

ORDINANCE NO. 107
AN ORDINANCE AMENDING CHAPTER 90: ANIMALS

THE CITY COUNCIL OF THE CITY OF NORTH OAKS, RAMSEY COUNTY, DOES ORDAIN:

SECTION 1. Sections 90.01, 90.03 and 90.04 are restated to hereafter read as follows:

“90.01 Prohibiting the feeding of wild animals within the city
90.03 Violations
90.04 Effective date

§ 90.01 INTENTIONAL FEEDING OF WILD ANIMALS.

(A) Feeding Prohibited. Except as provided in this Section, no person may intentionally feed wild animals within the City. Intentional feeding means the provision of any grain, fruit, vegetables, nuts, salt licks, or any other food that attracts wild animals. “Wild animal” means an animal not domesticated or tamed. Living food sources such as trees and other live vegetation are not considered as food for wild animals.

(B) The provisions of Section (A) above do not apply to:

(1) Feeding Songbirds. The feeding of songbirds provided:

- (a) Feeding is done from a bird feeder that is designed to discourage other wild animals from feeding and is placed at least five feet from the ground;
- (b) Songbird feeding does not attract songbirds or other wild animals in numbers that constitute a nuisance or damage property; and
- (c) Songbird feeding occurs on private property owned or controlled by the person responsible for the feeder.
- (d) Feeding programs or efforts undertaken by or under the auspices of the Minnesota Department of Natural Resources or other programs or efforts undertaken with the express written permission or invitation of the City Council.
- (e) The employees or agents of the City, County, State, Federal Government or veterinarians who in the course of their official

duties have wild animals in their custody or under their management.

- (f) Any food placed upon the property for the purpose of entrapping or otherwise taking wild animals where the trapping or taking is pursuant to a permit issued by the Minnesota Department of Natural Resources.
- (g) Any feeding of animals located in the Agricultural Zoned properties.
- (h) Any feeding of domesticated wild exotic animals which either have been licensed by the City or are at all times kept within an enclosed structure.

§ 90.03 VIOLATIONS.

- (A) Any person, firm or corporation who violates any provision of 90.01 shall upon conviction, be guilty of a petty misdemeanor.
 - (1) The penalty which may be imposed for the first offense is a fine of not more than One Hundred Dollars (\$100.00).
 - (2) For a second offense, a fine of not more than Two Hundred Dollars (\$200.00).
 - (3) For a third offense, and each subsequent offense, a fine of not more than Three Hundred Dollars (\$300.00).
 - (4) The General Penalties set forth in § 10.99 of this Code will not apply to violation of § 90.01.
- (B) Any person, firm or corporation who violates any provision of 90.02 is subject to the penalties set forth in § 10.99 of this Code.
- (C) In addition to the penalties described in this section, if the penalties described are ineffective, the City of North Oaks may bring an action to enjoin any violation of the Chapter. In the event that the City neglects or refuses to bring an action within thirty (30) days of demand by an aggrieved party, any resident or group of residents of the City of North Oaks may bring the action. In the event that an injunction is granted, the plaintiff or plaintiffs bringing the action will be entitled to recover costs, disbursements, and witness fees actually incurred, together with attorney's fees not to exceed \$2,000.

§ 90.04 EFFECTIVE DATE.

This subchapter shall take effect and be in force upon its passage and official publication.”

Adopted by the City Council this 11th day of October, 2012.

CITY OF NORTH OAKS

John Schaaf, Its Mayor

ATTEST:

Melinda Coleman, Its City Administrator