

CITY OF APPLE VALLEY  
URBAN AFFAIRS ADVISORY COMMITTEE MINUTES  
JUNE 25, 2013

**1. CALL TO ORDER**

The City of Apple Valley Urban Affairs Advisory Committee meeting was called to order by Chair Schwartz at 7:02 p.m.

Members Present: Barry Berg, Edwin Holmes, Sharon Schwartz, Pamela Sohlberg and Earl Wilson.

Members Absent: Sandy Breuer

Staff Present: Community Development Director Bruce Nordquist, Planner Margaret Dykes, Code Compliance Specialist Ben Pierson, Attorney Michael Klemm and Department Assistant Joan Murphy.

**2. APPROVAL OF AGENDA**

Chair Schwartz asked if there were any changes to the agenda. Hearing none she called for a motion.

MOTION: of Wilson, seconded by Sohlberg, approving the agenda. Ayes - 4 - Nays - 0.

**3. APPROVAL OF MINUTES MAY 28, 2013.**

Chair Schwartz asked if there were any changes to the minutes. Hearing none she called for a motion.

MOTION: of Wilson, seconded by Holmes, approving the minutes of the meeting of May 28, 2013. Ayes - 4 - Nays - 0.

**4. DISCUSSION ITEMS**

**A. Animal Ordinances Review**

Planner Margaret Dykes reviewed the revised draft amendments to Chapter 91 (Animals). She stated that Chapter 91 currently pertains primarily to cats and dogs and does not address other animals and Chapter 155 (Zoning Code) references only "house pets", which is not defined.

Committee Member Berg arrived to the meeting at 7:08.

Chair Schwartz questioned the location of outdoor rabbit hutches in relation property lines.

Attorney Klemm answered hutches need to be located on the property, but setbacks would be established at a later date.

Committee Member Holmes commented that rabbits had not been discussed as pets.

Chair Schwartz asked if rabbits would be classified as pets.

Dykes answered they could be classified as a household pet.

Committee Member Berg commented that a service animal is not a household pet because it is a working animal. He stated they really are not household pets.

Chair Schwartz asked if they are required to be licensed like a City dog license.

Dykes answered the City does not issued licenses for service animals and would research the Americans with Disabilities Act (ADA) and other laws to determine if certification or licensure was necessary by either the Federal government or the State of Minnesota.

Committee Member Berg wanted to ensure the City's ordinance did not conflict with ADA requirements. He also stated that he was concerned that certain animals would be let loose, such as birds, and wanted to be sure the ordinance covered this issue.

Dykes answered the draft ordinance required birds kept as housepets be inside the residence.

Chair Schwartz commented that six feet was too long for maximum reptile length.

Committee Member Wilson suggested three feet maximum.

The Committee reviewed the current number of dogs and cats allowed by ordinance and discussed hobby kennels and boarding of animals. The Committee determined that no more than six dogs, cats, or ferrets should be kept at one household. Any more than six of these animals would require the homeowner obtain a kennel license.

Mr. Nordquist stated that the Urban Affairs Advisory Committee should meet at an informal City Council work session on July 11<sup>th</sup> to discuss the progress they have made in reviewing the animal ordinance.

Dykes suggested the Committee set a public hearing date in September to receive comments from the public.

Committee Member Holmes commented that the Committee should have some questions prepared because their discussions and work had expanded the scope beyond chickens.

Chair Schwartz said she thought the public hearing was to be on chickens. Ms. Dykes replied that the ordinance review was for all of Chapter 91.

Committee Member Holmes stated the Committee should focus on the most controversial aspects of the ordinance and create a list of questions to ask the public.

Dykes suggested the three main areas would be to limit the number of animals, define household pets, and the address the prohibition of certain animals.

Chair Schwartz commented she did not want the public comments to be limited. The remainder of the Committee agreed that they did not think the comments would be limited.

Mr. Nordquist stated public hearing would give the residents the opportunity to be heard, and that the public hearing could be continued to another month if there were comments that needed to be addressed.

Motion: by Wilson, seconded by Sohlberg, setting the public hearing to review the draft animal ordinance on September 24, 2013. Ayes - 5 - Nays - 0.

## **5. OTHER BUSINESS**

### **A. Review of upcoming meeting.**

Planner Margaret Dykes stated that the next Urban Affairs Committee meeting would take place Tuesday, July 23, 2013, at 7:00 p.m.

## **6. ADJOURNMENT**

Hearing no further comments from the Urban Affairs Advisory Committee, Chair Schwartz asked for a motion to adjourn.

MOTION: of Sohlberg, seconded by Wilson to adjourn the meeting at 8:53 p.m. Ayes - 5 - Nays - 0.

Respectfully Submitted,

/s/ Joan Murphy  
Joan Murphy, Planning Department Assistant

Approved by the Apple Valley Urban Affairs Advisory Committee on 8/27/13.