



The application for a **CONDITIONAL USE PERMIT (IUP)** is processed in three separate review steps:

- 1) CITY STAFF  
(Applicant is required to meet with City Staff **prior** to submittal of the application.)
- 2) PLANNING COMMISSION  
(Public hearing and recommendation to the City Council)
- 3) CITY COUNCIL  
(No public hearing required)

### **CONDITIONAL USES AND INTERIM USES.**

**PURPOSE** - The purpose of a conditional use permit (CUP) and an interim use permit (IUP) is to authorize and regulate uses that are permitted by this chapter if certain conditions, having been designated by this chapter or by the city council, are met. The use shall comply with all standards of this chapter and any additional conditions, including conditions of operation, location, arrangement, and construction, as may be necessary to protect public health, safety, or welfare.

**APPLICATION** - Application for a CUP or IUP shall be made to the city on an official city application form. An application for a CUP or IUP shall be accompanied by a fee as set forth by the city council. Such application shall also include written and graphic materials fully explaining the proposed change, development, or use. The city may require that the applicant submit the following information before the application can be deemed complete:

**The following information is required to be submitted in support of the IUP thirty (30) days prior to the scheduled Planning Commission meeting date:**

- Completed application, fee(s)/escrow(s), location map, and narrative
- Legal description** of property (located on deed)
- Evidence of ownership or an interest in the property
- Principal land uses within 350 feet of the property
- Certification of Taxes Paid. Prior to approving an application for a IUP, the Applicant shall provide certification to the City that there are no delinquent property taxes, special assessments, interest, or City utility fees due upon the parcel of land to which the IUP relates
- Certificate of Survey, to scale, showing applicable existing and proposed conditions including property lines and dimensions, building location and setbacks, dimensions of building, curb cuts, driveways, access roads, parking, off-street loading areas, septic system, and well. Landscape plan drawn to scale showing applicable existing and proposed vegetation and plantings, plant schedule including information about the plant size, quantity, type and root condition, and groundcover; if the proposed IUP is located in the Shore land Overlay District, it is required to have the impervious area (hard surface) calculated and shown on the survey. This includes hard surface patios, driveways, houses, garages, etc. Properties in the Shore land District are required to have an impervious surface of no more than 25 percent **(1 electronic copy and 1 hard copy – 11 x 17 – see handout on Survey/Site Plan for survey requirements)**
- Certificate of Survey identifying locations of wells and septic systems of neighboring properties
- Depending upon the proposed use of the property, the following are required: narrative describing the proposed use, operational information, purpose and justification of the request, any other pertinent

information explaining the request to allow comprehensive City review. Include history of property use and any information regarding past city approvals (variances, CUPs, etc.)

- Wetland delineation report and soils report (if necessary)
- Any proposed improvements including, but not limited to, grading and drainage plan, soil conditions, access, parking, structure dimension, fencing, landscaping, signage
- Proposed architectural elevations and floor plans
- Review by Anoka County Transportation/Physical Development Department; a review letter to be included (if necessary)
- Review by Minnesota Department of Transportation (MNDOT); a review letter to be included (if necessary)
- Description of type of business or activity and proposed number of employees
- Required financial escrow, etc. (if necessary)
- Any other information City Staff may request

**SUBMITTED SUBSEQUENT TO CITY COUNCIL APPROVAL**

- IUP Agreement for signature if IUP is approved by City Council

**Additional Notes**

- Make sure you give yourself enough time to receive approvals from all reviewing agencies.
- If the IUP takes place on a wetland, than you may have to fill out the Joint Application Form for Activities Affecting Water Resources in Minnesota

## CONTACT LISTS FOR REVIEW OF DEVELOPMENT PROJECT

If the box is checked, you must provide a letter of approval, copy of minutes, or other documentation as it relates to your project to the City of East Bethel Planning/Building Department as part of your application for submittal.

<u>CITY</u>	<u>HIGHWAY/TRANSPORTATION</u>
<p><input type="checkbox"/> City Attorney Eckberg Lammers 1809 Northwestern Ave. S. Stillwater, MN 55082 Tel (651) 967-7344 <a href="https://eckberglammers.com/">https://eckberglammers.com/</a></p> <p><input type="checkbox"/> City Engineer Hakanson Anderson 3601 Thurston Ave. Anoka, MN 55303 Phone: 763-427-5860 <a href="http://www.haa-inc.com/">http://www.haa-inc.com/</a></p>	<p><input type="checkbox"/> Anoka County, Public Services Division, Highway Department Attn: Traffic Engineering Manager 1440 Bunker Lake Blvd. Andover, MN 55304 Phone: 763-862-4231 <a href="https://www.anokacounty.us/307/Highway-Department">https://www.anokacounty.us/307/Highway-Department</a></p> <p><input type="checkbox"/> MN Department of Transportation-Metro Division, Waters Edge Attn: Development Review Coordinator 1500 West County Road B-2 Roseville, MN 55113 Phone: 651-234-7500</p>
<u>JOINT APPLICATION REQUIRED (WETLANDS/WATERWAYS)</u>	
<p><input type="checkbox"/> Anoka Conservation District Attn: Wetland Specialist 1318 McKay Dr NE, Ste 300 Ham Lake, MN 55304 Tel (763) 434-2030, ext. 14 <a href="https://www.anokaswcd.org/">https://www.anokaswcd.org/</a></p> <p><input type="checkbox"/> MN Dept of Natural Resources Attn: Area Hydrologist 1200 Warner Road St. Paul, MN 55106-6796 Phone: 651-259-5802 <a href="https://www.dnr.state.mn.us/">https://www.dnr.state.mn.us/</a></p> <p><input type="checkbox"/> MN Dept of Natural Resources Attn: Ecological Services 1200 Warner Road Phone: 763-200-2581 <a href="http://www.urrwmo.org/">http://www.urrwmo.org/</a></p>	<p><input type="checkbox"/> Board of Water &amp; Soil Resources Phone: 651-296-6736 <a href="http://www.bwsr.state.mn.us/">http://www.bwsr.state.mn.us/</a></p> <p><input type="checkbox"/> U.S. Army Corps of Engineers 180 Fifth St East, Ste 700 St. Paul, MN 55101 Phone: 651-290-5282 <a href="https://www.mvp.usace.army.mil/">https://www.mvp.usace.army.mil/</a></p> <p><input type="checkbox"/> Sunrise Watershed Management Organization 19511 E. Tri Oak Cir Wyoming, MN 55092 Phone: 763-434-9652 <a href="mailto:LAM3@ISD.net">LAM3@ISD.net</a></p> <p><input type="checkbox"/> Watershed Management Organization – Upper Rum River St. Paul, MN 55106-6796 Phone: 651-259-5755 <a href="https://www.dnr.state.mn.us/">https://www.dnr.state.mn.us/</a></p>



## East Bethel Community Development

2241 221<sup>st</sup> Ave NE | East Bethel, MN 55011

Phone: (763) 367-7844 | Fax: (763) 434-9578

### Setbacks

Zoning	Front Yard Setback on City Road	Side Yard Setback	Side Yard Setback on a City Road	Rear Yard Setback	Setback from County Road	2 <sup>nd</sup> Driveway Allowed	Primary Structure Setbacks	Septic setbacks	Wetland Setbacks
R1*	30 ft	10 ft	25 ft	10 ft	100 ft	No	8 ft	20 ft from drainfield, 10 ft from tanks	See Wetland or Shoreland Ord.
R2*	30 ft	10 ft	25 ft	10 ft		No			
RR*	40 ft	25 ft	40 ft	25 ft		With permit			
Whispering Aspen	28 ft	10 ft	25 ft	10 ft	NA	No			
Viking Preserve	25 ft	7 ft	25 ft	25 ft	50 ft	No			25 ft

\*Check to see if you are in the Shoreland Overlay District as the setbacks may be different.

<b>Shoreland Overlay</b>	Please check with staff for your setbacks as they will be different than above. 25% Impervious Surface rule applies, meaning only 25% of the property's surface can have an impervious surface where water cannot drain through it.
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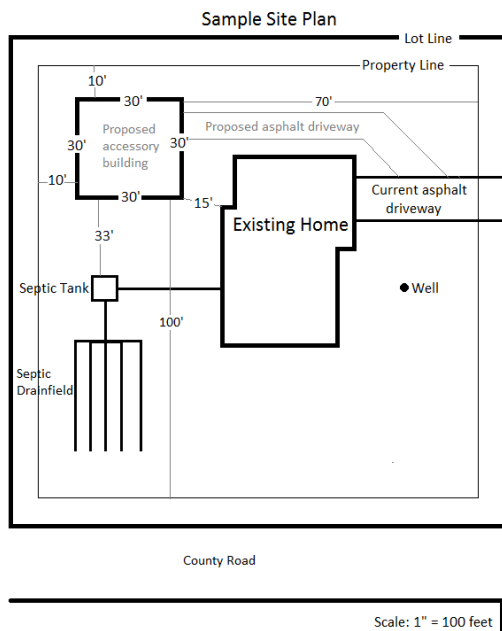
To find out your zoning or if you are in the Shoreland Overlay District:

either use the GIS map on the city website or call 763-367-7844 between M-F 8am-4pm.

### Wetland Setbacks

Water Body Type	Permanent Buffer Average Width	Minimum Building and septic system setback from delineated wetland edge
Wetlands adjacent to Significant Natural Environmental Areas (SNEA) or *highly susceptible wetlands	25 ft	50 ft
Cedar Creek or wetlands adjacent to	25 ft	Structures: 100 ft Septic systems: 75 ft
All other remaining wetlands including *slightly and moderately susceptible wetlands	15 ft	25 ft
Storm water ponds and *least susceptible wetlands	Top of slope	25 ft
Lakes	15 ft	Refer to Shoreland Overlay District ord.

\*Wetland susceptibility as defined in city's water management plan



#### Required to be on site plan:

1. Septic system location and distances
2. Well location and distances
3. Property line location and distances
4. Wetland location and distances
5. Drainage Easements locations
6. Other structures locations and distances
7. Proposed structure location and size/measurements

# Land Use Escrow Application

Property Address: \_\_\_\_\_

Owner's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Type of Land Use Application: \_\_\_\_\_

Person/Company paying the escrow	Person/Company receiving returned escrow (if different from the person/company paying the escrow than permission is needed)
Name: _____	Name: _____
Phone: _____	Phone: _____
Email: _____	Phone: _____
Mailing Address: _____	Address: _____
_____	_____
Amount entered into escrow: \$ _____	Email: _____

	Escrow Type	Escrow Amount
	Tax Increment Financing	\$12,000
	Preliminary Plat	\$5,000
	Major Mining Permit	\$1,500
	Admin. Subdivision, Comp Plan Amendment, Conditional Use Permit Amendment, Metes and Bounds Split, Minor Mining Permit, Planned Unit Development, Rezoning, Site Plan Review, Vacation,	\$1,000
	Final Plat	\$1,000 + \$50/Lot if new road
	Environmental Review	\$650
	Concept Plan Review, Conditional Use Permit, Grading Permit, Planned Unit Development Amendment, Zoning Text Amendment	\$500
	Interim Use Permit/Amendment, Variance	\$300

**Escrow Information**

Escrow is set aside for attorney, consulting, engineering, and other misc. fees. If the City of East Bethel is to acquire these fees while working on your Land Use Application, than you are authorizing the City to use this escrow to pay for those fees. The remaining escrow amount will be returned once the work has been approved by the Building and/or Community Development Director.

Escrow Payer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Community Development Staff: \_\_\_\_\_ Date: \_\_\_\_\_

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# Planning Commission Deadlines for 2019

City council must act on a planning application within 60 days. Days start on the date of the application submittal. If City Council cannot act upon the application within 60 days, the City may extend the request for another 60 days.

Application Deadline (30 days prior to PC meeting)	Planning Commission Meeting	60 days from App Deadline	120 days from App Deadline
		City Council must act by this date or city must file for an extension	City Council must act by this date
		These dates are if they submitted a completed application on the application deadline. Please watch for early submittals.	
December 21, 2018	<b>January 22, 2019</b>	February 19, 2019	April 20, 2019
January 25, 2019	<b>February 26, 2019</b>	March 26, 2019	May 25, 2019
February 23, 2019	<b>March 26, 2019</b>	April 24, 2019	June 22, 2019
March 24, 2019	<b>April 23, 2019</b>	May 23, 2019	July 22, 2019
April 26, 2019	<b>May 28, 2019</b>	June 25, 2019	August 24, 2019
May 25, 2019	<b>June 25, 2019</b>	July 24, 2019	September 22, 2019
June 22, 2019	<b>July 23, 2019</b>	August 21, 2019	October 20, 2019
July 28, 2019	<b>August 27, 2019</b>	September 26, 2019	November 25, 2019
August 24, 2019	<b>September 24, 2019</b>	October 23, 2019	December 21, 2019
September 21, 2019	<b>October 22, 2019</b>	November 20, 2019	January 17, 2020
October 26, 2019	<b>November 26, 2019</b>	December 25, 2019	February 21, 2020
November 16, 2019	<b>December 17, 2019</b>	January 15, 2020	March 13, 2020

# ARTICLE V. –

## FARM ANIMALS

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Footnotes:

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**Editor's note**—Ord. No. 13, Second Series, adopted Oct. 7, 2009, repealed the former Art. V, §§ 10-150—10-154, § 10-154.5, §§ 10-155—10-157, § 10-157.5, § 10-158, and enacted a new Art. V as set out herein. The former Art. pertained to farm animals and derived from Ord. No. 115b, §§ 1—8, § 10, 11-1-2006; Ord. No. 115c, §§ 1—9, § 11, 4-16-2008.

### **Sec. 10-150. - Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Adult horse* means a horse which is six or more months of age.

*Animals, domestic farm* means cattle, horses, hogs, sheep, goats, chickens, and other animals commonly kept on farms, or kept for commercial food production purposes.

*Animals, non-domestic* means animals considered to be indigenous naturally wild or exotic and not naturally trained or domesticated.

*Animal shelter* means a structure for which the primary purpose is the housing of domestic farm animals.

*Bovine* means bovids including cows and bison.

*Class I horse operation* means the keeping of one to four adult horses at any time during a calendar year.

*Class II horse operation* means the keeping of five to ten adult horses at any time during a calendar year.

*Class III horse operation* means the keeping of 11 plus adult horses at any time during a calendar year.

*Contiguous* means sharing an edge or boundary; neighboring; adjacent. Parcels which are separated by a right-of-way, easement, or railroad right-of-way, are considered contiguous for the purpose of this article.

*Equine* means (as defined by the Minnesota Department of Agriculture), pertaining to, or resembling a horse, including donkeys and mules.

*Fowl* means birds that are barnyard, domesticated or wild, such as chickens, ducks, geese, and turkey.

*Manure storage area* means an area where animal manure or process wastewaters are stored or processed.

*Nuisance* means a nuisance that unreasonably interferes with a right that is common to the general public.

*Owner* means any person or persons, corporation, firm, or association owning, keeping, or harboring an animal regulated by this article.

*Paddock* means an enclosed area used specifically for pasturing or controlling animals.

*Parcel of land* means, for the purposes of this article, a parcel of land is any parcel of land as charged on the county or all adjoining county auditor's tax lists. This includes any fenced contiguous owned, contiguous leased, contiguous rented, or otherwise controlled areas of land that may be used to calculate the maximum number of animals that may be kept on a parcel of land within the city for the issuance of an interim use permit (IUP). A contiguous parcel of land may be used in the calculation if the applicant's period of control is concurrent with the term of the IUP.

*Pasture land* means land with vegetation coverage used for grazing livestock. Pasture growth can consist of grasses, shrubs, deciduous trees or a mixture, not including wetlands.



*Platted subdivision* means an area of land separated into two or more parcels, tracts, or lots by a drawing or map filed of record pursuant to Minn. Stats. ch. 505, as amended or renumbered from time to time.

*Youth development organizations* means a youth organization in which young people in grades kindergarten through one year past high school graduation learn together in various projects, events, and activities under the guidance of professional leadership.

(Ord. No. 13, Second Series, 10-7-2009)

**Sec. 10-151. - Interim use permit (IUP) and acreage requirements for domestic farm animals; nondomestic animals prohibited.**

- (a) Nondomestic animals are not allowed to be kept within the city.
- (b) An IUP is required for the keeping of domestic farm animals as regulated by this article in the city. The procedure for the issuance of an IUP will be in accordance with the City Code.
- (c) No animal regulated by this article can be kept on a parcel of land located within a platted subdivision or on any parcel of land of less than three acres. Provided further, that if 80 percent of the lots within a platted subdivision are larger than three acres, an IUP for keeping a regulated animal may be issued for any of those lots larger than three acres.
- (d) Upon the transfer of the title of a parcel for which parcel an IUP is in effect on the effective date of this article, the new owner may apply for an IUP for the keeping of such animals if the existing permit is in effect and in good standing at the time the title to the property is transferred.
- (e) Meeting the acreage requirements set out in this section does not in and of itself entitle an applicant to an IUP.
- (f) IUPs in existence on the effective date of this article for parcels not in compliance with these acreage requirements will be allowed to continue but only as legal, nonconforming uses.
- (g) It is a requirement for all IUPs issued under this article that a minimum of one fenced acre of pasture land plus any indicated fraction thereof must be provided for each animal unit described below as the animal equivalent for the animal to be kept pursuant to the IUP.
- (h) The following equivalents will apply when determining the animal units defined below:

Animal	Animal Units Per Acre
1 swine	0.4
1 goose or duck	0.2
1 goat or sheep	0.5
1 turkey	0.10
1 bovine	1.4
1 equine	1.0
1 chicken or pheasant/quail	0.01
1 emu or ostrich	1.0
1 alpaca or llama	1.0

(i) Animals may graze within shoreland and bluff impact zones provided permanent vegetation is maintained and a plan has been submitted that is consistent with the technical guides of the Anoka Conservation District.

(j) *Exceptions.*

(1) Youth development organizations may apply for an IUP in accordance with section 10.157. The IUP shall cover individual groups and members of the youth development organization; IUP application fees shall be waived. The IUP shall expire five years from the approval date at which time the organization must reapply for the IUP. In conjunction with the organization's approved IUP, individual members shall comply with the following:

a. Each member of the organization must complete a youth development project permit application prior to farm animals being kept on the property. The permit will be reviewed by city staff within two weeks of submittal of a completed application.

b. It is a requirement for all permittees to have a minimum of one acre of pasture land to accommodate the farm animals.

c. Permittee must comply with all other farm animal regulations set forth in the code.

d. Approved farm animals must be removed from the property within 30 days of the expiration of the permit.

e. In the event a permittee would like to keep the farm animals after the expiration of the project permit, an individual IUP must be applied for and approved. The permittee must meet requirements of the code.

(2) Domestic farm animals with an animal unit of 0.01 or less per acre are permitted without an IUP with the following conditions:

a. A maximum of ten animals may be kept on a parcel with a minimum of one acre of pasture land without an IUP so long as all other requirements set forth in the code are met.

b. The keeping of 20 plus animals requires an IUP and must meet all requirements set forth in the code, including acreage.

(3) The use of the property shall be single-family residential;

a. The property shall contain one detached single-family structure. Chickens shall not be permitted on vacant properties or those containing multi-family residential buildings including duplexes, townhomes and apartments;

b. Chickens shall not be kept inside the principal structure;

c. No person shall slaughter chickens on-site except when in an area of the property not visible to the public or adjoining properties;

d. Chicken coops and attached exercise pens shall be provided for all chickens;

e. Coops and pens shall be fully enclosed and constructed of durable weather resistant materials;

f. The floor area of the coop shall be a minimum of two sq. ft. in area per chicken;

g. The floor area of the attached pen shall be a minimum of six sq. ft. in area per chicken;

h. Coops and pens shall meet all setback requirements required of accessory structures;

i. Coops and pens shall be located in rear yards only;

j. Coops larger than 200 sq. ft. in area shall meet all accessory structure requirements of the City Code including those pertaining to location, size, number, height, use and design;

k. Chickens shall be kept in coops and/or pens at all times unless in fully fenced-in back yards while under supervision;

l. All food stored for chickens shall be kept in rodent proof containers stored inside coops or other buildings. All premises in which chickens are kept or maintained, including coops and pens, shall be kept reasonably clean from filth, garbage and any substances which attract rodents. All feces shall be collected and properly disposed of on a regular basis;

m. Chickens shall not be kept in such a manner as to constitute a public nuisance as defined by the City Code of City of East Bethel;

n. The city may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating either an actual or suspected violation or to ascertain compliance or noncompliance with the certificate of compliance and the City Code;

o. No more than six chickens can be kept on lots between one-half acre and three acres in size;

p. No roosters shall be allowed on lots between one-half acre and three acres in size;

q. No chickens will be permitted on lots less one-half acres

r. An interim use permit would be required for this use unless the property complies with section 10-151(j)(2);

s. All chickens shall be of the subspecies *Gallus gallus domesticus* and tolerant of local climate conditions.

(Ord. No. 13, Second Series, 10-7-2009; Ord. No. 49, Third Series, 5-20-2015)

**Sec. 10-152. - Domestic farm animal shelter setbacks, paddocks, and pasture land.**

(a) Domestic animal shelters are considered an accessory structure and must comply with the accessory structure regulations set forth in appendix A of this Code.

(b) Domestic farm animal shelters and pasture land must meet the requirements of this section.

(c) *Setbacks.* All newly constructed domestic farm animal shelters, pasture land, and manure stockpiles shall be set back as follows:

	<i>Natural/Manmade Features</i>	<i>Horizontal Setbacks</i>
(1)	Property line	<ul style="list-style-type: none"> <li>Fenced pasture land: 5 feet</li> </ul>
		<ul style="list-style-type: none"> <li>Shelters: 50 feet</li> </ul>
		<ul style="list-style-type: none"> <li>Manure stockpiles: 50 feet</li> </ul>
		<ul style="list-style-type: none"> <li>Fenced pasture land: 50 feet</li> </ul>
(2)	Existing wells	<ul style="list-style-type: none"> <li>Shelters: 50 feet</li> </ul>
		<ul style="list-style-type: none"> <li>Manure stockpiles: 100 feet</li> </ul>
(3)	Ordinary high water level of a stream, river, pond, storm water retention pond, lake	70 feet
(4)	Residential structure	75 feet

(Ord. No. 13, Second Series, 10-7-2009)

**Sec. 10-153. - Manure, rodent, and insect management.**

- (a) Manure must be handled or treated in such a manner as to not create a public and/or private nuisance.
- (b) Paddocks or similar enclosures must be maintained in a manner that minimizes concentrations of breeding insects and rodents.
- (c) Manure must not be left on any public way.
- (d) Stockpiling of manure requires a manure management plan that meets requirements set by the Minnesota Pollution Control Agency.
- (e) The room or area of an animal shelter where feed is stored must be reasonably secure from rodents, pests, and the animals kept in the shelter, to the extent practicable.

(Ord. No. 13, Second Series, 10-7-2009)

#### **Sec. 10-154. - Care and maintenance of animals.**

No animal regulated under this article shall be treated cruelly or inhumanely by any person or in violation of any provision of Minn. Stats. ch. 343, as amended and/or renumbered from time to time.

(Ord. No. 13, Second Series, 10-7-2009)

#### **Sec. 10-154.5. - Animal health and animal shelter regulations.**

It is the purpose of this section to insure the health and safety of domestic farm animals in the city by establishing regulations governing animal shelters, corrals, paddocks, and the keeping of such animals in the city.

- (1) All newly constructed animal shelters must meet or exceed all requirements of municipal, county, and state building and fire codes.
- (2) The following apply to all regulated domestic farm animals:
  - a. All animals must be maintained to standards of health specific to the breed.
  - b. All animals must have access to potable water.
  - c. Veterinary records for each animal must be disclosed upon request of the city's designated inspector.
  - d. Animal shelters must be kept in a sanitary manner, free of the odor of ammonia, to the extent practicable.
  - e. A consistent and adequate food and water supply must be available to all animals.
  - f. Fencing must be kept in a manner consistent with Minn. Stats. §§ 344.01—344.20, as amended and renumbered from time to time.
  - g. All domestic farm animals must have access to a shelter.
- (3) Class II and class III horse operations in the city must also comply with the following additional requirements:
  - a. Class II and class III horse operations in the city will be inspected and evaluated annually as a requirement of the IUP for conformance with all applicable regulations. The costs of such inspection and evaluation must be paid by the holder of the permit as part of the annual permit fee. Nonpayment of such costs will be grounds for termination of the permit. In addition to a class III horse operation, an inspection by a doctor of veterinary medicine licensed to practice in Minnesota must accompany the city's inspector on all inspections. Failure to provide access for inspection will be grounds for termination of the IUP.
  - b. Stall doors must be in good repair and easily opened and closed.
  - c. An evacuation plan for humans and animals must be displayed in all animal shelters.
  - d. Grain and hay dust must be minimized to the extent practicable.
  - e. Aisles must be kept free of debris and impediments to movement by humans and animals.
  - f. There must not be any protruding objects in any animal shelter which could cause injury to humans or animals.
  - g. Drainage must be adequate to prevent accumulations of water to facilitate cleaning of animal shelters and paddock areas.
  - h. Animal bedding must be clean and of a material customarily used for animal bedding purposes.

- i. Lights and windows must be animal proofed to prevent breakage, to the extent practicable.
  - j. Grain and forage must be free from mold and miscellaneous debris, to the extent practicable.
- (4) The city's designated inspector and any peace officers of the state and all other personnel under the direction and control of the city whom the inspector believes necessary must be allowed access for inspection purposes on any parcel with an approved IUP upon 12-hours' notice. An application for an IUP under this article will be deemed the consent of the owner of the property to such inspections.
- (5) IUPs not in compliance with this article will be cited accordingly but may be granted time, at the city inspector's discretion, to come into compliance with the requirements of this section. In the event an extension of time is granted, a plan to implement the noncompliant requirements by an agreed upon date must be signed by the parties and filed at city hall. The plan must include clearly defined steps for coming into compliance, each of which must be completed by a specific date. Failure to complete the agreed upon steps by the specified dates will be grounds for termination of the IUP. In no case, however, may an extension exceed 75 days from the date of inspection, and only one extension can be granted.

(Ord. No. 13, Second Series, 10-7-2009)

#### **Sec. 10-155. - Running at large.**

- (a) No person, firm, or corporation will permit any animal regulated under this article to run at large within the city. Any such animal will be deemed to be "at large" when it is off the premises owned or rented by its owner and unattended by the owner or any agent or employee of the owner.
- (b) The animal control authority, any peace officer of the state, and any other personnel under the direction and control of the city, or any agent of the city, may impound any such animal found at large as regulated by Minn. Stats. § 374.14.

(Ord. No. 13, Second Series, 10-7-2009)

#### **Sec. 10-156. - Riding.**

- (a) No person may ride or drive an animal regulated under this article after sunset and before sunrise along or crossing a public way without appropriate lighting or reflectorized clothing.
- (b) No person may ride an animal regulated under this article in any public park or on any public beach, except in areas duly designated by the city park committee as a trail way or hitching area.
- (c) Every person riding an animal regulated under this article, or driving a vehicle powered by an animal regulated under this article, upon a public way, will be subject to those provisions of city articles and Minnesota Statutes applicable to the driver of a motor vehicle.
- (d) No animal regulated under this article may be ridden or driven in any manner which would cause damage to any hard-surfaced road.
- (e) No person may ride any animal regulated under this article upon private property without the permission of the owner or occupant thereof.
- (f) No person may interfere with any animal regulated under this article that is being ridden or kept in a lawful manner.

(Ord. No. 13, Second Series, 10-7-2009)

#### **Sec. 10-157. - Interim use permit required.**

The keeping of animals regulated under this article will be allowed only after issuance by the city of an IUP for such keeping. The procedure for an IUP will be in accordance with the city's zoning ordinance, set forth in appendix A to this Code. The required public hearing will be before the planning commission. The final decision on the IUP will be made by the city council not earlier than seven days after the public hearing.

(Ord. No. 13, Second Series, 10-7-2009)

#### **Sec. 10-157.5. - Severability and conflict.**

- (a) *Severability.* If any section, subsection, sentence, clause, or phrase of this article, or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this article, or the application of the particular provision to other persons or circumstances is in effect and shall remain in full force and effect.

(b) *Conflict.* If any portion of this article is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the City Code, the provision which establishes the higher standard shall prevail.

(Ord. No. 13, Second Series, 10-7-2009)

**Sec. 10-158. - Penalty.**

Any person, firm or corporation violating the provisions of this article will be guilty of a misdemeanor and may be punished with a maximum fine of \$1,000.00 or 90 days in jail or both.

(Ord. No. 13, Second Series, 10-7-2009)



## *East Bethel City Hall*

2241 221<sup>st</sup> Ave NE | East Bethel, MN 55011  
Phone: (763) 367-7844 | Fax: (763) 434-9578

Please contact **East Bethel City Hall** with any questions in regards to this ordinance.

### **Call:**

(763) 367-7844

### **Visit:**

East Bethel City Hall  
Monday – Friday  
8 A.M. to 4 P.M.  
2241 221<sup>st</sup> Ave NE  
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*A copy for you*

*A copy for a friend*



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