

Ordinance 980

An Ordinance Allowing the Temporary Keeping of Goats and Sheep

The Maplewood City Council approves the following changes to the Maplewood Code of Ordinances:

Section 1. This section amends the Maplewood Zoning Code to allow the temporary keeping of goats and sheep in the Single Dwelling zoning district for prescriptive grazing.

Sec. 44-103. Prohibited uses.

The following uses are prohibited in the R-1 Residence district:

- (1) The raising or handling of livestock (except for goats and sheep outlined in Chapter 10, Article X, Goats and Sheep) or animals causing a nuisance, except for licensed kennels.
- (2) Accessory buildings without an associated dwelling on the same premises.
- (3) Commercial plant nurseries, commercial greenhouses, farms or any structure for the sale or display of commercial products, when not on a property with a residential use.

Section 2. This section amends the Maplewood Zoning Code to allow the temporary keeping of goats and sheep in the Rural Conservation Dwelling zoning district.

Sec. 44-118. Uses.

- (3) Prohibited uses. The city prohibits the following uses in the R-1R zoning district:
 - (b) The raising or handling of livestock (except for goats and sheep outlined in Chapter 10, Article X, Goats and Sheep) or animals causing a nuisance, except for licensed kennels.

Section 3. This section amends the Maplewood Zoning Code to allow the temporary keeping of goats and sheep in the Small-Lot Single-Dwelling zoning district.

Sec. 44-192. Uses.

- (b) Prohibited uses.
 - (1) Accessory buildings without an associated dwelling on the same premises.
 - (2) The raising or handling of livestock (except for goats and sheep outlined in Chapter 10, Article X, Goats and Sheep) or animals causing a nuisance, except for licensed kennels.

Section 4. This section amends the animal chapter to allow the temporary keeping of goats and sheep in all zoning districts with a permit.

Chapter 10 (Animals), Article X (Goats and Sheep)

Sec. 10-492. Purpose.

It is the purpose of this ordinance to permit the keeping and maintenance of goats and sheep brought in temporarily for the purpose of vegetation management.

Sec. 10-493. Definitions

Buck means a male goat.

Doe means a female goat.

Goat means an animal in the subspecies of *Capra Aegagrus Hircus*.

Grazing means goats or sheep eating vegetation.

Officer means any person designated by the City Manager as an enforcement officer.

Ram means a male sheep.

Sheep means an animal in the subspecies of *Ovis Aries*

Wethers means a castrated buck.

Sec. 10-494. Permitted Use.

The City allows the temporary keeping of goats and sheep in all zoning districts for vegetation management with a permit issued by the City Clerk.

Sec. 10-495. Permit Required.

- (1) No person shall stable, keep, or permit any goats or sheep to remain on any lot or premises within the city without a permit. The City Manager or their designee shall grant a permit for goats or sheep after the applicant has met all requirements contained in this ordinance.
- (2) The Officer shall grant a permit for the temporary keeping of goats or sheep after the property owner has obtained the written consent of at least 60 percent of the property owners of privately or publicly owned real estate that are located adjacent (i.e., sharing property lines) on the outer boundaries of the premises for which the permit is being requested, or in the alternative, proof that the applicant's property lines are one hundred fifty (150) feet or more from any house or business.
- (3) Where an adjacent property consists of a multiple dwelling or multi-tenant property, the applicant need obtain only the written consent of the owner, manager, or other person in charge of the building. Such written consent shall be required on the initial application and as often thereafter as the officer deems necessary.

Sec. 10-496. Application.

Any person desiring a permit required under the provisions of this ordinance shall make written application to the City Clerk upon a form prescribed by and containing such information as required by the City Clerk and officer. Among other things, the application shall contain the following information:

- (1) A description of the real property upon which it is desired to keep goats or sheep.
- (2) The breed and number of goats or sheep to be maintained on the premises.
- (3) The timeframe for grazing at the property.
- (4) A site plan of the property showing the location and size of the proposed grazing area. Grazing must follow the wetland ordinance.
- (5) List of person(s) managing and monitoring the goats and sheep.
- (6) Statements that the applicant will at all times keep the goats and sheep in accordance with all of the conditions prescribed by the officer, or modification thereof, and that failure to obey such conditions will constitute a violation of the provisions of this ordinance and grounds for cancellation of the permit and/or the issuance of a citation to the applicant.

Sect 10-497. - Limitations for the Keeping of Goats and Sheep:

- (1) Permitted and Prohibited Goats and Sheep: Does and Wethers are permitted; Bucks and Rams are prohibited.
- (2) Fences: Every owner, keeper, custodian, or harbinger of goats or sheep shall erect and/or maintain a fence, as described in this ordinance and the fence ordinance found in Section 12-3, to contain and confine all goats and sheep kept or maintained on the premises. The fence shall be at least five (5) feet in height and the meshing shall be of a size to contain the goats and sheep. The goats and sheep may be moved to a separate holding pen at night, which shall be located the maximum distance practicable from residences.
- (3) Number of Goats or Sheep Allowed: Up to four (4) goats or sheep on parcels that are ten thousand (10,000) square feet in area or less, with one (1) additional goat or sheep per every one thousand (1,000) square feet of lot area over ten thousand (10,000) square feet, to a maximum of seventy-five (75) goats or sheep per parcel.
- (4) Maintenance: All sites on which goats or sheep are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents.
- (5) 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.

- (6) Nuisance: Goats or sheep shall not be kept in such a manner as to constitute a nuisance to the occupants of adjacent property.

Sec. 10-498. Violations.

- (1) Any person violating this ordinance shall be deemed guilty of a misdemeanor and upon conviction, shall be punished in accordance with Section 1-15.
- (2) 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 (1) year.
- (3) 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.

Sec 10-499. Term of Permit.

No property owner or person shall store on a property goats or sheep for more than sixty (60) days in any twelve (12) month period starting with the date the animals are moved on the parcel. The city may grant a time extension of an additional sixty (60) days provided the property owner gets approval from the city.

Sec. 10-500. Application Fees.

The application fee for a goat or sheep permit under this ordinance shall be set by the city council, by resolution, from time to time.

Sec.10-501. Revocation.

Such permit may be modified from time to time or revoked by the officer for failure to conform to such restrictions, limitations, prohibitions. Such modification or revocation shall be effective after ten (10) days following the mailing of written notice thereof by certified mail to the person or persons keeping or maintain such goats or sheep.

Sec. 10-502 – 10-510 – Reserved.

The Maplewood City Council approved this ordinance June 11, 2018.