

Section 1130 – Small Animals

Section 1130:00. Small Animals. “Small Animals” means dogs; cats; rabbits; guinea pigs; domesticated rabbits; fish; non-poisonous, non-constricting reptiles, amphibians; and other similar animals.

Section 1130:02. Definitions. As used in this section the following words shall have the meanings set forth hereafter:

Subd. 1. “Person” shall include an individual, whether singular or plural, male or female, a partnership, a joint venture, a corporation or other association, and the agent thereof.

Subd. 2. “Keep” means to have in possession or control whether as owner or as agent or employee for the owner. In the context of this section, the time or duration of keeping shall have no relation to the definition of “keep,” that is, whether said small animal is being raised over a period of time or merely brought into the city temporarily until shipped to another destination.

Subd. 3. “City” means the City of Foley.

Section 1130:04. Owner or Lessee Responsible. The Owner or lessee or person in lawful possession of the real estate in the City shall be responsible for compliance with this section.

Section 1130:06. Setback. No structure or enclosure where small animals are kept shall be maintained closer than five (5) feet from any property line.

Section 1130:08. Number of Animals Limited. Not more than three small animals shall be kept on any premises within the limits of this municipality, without a special written permit issued by the Council after an inspection of the premises and a finding of fact that no nuisance will be created thereby. Such permit shall be for the term of one year and shall not be renewed without a reinspection and certification as above provided. The permit shall expire on the first day of July of each year. The permit fee shall be in an amount to be determined by the Council from time to time. This provision shall not apply to licensed special events or the provision of veterinary services.

Section 1130:10. Enclosures. All structures or enclosures where small animals are kept or permitted to be shall be maintained in a clean and sanitary condition, devoid of all rodents and vermin, and free from objectionable odors. The Board of Health, upon complaint of any individual, shall inspect such structure or premises and issue any such order as may be necessary to carry out the provisions of this section.

Section 1130:12.     Running at Large.     No small animal shall be permitted to run at large within the limits of the City of Foley. Any such small animal shall be deemed to be at large when it is off the premises owned, rented or occupied by its owner, caretaker or custodian and unaccompanied by the owner, caretaker or custodian of the owner.

Section 1130:14.     Misdemeanor.     Any person who violates any provisions of this Ordinance shall be guilty of a misdemeanor.

Section 1130 of the 1974 Code of Ordinances was amended by Interim Ordinance Number 388, passed and adopted July 6, 2010.

Section 1130 of the 1974 Code of Ordinances was repealed and replaced in its entirety by Ordinance Number 390, passed and adopted September 7, 2010.