

**TOWN OF BIG LAKE  
COUNTY OF SHERBURNE  
STATE OF MINNESOTA**

**ORDINANCE 1215**

**AN ORDINANCE FOR THE  
REGULATION OF POULTRY**

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**SECTION 1 - PURPOSE**

In order to provide for the health and safety of the people of this township and in order to provide for the regulation and protection of poultry, the Board of Supervisors of the Township of Big Lake, Sherburne County, State of Minnesota, do hereby adopt the following ordinance:

**SECTION 2 - SCOPE**

This ordinance is applied to parcels from two (2) acres to five (5) acres in size, within the Township. Poultry shall not be kept on parcels of less than two (2) acres in size. Parcels larger than five (5) acres in size, shall be governed by applicable laws and regulations, as well as Sherburne County Ordinances.

**SECTION 3 - COMPLIANCE**

The keeping of poultry in the Township must be done in accordance with all applicable laws and regulations, as well as Sherburne County ordinances.

**SECTION 4 - DEFINITIONS**

For the purpose of this ordinance, unless the context clearly indicates otherwise, the following definitions shall apply:

- A. "Animal Warden" shall mean Township Staff, Supervisor or Assigns.
- B. "At Large" any poultry is at large when it is off the property of the person owning, harboring, or keeping said poultry, and is not under restraint.

- C. "Citation" shall mean a notice of complaint issued to the owner of any poultry, notifying owner of violation.
- D. "Poultry" shall include domesticated chickens, ducks, geese and turkeys, which are used for the production of food, or other products.
- E. "Owner" shall mean any person owning, keeping, or acting as custodian of any poultry.
- F. "Premises" shall mean any building, structure, shelter or land whereon poultry are kept.
- G. "Public Nuisance Poultry" shall mean:
  - 1. Poultry repeatedly found at large;
  - 2. Poultry which damages the property of anyone other than its owner;

## SECTION 5 - ENFORCEMENT

The provisions of this ordinance shall be enforced by the Animal Warden.

## SECTION 6 - RIGHT OF ENTRY

The Animal Warden shall have the right to enter upon any premises at all reasonable times for the purpose of discharging the duties imposed by this ordinance where there is a reasonable belief that a violation of this ordinance has been committed.

## SECTION 7 - RECORDS

It shall be the duty of the Town to keep accurate records of all notifications issued, for violations of this ordinance.

## SECTION 8 - REGULATIONS

The keeping of Poultry in the Township is a permitted use in the following densities.

1. Number and type of Poultry.
  - a. A maximum of twelve (12) poultry in any combination, are allowed on all Township parcels between two (2) and five (5) acres.
  - b. Poultry are not permitted on parcels under two acres.
  - c. **Roosters, Guinea Fowl and Pea Fowl are not permitted.**
2. Enclosures. Every person who keeps poultry must keep them on their own property at all times.
  - a. Setbacks.
    - (i) No coop, pen, run or fence shall be established or maintained within 100 feet of a neighboring property owner's primary structure. If the neighboring property does not have a primary structure on the property, at the time of construction of the coop, pen, run or fence, the distance must be measured from the minimum side yard and front yard setback of the neighboring property.
    - (ii) A poultry coop and run may not be located within twenty-five feet (25') of a wetland, stormwater pond, lake, pond, river or stream; or fifty feet (50') from the nearest well.

## SECTION 9 - DATE OF EFFECT

This Ordinance shall be in full force and effect from and on its passage, approval and publication, as provided by law, and simultaneously Ordinance 85-1 and all other ordinances, or portions of ordinances, in conflict herewith are hereby repealed to the extent of such conflict.

**THE FOREGOING ORDINANCE WAS DULY ADOPTED** this 22<sup>nd</sup> day of April, 2020 by the Town of Big Lake Board.

The motion for adoption of the foregoing ordinance was duly moved by Supervisor\_\_\_\_\_, seconded by Supervisor\_\_\_\_\_. After discussion thereof and upon a vote taken thereon, resulting in the following votes:

Bruce Aubol	in favor ___; against ___; abstained ___
Larry Alford	in favor ___; against ___; abstained ___
Dean Brenteson	in favor ___; against ___; abstained ___
Robert Hofer	in favor ___; against ___; abstained ___
Norman Leslie	in favor ___; against ___; abstained ___

\_\_\_\_\_  
Bruce Aubol, Chairman

Attest:

\_\_\_\_\_  
Brenda Kimberly-Maas, Town Clerk

STATE OF MINNESOTA  
SS  
COUNTY OF SHERBURNE

On this 22nd day of April, 2020 within and for said County, personally appeared Bruce Aubol and Brenda Kimberly-Maas, to me personally known, being each duly sworn, did say that they are respectfully the Chairman of the Board and Town Clerk, of the Town of Big Lake, the municipal Township named in the foregoing instrument, was signed and sealed on behalf of said Township authority of its Town Board and they acknowledged said instrument to be the free act and deed of said municipal Township.

SEAL

\_\_\_\_\_  
NOTARY PUBLIC