

ORDINANCE NO. 39

AN ORDINANCE RELATING TO THE KEEPING OF ANIMALS AND FOWL WITHIN THE VILLAGE OF ROSE CREEK, MINNESOTA.

The Village Council of Rose Creek, Minnesota ordains:

SECTION 1. No horse, mule, donkey, Pony, sheep, or animal raised for fur bearing purposes, or any domestic fowl or fowls shall be kept within the village limits, except in outlying districts where there is not more than one residence or place of business or place of human habitation or other than the occupied by the owner or occupant of the premises upon which said animal or fowl is kept, within 500 feet of the place of keeping or structure housing said animal or fowls, except a follows;

(1) Where such animals of fowl are being lawfully kept prior to the enactment of this ordinance, then, in such event, the keeping of such animals of fowl shall be prohibited when the keeping of such animals or fowl be discontinued for a period of 30 days or more.

(2) Where such animals or fowls were being lawfully kept prior to the enactment of this ordinance in an area in which there was not a residence or a place of business or place of human habitation within a distance of 500 feet of the place of keeping or structure enclosing such animals or fowl, and thereafter other residences or places of business or places of human habitation or located so as to bring the place of keeping or the structure housing such animals or fowl shall be prohibited when the keeping or raising of such animals or fowl shall be discontinued for a period of six months.

(3) When such animals or fowl are temporarily in transit or in a stock yard awaiting transportation or shipment.

SECTION 2.

(1) Every stable or other building or structure wherein any animal or fowl is being kept shall be constructed of such material and in such manner that it can be kept clean and sanitary at all times.

(2) Every such stable or other building or structure where animals or fowl are being kept within the prohibited area or Section, shall be provided with a water tight and fly tight receptacle for manure of such dimensions as to contain all accumulations of manure and which receptacle shall be emptied sufficiently often and in such manner as to prevent its becoming a nuisance. Said receptacle shall be kept securely covered at all times except when open during the removal of manure or refuse.

Page Two
ORDINANCE #39

SECTION 3.

Any person violating any of the provisions of this ordinance, shall, upon conviction thereof, be imprisoned for not to exceed 90 days.

SECTION 4.

All ordinances or parts of ordinances of the village of Rose Creek, Minnesota, inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5.

If any section, subsection, sentence, clause or phrase of this ordinances is for any reason held to be invalid, such decision is not to effect the validity of the remaining portions of this ordinance. The common council hereby declares that it would have passes this ordinance and each section, subsection, clause and phrase. Thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 6.

This ordinance shall take effect and be in force from and after the date of this publication.

Signed; /s/ John Thill, Jr.
Mayor

(SEAL)

ATTEST
/s/ John T Schmit
Clerk

DATE UNKNOWN