtures.

Subd. 2. Construction. New kennels or repairs or alterations of existing kennels must have plans filed with and approved by the animal control officer, and or the building official if such construction is subject to the state building code, before a building permit may be issued. All new construction or reconstruction must comply with this section and other applicable provisions of this Crystal city code.

Subd. 3. Operation. Kennels must be maintained in a clean, healthful, sanitary, and safe condition and so as not to create a health hazard or public nuisance. Kennels must be operated in a humane manner, and the licensee and persons having charge thereof and their employees or agents may not deprive the animals of necessary food, water or shelter, or perform any act of cruelty to the animals or in any way further any acts of cruelty toward them or any act tending to produce such cruelty.

Subd. 4. Conditions. Cages, pens, benches, boxes or receptacles in which the animals are confined must be kept clean, sanitary and in good repair and must be properly sufficient and humane in size for the confinement of the animals. Show or display cases, windows, counters and shelves used in handling the animals must be kept clean, sanitary, free from dust and dirt and in good repair. Plumbing fixtures and other accessories must be kept in a clean and sanitary condition and in good repair. Delivery vehicles must be kept clean. Utensils used in the preparation of food and the feeding of the animals must be kept clean, sanitary and in good repair. The use of the utensils for such purpose that are badly worn, rusted or corroded or in such condition that they cannot be rendered clean and sanitary, is prohibited.

Subd. 5. Waste disposal. Refuse and other wastes must be removed frequently and stored and disposed of as set forth in Crystal city code, section 605 or by another method approved by the city.

Subd. 6. Records. A commercial kennel licensee must keep the records deemed necessary by the city.

910.23. Animal pounds.

Subd. 1. Designation. The city shall designate one or more animal pounds at which animals seized shall be kept in accordance with Minnesota Statutes, section 346.47.

Subd. 2. Disposal. Animals impounded under this section must be held in accordance with Minnesota Rules, part 1721.0520, and may be disposed of as outlined in Minnesota Rules, part 1721.0520, subpart 10.

Subd. 3. Reclamation. An owner or claimant of a dog impounded by reason of violation of any provision of this section may reclaim the dog within five business days upon obtaining a license therefor, if unlicensed, and paying the appropriate impounding fees as set forth in appendix IV. The reclamation of a dangerous dog is set forth in Crystal city code, subsection 910.39.

910.25. Impounding.

Subd. 1. Animal bites. An animal that is capable of transmitting rabies and that has bitten a person such that the skin has been broken, as determined by the responding officer, or the person seeks the services of a doctor, must be taken up and impounded at the city animal pound and quarantined for at least ten days from the time of the bite, and in any event until it is determined whether or not the animal had or has rabies. If the animal has bitten a person, the animal may be immediately euthanized if required to test for rabies as determined by the state or county health authority, as recommended by the Centers for Disease Control may be, or at the request of the owner. If non-lethal testing is possible and the animal is found to be rabid, it must be destroyed; if it is found not to be rabid, it will be returned to the owner provided that owner first pays for the cost of impounding and quarantining it. If the owner does not pay such costs within five business days after being notified to claim or retrieve the animal, the animal may be disposed of as provided in Crystal city code, subsection 910.23. If the animal control officer determines that exceptional medical conditions so require, the officer may permit the animal to be impounded and quarantined at an impounding facility other than the city animal pound, provided that the facility must be one acceptable to the police chief and the animal must be kept separate and apart from all other animals and under the care and supervision of a licensed veterinarian. The cost incurred by the city in carrying out the provisions of this subsection must be paid by the owner of the impounded animal.

Subd. 2. Bitten animals. An animal that has been bitten by a known rabid animal must be impounded. The animal may be immediately killed if it cannot, with reasonable effort, be captured and impounded. An animal impounded under this subsection shall be destroyed unless the owner makes provisions for a suitable quarantine period of not less than six months for unvaccinated animals, or if the owner provides proof of a previous vaccination for a period of 30 days.

Subd. 3. Potentially dangerous or dangerous dogs. A potentially dangerous or dangerous dog shall not be returned to its owner until the owner has complied with the relevant provisions of state law and this section and paid all associated costs. The police chief has the discretion to determine if the dog may be returned to its owner before the owner has complied with all the relevant provisions.

910.27. Suspension and revocation of commercial kennel license. A commercial kennel license may be temporarily suspended by the animal control officer, with the approval of the city manager, for violation by the licensee of any of the terms of this section that constitute a health hazard or creates a nuisance, or revoked after an opportunity for a hearing by the city council upon a serious violation or repeated violations upon recommendation of the animal control officer.

910.29. Special events. It is unlawful to bring an animal onto city park property during a special event conducted on that park property. The city manager is authorized and directed to prepare and promulgate rules specifying the beginning and ending times of the special events designated by the city council during which the prohibition will be in effect.

910.31. Exceptions. This section does not apply to the following:

- (a) A dog owned and controlled by local, state and federal law enforcement agencies that is used in law enforcement or related activities;
- (b) Animals actually used by handicapped persons for personal assistance;
- (c) Animals used for entertainment purposes as part of an authorized special event;
- (d) Persons or places selling only frogs, fish, worms or reptiles for use as live bait for fishing; or
- (e) Animals which are allowed to be off-leash in a designated off-leash park, unless as otherwise determined by the city.

Potentially Dangerous and Dangerous Dogs

910.33. Adoption by reference. Except as otherwise provided in this section, the regulatory and procedural provisions of Minnesota Statutes, sections 347.50 to 347.565, which provide for the regulation of dangerous and potentially dangerous dogs, are adopted by reference.

910.35. Potentially dangerous dogs.

Subd. 1. Notice to owner of declaration. The animal control officer shall notify the owner by delivering, mailing, or posting on the owner's residence a notification informing the owner of the declaration of its dog as potentially dangerous, the basis for the declaration, the procedure for appealing the declaration, and the result of the owner's failure to appeal the declaration as described in subdivision 2 of this section.

Subd. 2. Appeal. An appeal of the declaration must be submitted on the form supplied by the city. The completed form and appeal fee must be submitted to the police department within 14 days of notification. Appeals consist of a record review by the police chief. The owner shall be notified of the results of the record review within ten days of the receipt of the completed appeal form and appeal fee. If the owner fails to appeal the declaration within 14 days, the owner forfeits the right to appeal and the declaration of the dog as potentially dangerous is final. If the declaration is upheld, the owner must comply with all applicable requirements.

Subd. 3. Registration. Any person who has a dog that has been designated as potentially dangerous dog pursuant to this section or pursuant to Minnesota Statutes, section 347.50, must register the dog as a potentially dangerous dog with the city.

- (a) The owner shall make the potentially dangerous dog available to be photographed by the animal control officer for identification purposes at a time and place specified by the animal control officer.
- (b) The registration of the potentially dangerous dog must be renewed annually with the city until the dog is deceased or is determined to be no longer potentially dangerous. The current owner of a potentially dangerous dog must notify the animal control officer in writing of the death of the dog or its transfer to another owner or to another location within 30 days of the dog's death or transfer. If requested by the city, the owner must execute an affidavit under oath setting forth the circumstances of the dog's death and disposition or the complete name, address, email address, and telephone number of the person to whom the dog was transferred to. The animal control officer, or its designee, shall be allowed to inspect the dog and the place where the dog is now located at any reasonable time.
- (c) The owner of a potentially dangerous dog must be 18 years of age or older.

Subd. 4. Microchip implantation. Any dog that is determined to be potentially dangerous by the city pursuant to the definition and process contained in this section or pursuant to Minnesota Statutes, section 347.50 shall be implanted with a microchip for identification purposes within 14 days of the final declaration of the dog as potentially dangerous. All costs related to purchase and implantation of the microchip shall be borne by the owner of the dog. The name of the microchip manufacturer and identification number of the microchip, along with the owner's telephone number, address, and email address, must be provided to the city. If the microchip is not implanted by the owner, the city may have a microchip implanted in the dog at the owner's expense. Upon request, the owner or custodian of a potentially dangerous dog must make the dog available to the animal control officer for an inspection to determine whether a microchip has been implanted.

Subd. 5. Sterilization. The city may require a potentially dangerous dog to be sterilized at the owner's expense within 30 days of the final declaration of the dog as potentially dangerous. If the owner does not have the dog sterilized, the animal control officer may arrange for and have the dog sterilized at the owner's expense. Upon request, the owner of a potentially dangerous dog must make the dog available to the animal control officer for an inspection or provide proof in the form of a statement from a licensed veterinarian to determine whether the dog has been sterilized.

Subd. 6. Obedience class. The city may require that the owner and its potentially dangerous dog attend an evaluation conducted by an animal behaviorist.

910.37. Dangerous dogs.

Subd. 1. Notice to owner of declaration. The animal control officer shall notify the owner of the declaration by delivering, mailing, telephoning if possible, or posting a notification on the owner's residence. The notice shall include:

- (a) A description of the dog; the authority for and purpose of the dangerous dog declaration and seizure, if applicable; the time, place, and circumstances under which the dog was declared dangerous; and the telephone number and contact person where the dog is being kept, if applicable;
- (b) A statement that the owner of the dog may request a hearing concerning the dangerous dog declaration and, if applicable, prior potentially dangerous dog declarations for the dog, and that failure to do so within 14 days of the date of the notice will terminate the owner's right to a hearing;
- (c) A statement that if an appeal request is made within 14 days of the notice, the owner must immediately comply with the requirements of Minnesota Statutes,

section 347.52, paragraphs (a) and (c), and until such time as the hearing officer issues an opinion;

- (d) A statement that if the hearing officer affirms the dangerous dog declaration, the owner will have 14 days from receipt of that decision to comply with all other requirements of Minnesota Statutes, sections 347.51, 347.515, and 347.52 and this section.
- (e) A form to request a hearing; and
- (f) A statement that all actual costs of the care, keeping, and disposition of the dog are the responsibility of the person claiming an interest in the dog, except to the extent that a court or hearing officer finds that the seizure or impoundment, if applicable, was not substantially justified by law.

Subd. 2. Hearing. Any hearing must be held within 14 days of the request to determine the validity of the dangerous dog declaration. The hearing will be held before an impartial hearing officer. In the event that the dangerous dog declaration is upheld by the hearing officer, actual expenses of the hearing up to a maximum of \$1,000 will be the responsibility of the dog's owner. The hearing officer shall issue a decision within ten days after the hearing. The decision must be delivered to the dog's owner by hand delivery or registered mail as soon as practical and a copy must be provided to the animal control officer.

Subd. 3. Registration. Any person who has a dog that has been designated as a dangerous dog pursuant to this section or pursuant to Minnesota Statutes, section 347.50, subdivision 1, must register the dog as a dangerous dog with the city, pay an annual fee in addition to the dog license fee, and meet at other requirements set forth in this subsection as well as those provided in Minnesota Statutes, sections 347.51, 347.515, and 347.52. After being presented with sufficient evidence that the state law and the city requirements have been met as provided below and in state law, the city shall issue a certificate of registration to the owner of a dangerous dog.

- (a) The owner shall make the dangerous dog available to be photographed by the animal control officer for identification purpose at a time and place specified by the animal control officer.
- (b) The registration of the dangerous dog must be renewed annually with the city until the dog is deceased or is determined to be no longer dangerous. The current owner of the dangerous dog must notify the animal control officer in writing of the death of the dog or its transfer to another owner or to another location within 30 days of the dog's death or transfer. If requested by the city, the owner must execute an affidavit under oath setting forth the circumstances of the dog's death and

disposition or the complete name, address and telephone number of the person to whom the dog was transferred to.

- (c) The owner of the dangerous dog must be 18 years of age or older.
- (d) The owner of a dangerous dog must post a sign with the uniform dangerous dog warning symbol in a conspicuous location near the front door of the property. The city shall provide the owner with a warning symbol for posting on the owner's property pursuant to Minnesota Statutes, section 347.51, subdivision 2a. The city may charge the registrant a reasonable fee for the symbol.
- (e) A dangerous dog must be securely confined indoors or confined in a secure outdoor enclosure suitably sized for the dog and otherwise meeting the requirements of a proper enclosure. An enclosure is secure and proper within the meaning of this section if it meets the following minimum specifications:
 - (1) A floor area of 32 square feet per animal kept in such enclosure;
 - (2) A sidewall height of five feet, constructed of 11 gauge or heavier wire with openings that do not exceed two inches;
 - (3) If the enclosure is on a permeable surface, the fence must be buried in a minimum of 18 inches into the ground;
 - (4) The support posts are one and one-quarter (1-1/4) inch or larger steel pipe buried a minimum of 18 inches into the ground;
 - (5) A cover over the entire kennel that is constructed of the same gauge wire as the sidewalls or heavier with openings to greater than two inches;
 - (6) An entrance/exit self-closing, self-locking gate constructed of the same material as the sidewalls and with openings no greater than two inches; and
 - (7) In compliance with all zoning setbacks requirements unless a variance is obtained.
- (f) When the dog is confined in an enclosure, all access points of the enclosure must be locked. The animal control officer may seize a dangerous dog that is unconfined while on the owner's property and not otherwise restrained as provided below.
- (g) A dangerous dog shall be sterilized at the owner's expense within 30 days of the final determination of the dog as dangerous. If the owner does not have the dog sterilized, the animal control officer, or its designee, may arrange for and may have

the dog sterilized at the owner's expense. Upon request, the owner of a dangerous dog must make the dog available to the animal control officer, or its designee, for an inspection to determine whether the dog has been sterilized.

- (h) Any dog that is determined to be dangerous by the city pursuant to the definition contained within this section or pursuant to Minnesota Statutes, section 347.50 shall be implanted with a microchip for identification purposes within 14 days of the final determination of the dog as dangerous. All costs related to purchase and implantation of the microchip shall be borne by the owner of the dog. The name of the microchip manufacturer and identification number of the microchip must be provided to the city. If the microchip is not implanted by the owner, the city may have a microchip implanted in the dog at the owner's expense. Upon request, the owner or custodian of a dangerous dog must make the dog available to the animal control officer, or its designee, for an inspection to determine whether a microchip has been implanted.
- (i) The owner must obtain a surety bond or a policy of liability insurance from a company authorized to conduct business in Minnesota in the amounts set forth in Minnesota Statutes, section 347.51, subdivision 2.

Subd. 4. Obedience class. The city may require that the owner and its dangerous dog attend and complete an approved obedience class.

Subd. 5. Restraint. If a dangerous dog is outside of the proper enclosure, it must be securely muzzled and restrained with a chain not exceeding three feet in length, and having a tensile strength sufficient to restrain it. The dog's muzzle must be designed in a manner that will prevent it from biting any person or animal but that will not cause injury to the dog or interfere with its vision or respiration.

Subd. 6. Removal of dangerous dog classification. Beginning six months after a dog is declared a dangerous dog, pursuant to Minnesota Statutes, section 347.51, subdivision 3a, the owner may request on an annual basis that the city review the dog's designation as a dangerous dog. The owner must provide evidence that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the police department, or its designee, finds sufficient evidence that the dog's behavior has changed, the city may rescind the dangerous dog classification or take any other reasonable action suggested by the facts. The owner of the dog shall be notified in writing of the review results within ten days of receipt of the request.

Subd. 7. Concealment. Any person who harbors, hides, or conceals a dog declared dangerous that has been ordered into custody shall be guilty of a misdemeanor.

910.39. Seizure of dangerous dogs.

Subd. 1. Required. The animal control officer shall immediately seize a dangerous dog if:

- (a) After 14 days after the owner has notice that the dog is dangerous, the dog is not validly registered under Minnesota Statutes, section 347.51;
- (b) After 14 days after the owner has notice that the dog is dangerous, the owner does not secure the proper liability insurance or surety coverage;
- (c) The dog is not maintained in the proper enclosure;
- (d) The dog is outside the proper enclosure and not under physical restraint of a responsible person; or
- (e) The dog is not sterilized within 30 days.

If an owner of a dog is convicted of a crime for which the dog was originally seized, the court may order that the dog be confiscated and destroyed in a proper and humane manner, and that the owner pay the costs incurred in confiscating, confining, and destroying the dog.

Subd. 2. Reclaimed. A dangerous dog seized under subdivision 1 of this subsection may be reclaimed by the owner of the dog upon payment of impounding and boarding fees, and presenting proof to the animal control officer, that the requirements of Minnesota Statutes, sections 347.51 and 347.52 will be met. A dog not reclaimed under this subdivision within seven days may be disposed of in accordance with law and the owner is liable for costs incurred in confining and disposing of the dog.

Subd. 3. Subsequent offenses. If a person has been convicted of a misdemeanor for violating a provision of Minnesota Statutes, sections 347.51, 347.515, or 347.52, and the person is charged with a subsequent violation relating to the same dog, the dog will be seized by the animal control officer. If the owner is convicted of the crime for which the dog was seized, the court shall order that the dog be destroyed in a proper and humane manner and the owner pay the cost of confining and destroying the animal. If the owner is not convicted and the dog is not reclaimed by the owner within seven days after the owner has been notified that the dog may be reclaimed, the dog may be disposed of in accordance with law.

Subd. 4. Prevention of disposition of seized dogs. A person claiming an interest in a seized dog may prevent disposition of the dog by posting security in an amount sufficient to provide for the dog's actual cost of care and keeping. The security must be posted within seven days of the seizure inclusive of the date of the seizure.

Subd. 5. Right to a hearing when dog seized. The owner of any seized dog has the right to a hearing before an impartial hearing officer. The notice and hearing requirements provided in section 910.37, subdivisions 1 and 2, shall apply.

910.41. Restrictions on future ownership.

Subd. 1. Convictions. A person may not own a dog if he or she has been convicted of any of the violations set forth in Minnesota Statutes, section 347.542. This prohibition applies to any member of that same person's household.

Subd. 2. Non-compliance. An owner of a potentially dangerous dog or dangerous dog that fails to comply with the requirements of this section or state law may be prohibited or restricted from future ownership or custody of other dogs. An owner in violation of this section or state law shall be notified in writing and may request a hearing within 14 days of the receipt of the notice of violation. If a hearing is requested, the police chief shall schedule a hearing before an impartial hearing officer within 14 days of the receipt of the request. A hearing fee shall be paid to the city prior to the scheduling of the hearing. The owner shall be notified of the hearing results in writing within ten days.

910.43. Penalty.

Subd. 1. Failure to comply with statutory requirements. A person who violates a provision of Minnesota Statutes, sections 347.51, 347.515, or 347.52 is guilty of a misdemeanor.

Subd. 2. Failure to comply. It is a misdemeanor to remove a microchip from a dangerous or potentially dangerous dog, to fail to renew the registration of a dangerous dog, to fail to account for a dangerous dog's death or change of location where the dog will reside, to sign a false affidavit with respect to a dangerous dog's death or change of location where the dog will reside, or to fail to disclose ownership of a dangerous dog to a property owner from whom the person rents property.

Subd. 3. Enhanced penalty. A person who is convicted of a second or subsequent violation of subdivisions 1 or 2 of this subsection is guilty of a gross misdemeanor.

Subd. 4. Ownership violation. An owner who violates Minnesota Statutes, section 347.542, subdivision 1, or Crystal city code, subsection 910.41, subdivision 1 is guilty of a gross misdemeanor.

Subd. 5. Household member violation. Any household member who knowingly violates Minnesota Statutes, section 374.542, subdivision 2, or Crystal city code, section 910.41, subdivision 1 is guilty of a gross misdemeanor.

910.45. Destruction of a dog in certain circumstances.

Subd. 1. Circumstances. Notwithstanding Minnesota Statutes, sections 347.51 to 347.55, a dog may be destroyed in a proper and humane manner by the animal control officer, if the dog:

- (a) Inflicted substantial or great bodily harm on a human on public or private property without provocation;
- (b) Inflicted multiple bites on a human on public or private property without provocation;
- (c) Bit multiple human victims on public or private property in the same attack without provocation; or
- (d) Bit a human on public or private property without provocation in an attack where more than one dog participated in the attack.

Subd. 2. Hearing. The dog may not be destroyed until the owner has had the opportunity for a hearing before an impartial decision maker.

910.47. Public protection from dogs. An owner of a dog shall at all times prevent the dog from attacking, biting, or otherwise causing injury or attempting to cause injury to any person engaged in a lawful act or from causing injury or attempting to cause injury to a domestic animal.

910.49. Conditioning equipment prohibited.

Subd. 1. Equipment use. No person shall use or possess any device, equipment, treatment or products for the strengthening or conditioning of an animal with the intent to enhance the animal's ability to inflict bodily injury upon human beings or domestic animals on public or private property.

Subd. 2. Exception. This prohibition shall not apply to equipment used to train a dog for recreational hunting assistance. Recreational hunting training assistance equipment shall include, but is not limited to, soft hold training and decoy retrieval apparatuses.

910.51. Collars, leashes, tie outs.

Subd. 1. Collars. Collars may not exceed two pounds in weight and must be made of durable material strong enough to hold the dog it is intended for. No collars are to be used other than for humane restraint. Collars may not be equipped with any type of sharp prongs on the inside of the collar or weighted devices that may cause injury or discomfort to the animal's

neck. Blunt pronged training collars are permitted if properly fitted and unaltered from the manufactured design.

Subd. 2. Leashes. Leashes must not exceed six feet in length.

Subd. 3. Chains, tethers and tie outs. Chains, tethers, or tie outs must be at least three times the length of the animal secured to it. Tie outs must be of durable material, strong enough to hold the animal it is intended for. Any animal secured with a tie out must be in an area that would not allow the animal to become tangled around objects while allowing access to shelter and water. Tie outs must be placed in such a location as to inhibit the animal secured from reaching a public sidewalk, street or alley. The tie out must not allow the secured animal access to any neighboring property unless written permission has been obtained from the property owner. Animals may only be restrained in a humane manner.