

RESOLUTION TO AMEND CITY OF PARK RIVER ORDINANCE 3. CHAPTER. A - AN ORDINANCE RELATING TO CONTROL OF ANIMALS AND POULTRY.

WHEREAS, the City Council of the City of Park River, North Dakota, declares it to be for the health and safety to amend an established ordinance regarding the regulation and control of animals and poultry located in the City of Park River.

NOW, THEREFORE, be it resolved by the City Council of the City of Park River, North Dakota, that, Chapter 3.A of the City of Park River Municipal Ordinances is hereby amended to the following:

SECTION 1.

ANIMALS AND POULTRY NOT TO BE RAISED OR KEPT IN CERTAIN AREAS, PENALTY. No person or person shall raise or keep any domestic animals or poultry, or both, of the species of the species of horses, mules, asses, cattle, sheep, goats, swine, geese, chickens, ducks, turkeys, peacocks, guinea hens, or similar livestock or fowl within the city limits of the City of Park River except as follows:

SECTION 2.

EXCEPTION TO CHICKENS IN THE CITY OF PARK RIVER. Persons may raise or keep chickens in the City of Park River, with the following restrictions:

1. A person may have up to 8 hen chickens, provided that the person keeping or raising chickens has obtained a license to do so from the City of Park River.
2. No male chickens or roosters shall be kept or raised in the City of Park River.
3. A person seeking to obtain an initial license for the keeping or raising of chickens must first obtain 75% approval from the property owners within 200 feet of the coop in which will house the chickens.
4. Applicant shall pay an initial license fee and annual renewal fee as is more accurately included on the schedule of fees and rates which is included in these ordinances and adopted herein by reference.
5. In the event a complaint has been filed with the City of Park River prior to the renewal of said license with the past calendar year, the Building Inspector will determine if the license renewal is issued. If no complaints have been filed, the renewal shall be considered extended for an additional year provided payment is received.
6. The slaughtering or processing of chickens on the premises is prohibited.
7. A separate coop and run is required to house the chickens. The coop must be located in the rear and be setback at least five feet from the property lines.
8. All premises on which hens are kept or maintained shall be an enclosed fence and be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding area must be cleaned to control odor so as not to be detectible on another property.
9. All grain and food stored for the use of the hens on premises with a chicken license shall be kept in a rodent proof container. All applicants must notify the owner of the property if the applicant is not the owner.
10. A complaint against any person owning, keeping, or harboring chickens may be

filed with the City of Park River Building Inspector. If an investigation from the Building Inspector reveals that the use of chickens is in violation of this section or any other section of this Code, the City Building Inspector shall have the authority to require the owner or user of the property to fix, abate, or alleviate the problem. If the problem is not satisfactorily abated or alleviated the City Building Inspector shall have the authority to revoke the license.

SECTION 3.

EXCEPTION TO GOATS AND SHEEP IN THE CITY OF PARK RIVER: It is the purpose of this section to permit the keeping of and maintenance of goats and sheep brought in temporarily for the purposes of vegetation management. Subject to the provisions of this section.

1. The City may allow the temporary keeping of goats and/or sheep in *all* zoning districts for vegetation management with a permit issued by the City Auditor.
2. Permit Required:
 - a. No person shall stable, keep or permit goats or sheep to remain on any lot or property within the City of Park River without a permit. The City Auditor or their designee shall grant a permit for goats and/or sheep after the applicant has met all requirements contained in this ordinance.
 - b. The City Auditor shall grant a permit for the temporary keeping of goat and/or sheep after the property owner has obtained the written consent of at least 75% of the property owners of privately or publicly owned real estate that is located adjacent on the outer boundaries of the premises in which the permit is being sought.
3. Where an adjacent property consists of a multiple dwelling or multi-tenant property, the applicant need only obtain the written consent of the owner, manager, or the other person in charge of the building. Such written consent shall be required on the initial application and as for any further extension of the Application: Any person requesting a permit required under the provisions of this ordinance shall make written application to the City Auditor upon a form prescribed by and containing such information as required by the City Auditor. The application shall contain the following information:
 - a. A legal description of the real property upon which it is desired to keep goats or sheep.
 - b. The breed and number of goats or sheep to be maintained on the premises.
 - c. The timeframe for grazing at the property.
 - d. The current vaccination records of all goats and/or sheep that will be on the property.
 - e. A site plan of the property showing the location and size of the proposed grazing area.
 - f. The method of containment which will be used to keep the goats and/or sheep within the boundaries of the property.
 - g. List of person(s) managing and monitoring the goats and sheep.
 - h. Statements that the applicant will at all times keep the goats and sheep in accordance with all of the conditions prescribed by this section, of modification

thereof, and that the failure to obey such conditions will constitute a violation of the provisions of this ordinance and grounds for cancellation of the permit and/or issuance of a citation to the applicant.

4. Limitations for the keeping of goats and sheep.
 - a. Permitted and prohibited goats and sheep: All female goats and sheep, and wethers, (castrated male goats and sheep) are permitted in the successful granting of a permit by the City Auditor. Noun-castrated male goats or sheep shall be allowed in the City of Park River under any permit.
 - b. Containment: Every owner, keeper, custodian or harbinger of goats or sheep shall erect and/or maintain a fence of suitable integrity to properly contain or have secured leads that restrict the movement of the goats and sheep from any place other than the property applied for in the initial application. Plastic fencing, or sometimes referred to as "snow fence", shall not be allowed or constitute proper containment materials.
 - c. Number of goats or sheep allowed: Up to four goats or sheep on parcels that are 10,000 square feet in area or less, with one additional goat or sheep per every 1,000 square feet of lot over 10,000 square feet, to a maximum of no more than 6 goats or sheep per parcel.
 - d. Maintenance: All sites on which goats or sheep are kept or maintained shall be kept clean from filth, garbage, and any substance which attracts rodents.
 - e. Odor: The site shall be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property. Failure to comply with these conditions may result in the city revoking the permit and requiring the removal of the goats or sheep from the premises.
 - f. Nuisance: Goats or sheep shall not be kept in such a manner as to constitute a nuisance to the occupants of adjacent properties.
5. Violations:
 - a. Any person violating this ordinance shall be deemed guilty of a B misdemeanor.
 - b. If any person is found guilty by a court for violation of this ordinance, their permit to temporarily keep goats or sheep shall be deemed automatically revoked and no new permit may be issued for a period of one year.
 - c. Any person violating any conditions of this permit shall reimburse the city for all costs borne by the city to enforce the conditions of the permit including but not limited to the pickup and impounding of goats and sheep.
6. Terms of permit:
 - a. The terms of the permit shall be no longer than two (2) days at a time for the allowance of goats and/or sheep in the City of Park River.
 - b. No property owner or person shall store on a property goat for more than 20 days in any 12-month period starting with the date the animals are moved on the parcel. The city may grant a time extension of an additional 20 days, provided the property owner receives approval from the City Council by a majority vote.

7. Application Fees:
 - a. The application fee for a goat or sheep permit under this article shall be set by the City Council more accurately included on the schedule of fees and rates which is included in these ordinances and adopted herein by reference.
8. Revocation:
 - a. Such permit may be modified from time to time revoked by the City Auditor for failure to conform to such, restrictions, limitations and/or prohibitions. Such modifications or revocation shall be effective after five (5) days following the mailing of written notice thereof by certified mail to the person or persons keeping or maintain such goats or sheep.

SECTION 4:

EXCEPTION TO ANIMALS AND POULTRY IN THE CITY OF PARK RIVER: The restrictions on the raising and keeping of animals and poultry shall not apply to the temporary placement of animals or poultry during the Walsh County Fair or the 4th of July parade held in the City of Park River.

Dated and adopted this 13th day of November, 2023.
CITY OF PARK RIVER, NORTH DAKOTA ATTEST:

Daniel J Stenvold, Mayor

Nancy Thompson, City Coordinator/Auditor

The governing body of the political subdivision acted on the foregoing resolution of the 13th day of November, 2023.

Adoption moved by Halvorson and seconded by Gillespie. Upon roll call vote the following voted:

Aye: Halvorson, Bell and Gillespie. Mayor Stenvold broke the tie by voting "aye."

Nay: Skjerven, Seim and Kubat.

Absent: None

Abstain: None.

After the vote, the presiding officer declared the resolution adopted.

First Reading: October 10, 2023. Second Reading: November 13, 2023.