

**COUNCIL STUDY SESSION
MEETING**

City Hall Council Chambers
September 8, 2025

AGENDA



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- 1. Call to Order - 6:00 p.m.**
 - 2. Council Miscellaneous Discussion Items**
 - 3. City Manager Miscellaneous Discussion Items**
 - a. Pet Shop Ordinance Clarification
 - *Provide direction to City Staff on the amendments to pet store regulations in Brooklyn Center.*
 - 4. Adjournment**

Council Regular Meeting

DATE: 9/8/2025
TO: Council Study Session
FROM: Shannon Pettit, City Clerk, Jesse Anderson, Community Development Director
THROUGH:
BY: Kat Ellgren, Deputy City Clerk
SUBJECT: Pet Shop Ordinance Clarification

Requested Council Action:

- Provide direction to City Staff on the amendments to pet store regulations in Brooklyn Center.

Background:

Based on the City Council's direction from the July 14, 2025, City Council Workession, City Staff and the City Attorney are working through drafting an ordinance relating to pet store regulations. During this work, it has been determined that additional questions remain in order to properly draft the ordinance for City Council Approval.

Currently, the state licenses all kennels that meet the statutory definition of **Kennel** (see below) and also **Dealers**, see the statutory definition below. The State also licenses **Commercial Breeders**. (See definition below.) By "license," its implied that the state has oversight over these types of establishments. They inspect them, require them to adhere to specific requirements or they could lose their licensure, etc. The City of Brooklyn Center licenses **Commercial Kennels** (which includes Pet Stores) see definition below, and outlines operating standards, etc.

DEFINITIONS:

Minnesota Statutes Section 347.31 Subd. 2: **Kennel**.

"Kennel" means any place, building, tract of land, abode, or vehicle wherein or whereupon dogs or cats are kept, congregated, or confined, if the dogs or cats were obtained from municipalities, pounds, auctions, or by advertising for unwanted dogs or cats, or dogs or cats strayed, abandoned, or stolen. "Kennel" does not include a pound owned and operated by any political subdivision of the state or a person's home where dogs or cats are kept as pets.

Minnesota Statutes Section 347.31 Subd. 4: **Dealer**.

"Dealer" means a public or private agency, person, society, or corporation that is licensed or is required to be licensed as a "Class B dealer" under United States Code, title 7, sections 2131 to 2155, as amended through December 31, 1986, who sells or transfers dogs or cats to institutions or to other dealers who sell or transfer to institutions.

Minnesota Statutes Section 347.57 Subd. 5: **Commercial breeder.**

"Commercial breeder" means a person who possesses or has an ownership interest in animals and is engaged in the business of breeding animals for sale or for exchange in return for consideration, and who possesses ten or more adult intact animals and whose animals produce more than five total litters of puppies or kittens per year.

Brooklyn Center City Ordinance: Chapter 1 Section 1-101(14): **Commercial Kennel.**

Commercial Kennel means any place limited to C2, I-1, and I-2 zoning districts where the business of keeping, raising, selling, boarding, breeding, showing, treating, or grooming of dogs and other animals is conducted, including pet shops, animal hospitals, and other similar establishments.

Questions for Clarification for City Council:

1. Does Council intend to limit/prohibit the sale of dogs and cats in Pet Stores in Brooklyn Center?
2. Does Council intend to regulate from where the dogs and cats are sourced?
What about other animals?
3. Does Council intend to regulate commercial breeders?
4. What is the desired result of this animal regulation?

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

1. 07_14_25 Work Session Agenda Packet (1)

Council Regular Meeting

DATE: 7/14/2025
TO: Council/EDA Work Session
FROM: Jesse Anderson, Community Development Director
THROUGH: Krystin Eldridge, Associate Planner
BY: Krystin Eldridge, Associate Planner
SUBJECT: Permitted Districts for Commercial Animal Establishments

Requested Council Action:

Review Chapter 35 - Unified Development Ordinance's permitted districts for commercial animal establishments

Background:

Recently, many cities have been reviewing their ordinances to regulate pet store usage of puppy mills, and a bill was introduced to the Minnesota Legislature that has not passed as of this year. Since it has not been passed by Minnesota legislature yet, animal advocates are visiting cities to encourage them to adopt a resolution that bans pet stores from using puppy mills and ensure animal welfare and safety before selling to prospective pet owners.

In 2017, Roseville was the first to ban the sell of cats and dogs after Har Mar Pet Center was found to have grim conditions, inferior pet screening, and selling sick animals. Since then, 11 other cities have passed a version of a humane pet conditions ordinance, to ban the use of commercial puppy mills or the sell of kittens and puppies that use commercial puppy mills. Those cities include: Eden Prairie, St. Paul, Carver, Cloquet, Minneapolis, Coon Rapids, Columbia Heights, Maple Grove, Oak Grove, Edina and Osseo.

The Unified Development Ordinance regulates *Commercial Animal Establishments (formerly known as kennels)* and *Animal Hospitals*. Commercial Animal Establishments are defined as any business that raises, breeds, sells, boards, distributes or exhibits animals for entertainment or education purposes. This definition includes uses such as pet stores, aquariums, petting zoos, riding schools, zoological parks, or performing animal exhibitions.

Commercial Animal Establishments are permitted in the Commercial (C), Business Mixed Use (MX-B) and the Industrial district (I). Permitted would mean only administrative approval is needed from City Staff and no public review is necessary. Animal Hospitals and Veterinary Clinics are permitted in every nonresidential district except Industrial.

The Unified Development Ordinance regulates the location for this use, and the City Clerk's Office administers a Commercial Kennel License, which regulates standards and limits the number of cats and dogs in one dwelling unit to avoid any issues

regarding maintenance, nuisance or general aesthetic depreciation.

Budget Issues:

Inclusive Community Engagement:

Antiracist/Equity Policy Effect:

Strategic Priorities and Values:

ATTACHMENTS:

1. Chapter 35 - Unified Development Ordinance - Allowed Use Table 4103 - Commercial Animal Establishments
2. Chapter 1 - Animals Ordinance - Commercial Kennel License Language
3. Roseville Title-5-Pet_Store_Ordinance_Example
4. ZoningMap_2023

P = PERMITTED USE, C = CONDITIONAL USE, I = INTERIM USE, A = ACCESSORY USE

	Residential					Commercial/ Mixed Use				Nonresidential				Use-Specific Standards
	R1	R2	R3	R4	R5	MX-N1	MX-N2	MX-C	TO-D	C	MX-B	I	O	
Public and private elementary and secondary schools offering a regular course of study	C	C			C									
Accessory educational structures serving public and private elementary and secondary schools offering a regular course of study	I	I			I									35-4408
HEALTHCARE FACILITIES														
Medical and health uses						P	P	P	P	P	P			
Care Centers and Convalescent Homes			C	C	C	C	C	C	C					
COMMERCIAL USES														
AGRICULTURAL AND ANIMAL USES														
Animal hospital						P	P	P	P	P	P			
Commercial Animal Establishment										P	P	P		
Urban Agriculture, Commercial						C	C	C	C	C	C	C	C	35-4302(b)
Urban Agriculture, non-commercial	A	A	A	A	A	A	A	A						
EATING, DRINKING, AND LODGING														
Brewpub, micro-winery, and micro-distillery						P	P	P	P	P	P	P		
Clubrooms and lodges						C	C	C	C	C				
Drive-thru eating establishments							C	C		C				35-4402(C)
Eating establishments						P	P	P	P	P	P	A		
Banquet, Event, or Conference Facility							C	C	C	C	A			
Hospitality lodging and associated uses							C	C	C	C	C			

Section 1-102. LICENSE REQUIRED.

Commercial Kennel License. Every person operating a commercial kennel shall annually obtain from the City Clerk, upon authorization by the City Council, a commercial kennel license. Commercial kennel licenses shall be posted in a conspicuous place within the licensed premises.

Section 1-103. LICENSE FEES. The license fee for each commercial kennel license, each renewal license, and each impounding penalty described herein shall be as set forth by City Council resolution. Every such license shall expire on September 30 next after its issuance.

1. Refunds, Prorating, and Transfers. No commercial kennel license fee shall be refunded or prorated, the provisions of Chapter 23 of Brooklyn Center Ordinances notwithstanding. No license required hereunder shall be transferable.

Section 1-104. APPLICATION PROCEDURES AND ISSUANCE OF LICENSES. Applications for all licenses required by this Chapter shall be made to the City Clerk.

1. Application for Commercial Kennel License.
 - a. Initial application for a commercial kennel license shall be made to the City Clerk. The application shall state the name and address of the applicant, the property address or legal description of the proposed kennel location, a sketch or drawing of the proposed kennel describing construction, operation, and the approximate number of animals to be confined therein, together with their age, breed, and sex, and together with the applicable license fee.
 - b. Hearing Required. A commercial kennel license application shall be referred to the Public Health Sanitarian who shall review the kennel design and operation and make a recommendation to the City Council on the adequacy thereof. Applications for commercial kennel license shall be placed on the agenda of the City Council for a public hearing at the regular City Council meeting next following 14 days after the application is received. Not less than seven (7) days before the date of the public hearing, the City Clerk shall mail notice of the hearing to the applicant and to the owners of property within 150 feet of the proposed kennel location. The failure of any owner to receive such notice shall not invalidate the proceedings.
 - c. Council Approval. The City Council may approve the commercial kennel license and may attach to such approval any conditions necessary to insure compliance with this ordinance, with Chapter 19 of City Ordinances, and any other condition necessary to protect the health, safety, welfare, and property values in the immediate area. The City Council may deny a

commercial kennel license upon finding that the establishment of the kennel would constitute a public nuisance, or would adversely affect the health, safety, welfare or property values of the person residing, living, or owning property within the immediate area. The form of approval for a license shall be the resolution of approval, a certified copy of which shall be forwarded to the applicant.

- d. Renewal of License. A copy of the commercial kennel license shall be forwarded to the City Clerk who shall maintain a register of kennel licenses. Subject to any time limitation set by the City Council, the license shall be valid for a period of one year and until October 1 of the then current calendar year and shall be renewable on October 1 of each year thereafter by the City Clerk upon payment of a renewal license fee set forth by City Council resolution, only in the event no complaint regarding the kennel's operation has been received during the license year. In the event that no revocation of the license is made or contemplated by the City Council, the license shall be renewable as set forth in this subdivision.
- e. License Revocation. In the event a complaint has been received by City officials, a report thereof shall be made to the City Council by the City Clerk and the City Council may direct the applicant to appear to show cause why the license should not be revoked. A license may be revoked for violation of this ordinance, Chapter 19 of the Brooklyn Center Ordinances, or any condition imposed at the time of issuance.
- f. Condition of License. No license shall be granted or renewed for operation on any property on which taxes, assessments, or other financial claims of the state, county, school district, or city are due, delinquent, or unpaid. In the event a suit has been commenced under Minn. Stat. § 278.01 to 278.03, questioning the amount or validity of taxes, the City Council may on application waive strict compliance with this provision; no waiver may be granted, however, for taxes or any portion thereof which remain unpaid for a period exceeding one (1) year after becoming due.

Section 1-106. STANDARDS FOR COMMERCIAL KENNELS. All commercial kennels shall be designed, operated and maintained according to the following standards:1.

Commercial kennel floors and walls shall be constructed of impervious materials and all structures, areas, and appurtenances shall be designed to facilitate thorough and convenient cleaning. Commercial kennels shall be adequately ventilated and all doors, windows, and other openings to the outside shall be screened, May through October. The commercial kennels shall be provided with adequate and potable water supplies and shall be equipped with sewer facilities. Plans for all new commercial kennels and repairs or alterations to existing commercial kennels must be filed with and approved by the City's Public Health Sanitarian as a condition of the license.

- 2. Operating Standards. The licensee, its agents and employees shall operate and maintain the kennel in accordance with standards set out in Title 9, Chapter 1,

Subchapter A, Part 3, Section 3.100 through 3.106 of the United States Department of Agriculture, Animal and Plant Health Inspection Service, a copy of which is adopted by reference.

Section 1-107. RABIES VACCINATION REQUIRED. A person who owns, harbors, or keeps a dog over six months old within the city must have the dog vaccinated by a licensed veterinarian with an anti-rabies vaccine that is currently effective. A vaccination certificate is valid only for the dog and owner to which it is issued. A person must not use a rabies vaccination certificate for a different dog than the one for which it was issued.

Section 1-108. TAGS. A person who owns, harbors, or keeps a dog over six months old within the city must securely attach an identification tag or plate to the dog's collar so that it can be readily seen. The tag or plate must contain the name and home telephone number of the owner or other person who is keeping the dog. The identification tag or plate must be worn by the dog at all times when it is off the owner's or keeper's property.

Section 1-109. LIMIT ON NUMBER OF CATS AND DOGS. Because the keeping of three (3) or more dogs or four (4) or more cats in the family dwelling unit or on the family premises is subject to great abuse, causing discomfort to persons in the area, by way of smell, noise, hazard, and general aesthetic depreciation, and because the irresponsible maintenance of three (3) or more dogs or four (4) or more cats within a residential area has been the source of a variety of complaints, no family or family member shall keep, harbor, or have custody of more than two (2) dogs, or more than three (3) cats, or a combination of more than five (5) animals exceeding six months of age in the family dwelling unit or on the family premises.

Section 1-110. NUISANCE PROHIBITED. It shall be unlawful for any person to keep an animal in any unsanitary place or condition, or in a manner which results in noisome odors, or in any way which constitutes a nuisance or a disturbance by reason of barking, howling, fighting, or other noise, or to maintain or permit a condition which unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any person or property.

Section 1-111. RUNNING AT LARGE PROHIBITED. It shall be unlawful for any owner to allow its animal to run at large.

Section 1-112. ANIMAL CONTROL OFFICER. The City Council may provide for a City Animal Pound, either within or outside the corporate limits and may provide for an Animal Control Officer to enforce this ordinance.

Section 1-113. ENFORCEMENT PROCEDURES. The Animal Control Officer may capture and impound any animal running at large.

Section 1-114. QUARANTINE. Any animal, including wild animals that have bitten a person shall immediately be impounded for at least 10 days and kept apart from other animals, under the supervision of a veterinarian, until it is determined whether such animal had or has a disease which might have been transmitted by such bite. Such impounding may be done by the owner, and need not be at the pound designated by the City, but if it is not at the designated pound,

the owner shall notify the police department immediately and shall furnish proof in writing that such animal is being so impounded. Upon the expiration of 10 days, if it is determined that the animal does not have a disease which might have been transmitted by such bite, it may be released, and the police department shall be notified immediately prior to such release by the owner of the animal. If the animal is impounded at the designated pound, it may be reclaimed as hereinafter provided. Any animal which has been bitten by a rabid animal shall be killed or impounded and kept in the same manner for a period of six months; provided that if the animal which has been bitten by a rabid animal has been vaccinated at least three weeks before such bite and within one year of such bite and if it is again immediately vaccinated, then such animal shall be confined or impounded for a period of 40 days before it is released. The owner of an animal which has been bitten by a rabid animal shall notify the police department immediately prior to the release of any such animal.

Section 1-115. DANGEROUS ANIMALS. If an animal is diseased, vicious, dangerous, rabid or exposed to rabies and such animal cannot be impounded after a reasonable effort or cannot be impounded without serious risk to any person or persons, or if the animal has made more than one attack on a person or persons, such animal may be immediately killed by or under the direction of a police officer.

Section 1-116. TREATMENTS DURING IMPOUNDING. Any animal which is impounded in the designated pound shall be kept in accordance with Section 1-106 of this ordinance. If the animal is not known or suspected of being diseased and has not bitten a person or been bitten by a rabid animal, it shall be kept in the pound for at least five days, unless it is sooner reclaimed by its owner. If such animal is known to be or is suspected of being diseased with a disease which might be transmitted to persons, it shall be kept in the pound for at least 10 days.

Section 1-117. REDEMPTION OF IMPOUNDED ANIMALS. Any animal may be redeemed from the pound by the owner upon payment of the following:

1. The amount of the boarding fee which the City is required to pay the pound keeper.
2. An impounding penalty as set forth by City Council resolution.

The City Manager or the City Manager's designee may waive the late-license penalty and the impounding penalty for persons other than the owner in cases of sale in accordance with Section 1-118 of this ordinance.

Section 1-118. DISPOSAL OF UNREDEEMED ANIMALS. The City's designated pound keeper shall make an effort to contact the owner of any animal which has been impounded and which has identification on it. If at the end of the impounding period the animal is not reclaimed by the owner, such animal shall be deemed to have been abandoned and may be disposed of or sold to any person following the procedures contained in Minn. Stat. § 514.93 relating to the sale of unclaimed animals by veterinarians.

Section 1-119. ABANDONMENT. It shall be unlawful for any person to abandon any

animal, including wild animals in Brooklyn Center.

Section 1-120. ANIMAL WASTE.

1. No owner or custodian of any animal shall cause or allow such animal to soil, defile or defecate on any public property or upon any street, sidewalk, public way, play area or common grounds owned jointly by the members of a homeowners' or condominium association, or upon private property other than that of the owner, unless such owner immediately removes and disposes of all feces deposited by such animal in a sanitary manner.
2. It is unlawful for any person owning, keeping or harboring an animal to cause or permit said animal to be on any public property, without having in their immediate possession, a device for the removal of feces and depository for the transmission of excrement to a proper receptacle located on the property owned or possessed by such person.
3. It is unlawful for any person in control of, causing or permitting any animal to be on any public property, to fail to remove feces left by such animal and dispose of it properly.
4. Proper disposal of animal waste shall be limited to burial where lawfully permitted, flushing in the toilet, bagging for disposal in the owner or keeper's waste receptacle, and bagging for disposal in a waste receptacle in a public park or park area.
5. Disposal of animal waste in storm drains is prohibited.
6. Disposal of animal waste in public compost is prohibited.
7. The provisions of this Section shall not apply to the ownership or use of any properly identified service animals, animals when used for police activities, or tracking animals when used by or with the permission of the appropriate authorities.
8. Any Compliance Official, Code Enforcement Officer, Animal Control Officer or an agent designated by the City Manager should be responsible for issuing the citations.

as to not create unsanitary conditions or unreasonable noise.

5. Birds and birds of prey if kept pursuant to a valid U.S. Fish and Wildlife Services permit.

- D. Impounding of Wild Animals: Any wild animal kept in violation of this Section may be impounded by the City. The animal may be destroyed or sold five days following notice to the owner of such animal of its impoundment and the provisions of this Section. Any person reclaiming any such animal shall pay the costs of impounding and boarding at the time of its release.
- E. Existing Wild Animals: Anyone keeping or maintaining any wild animal at the time this Section is adopted has thirty (30) days in which to comply with the provisions of this Section. (Ord. 1141, 6-13-1994)

501.24: OWNER OBLIGATION FOR PROPER CARE:

No owner shall fail to provide any animal with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering and with humane care and treatment. No person shall beat, treat cruelly, torment or otherwise abuse any animal or cause or permit any animal fight. No owner shall abandon any animal. (Ord. 1078, 6-25-1990; amd. 1995 Code) (Ord.1355, 11-19-2007)

501.25: PET STORES:

The City Council finds that a significant number of puppies and kittens sold at pet stores come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for; and

The City Council finds that the documented abuses endemic to mass breeding facilities include over-breeding; inbreeding; minimal to no-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; lack of adequate exercise; no or limited screening of genetic diseases; inadequate transportation and shipping protocols of puppies and kittens; and indiscriminate disposal of breeding dogs and cats who have reached the end of their profitable breeding cycle; and

The City Council finds that inhumane conditions in mass breeding facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet stores due to both a lack of education on the issue and misleading tactics of pet stores in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

The City Council finds that current Federal and State regulations do not properly address the sale of dogs and cats in pet stores, while the City of Roseville does not possess adequate resources to safeguard the health and well being of dogs and cats at the point of sale; and

The City Council finds that due in large part to pet overpopulation, numerous dogs and cats are euthanized. Restricting the retail sale of puppies and kittens is likely to increase demand from animal shelters and rescue organizations; and

The City Council finds that across the country, thousands of independent pet stores as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not the sale of commercially bred dogs or cats. Many of these stores collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

The City Council finds that this Ordinance will not adversely impact consumers' ability to obtain a dog or cat of their choice directly from an animal shelter, or breed-specific rescue organization, or from a breeder where the consumer can see directly the conditions in which the dogs or cats are bred or can confer directly with the breeder concerning those conditions; and

The City Council finds that it is in the best interest of the City of Roseville to adopt reasonable regulations to help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more human environment in the City.

A. No pet store shall sell, deliver, offer for sale, barter, auction, give away, or otherwise transfer or dispose of cats or dogs.

B. Nothing in this section shall prohibit pet stores from collaborating with animal shelters, animal rescue organizations, and animal control authorities to offer space for such entities to showcase adoptable dogs and cats inside pet stores. Such animals shall not be younger than 8 weeks old. Dogs that are showcased for adoption shall not be kept overnight at a pet store.

C. A pet store shall post and maintain a Certificate of Source in a conspicuous place on or within three feet of each dog's or cat's kennel, cage, or enclosure.

1. A Certificate of Source shall be provided to the adopter of any dog or cat.

2. Certificate of Source records for each dog or cat shall be maintained by a pet store for at least one year from the last date that a dog or cat appeared in the store.

3. Pet Stores shall make Certificates of Source immediately available for review upon the request of a peace officer or animal control authority, or a humane agent pursuant to Minnesota Statutes section 343.06 acting on behalf of the City.

4. Falsification of a Certificate of Source shall be deemed a violation of this section.

D. A violation of this section shall constitute an Administrative Offense under Section 102.01.C of City Code and subject the Pet Store Operator to the procedures and penalties contained therein. (Ord. 1519 03-13-2017)

501.26: ENFORCEMENT:

Any community service officer, reserve officer or police officer may enter upon private land where there is reasonable cause to believe this Chapter is being violated. (Ord. 1078, 6-25-1990) (Ord.1355, 11-19-2007) (Ord. 1453, 10-21-2013)

