

ORDINANCE NO. 131, FOURTH SERIES  
AN ORDINANCE OF THE CITY OF NORTH MANAKTO, MINNESOTA  
AMENDING NORTH MANKATO CITY CODE, CHAPTER 91.04, ENTITLED "FARM ANIMALS" AND  
ADDING CHAPTER 91.20, ENTITLED "PRESCRIBED GRAZING OF NOXIOUS AND INVASIVE  
VEGETATION"

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, ORDAINS:

Section 1. North Mankato City Code, Chapter 91 Animals is hereby amended by adding Section 91.20 as follows:

(A) *Intent.* The intent of this section is to allow prescribed grazing of goats on property in the City of North Mankato for a specified period and for the express purpose of controlling invasive and/or noxious vegetation. Prescribed grazing is intended to provide an alternative to the use of chemicals as the means to control undesirable vegetation. It is also intended to provide an alternative means to control undesirable vegetation on steep slopes or other challenging terrain where it is difficult for humans to access.

(B) *Duration of a prescribed grazing activity.* The duration of a prescribed grazing activity shall be consistent with the following:

(1) *Properties under two (2) acres in area.* On properties with an area of less than two (2) acres, prescribed grazing shall not be permitted for more than thirty (30) consecutive days. No more than two (2) prescribed grazing permits may be issued within one (1) year for the property. There shall be a minimum of sixty (60) days between the expiration of the first permit issued and the second permit issued in a one (1) year period.

(2) *Properties two (2) or more acres in area.* On properties with an area of two (2) or more acres, the duration of the prescribed grazing activity shall be as specified by the Zoning Administrator or other authorized agent of the City in the approved prescribed grazing permit.

(C) *Proper Enclosure.* The prescribed grazing activity shall be fully and properly enclosed at all times. Proper enclosure refers to any combination of temporary or permanent fences or structures designed to prevent the escape of the prescribed grazing animals and to protect the prescribed grazing animals from the intrusion of other animals. All sides of the enclosure(s) shall be of sufficient height and the bottom of the enclosures shall be constructed or secured in a manner as to prevent prescribed grazing animals from escaping over or under the enclosure(s). Enclosures shall meet the following requirements:

(1) *Permanent enclosures.* Fences and structures constructed to enclose prescribed grazing animals, but intended to remain at the expiration of the prescribed grazing activity, shall comply with the regulations for the zoning district in which the prescribed grazing is located and shall be permitted separately from the prescribed grazing activity.

(2) *Temporary enclosures.* Temporary fencing and structures for the sole purpose of enclosing prescribed grazing animals shall be allowed for the duration of the prescribed grazing as specified by the Zoning Administrator or other authorized agent of the City in the approved prescribed grazing permit.

(a) Temporary fences may be electric or electrified as specified in the approved prescribed grazing permit. Where electric fences are used, the Zoning Administrator or other authorized agent of the City may require a double fence system with a non-electric outer fence to serve as a safety barrier to reduce the possibility of the public coming in contact with the electric fence.

(b) Any electric or electrified fence in association with a prescribed grazing activity must have a warning sign posted on every boundary of the enclosure at least every fifty (50) feet along each side of the fence. The warning sign shall clearly identify the electric fence. No single sign shall exceed four (4) square feet in area. Each sign shall be clearly visible on the approach to the fence and be posted on or within one (1) foot of the electric or electrified fence.

(D) *Animal welfare.* The welfare of the prescribed grazing animals must be ensured by the owner of the prescribed grazing animals.

(1) *Supervision.* The prescribed grazing service must list on its grazing permit application contact information for the party responsible for promptly addressing issues associated with prescribed grazing on the specified property. The responsible party shall be available to be contacted at all hours of the day and all days of the week.

(2) *Health.* Prescribed grazing animals must receive proper veterinary treatment and regular deworming. In the event that a prescribed grazing animal becomes ill, hurt, or perishes, the owner of the prescribed grazing animal(s) must provide immediate on-site care or remove the animal(s) from the property promptly if immediate on-site care cannot be provided.

(3) *Neutering.* Male goats used for prescribed grazing must be neutered. Male goats less than six (6) months of age that accompany an adult female goat shall be exempt from the neutering requirement.

(E) *Storage of supplement feed.* Any feed for the prescribed grazing animals (other than the vegetation on the property that is intended for grazing) must be securely stored so as not to encourage vermin or other pests.

(F) *Protection of significant natural resources.* Prescribed grazing shall not adversely affect significant natural resources. Prescribed grazing activities shall comply with the following:

(1) Prescribed grazing activities shall comply with the best management practices established by the Minnesota Department of Agriculture, the Minnesota Department of Natural Resources, and all other pertinent agencies.

(2) Prescribed grazing activities shall not impair water quality as defined by the Federal Clean Water Act.

(3) Threatened or endangered plant species shall not be negatively impacted by prescribed grazing activities.

(G) *Identification signage.* A single sign, not to exceed four (4) square feet in area and not to exceed four (4) feet in height if freestanding, shall be erected and visible from the nearest public right-of-way, but not in the public right-of-way. The Zoning Administrator or other authorized agent may approve an alternate location for the sign or may require more than one (1) identification sign if needed to comply with the intent of this ordinance. The sign shall include the prescribed grazing permit number for the issued permit and the phone number for a 24-hour contact for the prescribed grazing animals. The sign shall be present for the duration of the prescribed grazing activity and shall be promptly removed at the conclusion of the prescribed grazing activity.

(H) *Insurance.* When an applicant submits an application for a prescribed grazing permit, the applicant shall also submit a current, effective insurance policy or a copy thereof providing liability insurance covering claims arising out of the prescribed grazing activity.

(I) *Prescribed grazing permit and fee.* A prescribed grazing permit approved by the City of North Mankato shall be required for each prescribed grazing activity covering a specified period.

Section 2. North Mankato City Code, Chapter 91 Animals is hereby amended by amending Section 91.04 Farm Animals.

- (A) Except in an RA zone and except as permitted in 91.20, it is a public nuisance to keep farm livestock or fowl, such as cattle, horses, mules, donkeys, sheep, goats, hogs, chickens, ducks, geese, or any other animal generally described as a farm animal. The term “keep” means to house, protect, feed, own or otherwise care for the farm animal.
- (B) If the owner or possessor of land is keeping animals constituting a public nuisance under this subdivision on the date such land is annexed into the city, then such nuisance shall be terminated within one year from the date of annexation of such land. However, if such use constitutes a significant threat to public health, then such use shall be immediately terminated without regard to the passage of such period of time.

Section 3. After adoption, signing, and attestation, this Ordinance shall be published once in the official newspaper of the City and shall be in effect on or after the date following such publication.

Adopted by the Council this 17<sup>th</sup> day of August 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

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