

TO: Mayor Robinson and City Council

FROM: Jeffrey L. McCormick, Chief of Police

SUBJECT: Second Reading - Proposed changes to City Ordinances for Chapters 94 and 96

DATE: 12-14-18

BACKGROUND

The City Council directed that the number of dogs permitted be reviewed after hearing from a resident following public comment. The results of research from the previous City Administrator were reviewed along with the current City Code. Areas identified for changes were presented at the September 18, 2018 Police Commission meeting. The Commissioners considered the current Code and the information provided and unanimously recommended that the maximum number of dogs and the requirement of licenses be changed. Those changes required that the other areas of Code be reviewed to determine any other changes that were needed. During that review process I discovered additional areas that needed to be modified or updated.

I did hear from one resident that was concerned about the number allowed being changed because not all dog owners are responsible. I advised the resident I would include their thoughts for the City Council, but also encouraged them to contact the Council Members directly to personally convey their concerns.

The City Council also approved a Dog Park and the Park Board prepared proposed rules for the Dog Park. I was asked to review the rules and during that process I found that our current City Code does not provide exceptions for dog parks. I prepared suggested changes to the City Code and presented those to the Park Board. After they reviewed the proposed changes they unanimously recommended that they be brought to the City Council. The City Attorney reviewed the changes and advised they could be brought to the City Council. Attached to this memo are the documents of Proposed Ordinance Amending Chapter 94 and Chapter 96. Because these are changes to the City Code, two readings and votes of approval are required before publication to become in effect.

First reading of Ordinance numbers 362 and 363 occurred at the December 4, 2018 City Council Meeting.

REQUESTED COUNCIL ACTION

Motion and approval of Second Reading of proposed Ordinance number 362 and 363 changes to sections 94 and 96 of the City Ordinances as attached.

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

**ORDINANCE NUMBER 363
SECOND SERIES**

**AN ORDINANCE AMENDING CHAPTER 96
OF THE CANNON FALLS CITY CODE CONCERNING PARKS**

THE CITY COUNCIL OF CANNON FALLS ORDAINS:

Section 1. Section 96.02 of the Cannon Falls City Code is hereby amended to:

§ 96.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DOG PARK. A park wholly contained by a fence perimeter which is specifically designated for off-leash use by dogs and their owners.

DRIVER. Every person who drives or is in physical control of a vehicle.

DRUGS. Any controlled substance, as defined by M.S. Chapter 152, as it may be amended from time to time and successor statutes.

NUCLEAR FAMILY. A family consisting of some or all of the following individuals: husband, wife, son(s), daughter(s), grandparent(s) and grandchildren.

PARKS. Parks, parkways, ice skating rink, playgrounds, public accesses, recreation fields, recreation buildings, beaches and water surrounded by parks.

SNOWMOBILE. Any engine-driven vehicle of a type which utilizes sled-type runners, or skis or an endless belt tread or any combination of these or other similar means of contact with the surface upon which it is operated and which is designed to operate over ice or snow.

VEHICLE. Includes every device in, upon or by which any person or property is or may be transported or drawn upon a highway except devices moved exclusively upon stationary rails or tracks. Further, VEHICLE means any bicycle, go-cart, minibike, motorcycle, snowmobile, recreational vehicle, all-terrain vehicles or self-propelled instruments which carry or may carry an occupant or occupants upon land or water.

(Prior Code, § 10.33, Subd. 2)

Section 2. Section 96.16 of the Cannon Falls City Code is hereby amended.

§ 96.16 PETS AND ANIMALS.

It is unlawful for any person to take any animal upon any park property, park waters or upon any skating rink or in any park building, unless the animal is caged or kept on a leash, except for dogs in a dog park as defined in § 96.02 and in accordance with section § 96.30

(Prior Code, § 10.33, Subd. 16) Penalty, see § [10.99](#)

Section 3. Section 96.30 of the Cannon Falls City Code is hereby created.

§ 96.30 DOG PARK GENERAL CONDUCT AND ENFORCEMENT.

The Council shall, by resolution, designate rules pertaining to the use of a dog park as they deem necessary for safe use and public welfare. Said rules will be visibly posted at a Dog Park and enforced as provided by Section § 10.99.

Penalty, see § [10.99](#)

Section 4. Effective Date. This ordinance shall be effective immediately upon its passage and publication according to law.

PASSED AND DULY ADOPTED this 18th day of December, 2018 by the City Council of the City of Cannon Falls, Minnesota.

CITY OF CANNON FALLS

BY: _____
Lyman M. Robinson, Mayor

ATTEST:

Lanell Endres, Interim City Administrator

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

SUMMARY ORDINANCE NUMBER 363

**AN ORDINANCE AMENDING CHAPTER 96 OF THE
CANNON FALLS CITY CODE CONCERNING DOG PARKS**

This ordinance amends Chapter 96 of the Cannon Falls City Code concerning parks. The ordinance authorizes the City Council to designate rules pertaining to the use of dog parks. A printed copy of the entire ordinance is available for inspection by any person during the City Administrator's regular office hours.

APPROVED for publication by the City Council of the City of Cannon Falls, Minnesota this 18th day of December, 2018.

CITY OF CANNON FALLS

BY: _____
Lyman M. Robinson, Mayor

ATTEST:

Lanell Endres, Interim City Administrator