

ORDINANCE NO. 2025-02

CITY OF SAINT ANTHONY
HENNEPIN AND RAMSEY COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE ST. ANTHONY CITY CODE,
BY AMENDING SECTIONS OF THE CITY CODE RELATING TO
ADMINISTRATION, PERMITTING AND FEES, SIGNAGE, NATURAL
LANDSCAPES, TRANSIENT/TEMPORARY BUSINESS LICENSING,
PERFORMANCE STANDARDS, PERMITTED USES, TEMPORARY SIGNS,
DANGEROUS ANIMALS, RECREATIONAL FIRES, NUISANCES, AND
LAND USE ENFORCEMENT AND COMPLIANCE

THE CITY COUNCIL OF THE CITY OF ST. ANTHONY HEREBY ORDAINS:

Section 1. Section §33.001 is hereby amended to read as follows:

33.001 FEES

The city's fee, rates, and charges for licenses, permits, and municipal services are the amounts set forth in this chapter. Actions taken without first obtaining the required licenses or permits or any applications for renewal license submitted after the license term expiration or otherwise a declared application deadline are subject to a penalty fee, which shall be determined from time to time by the City Council.

Section 2. Section §154.007 is hereby amended to add the following:

154.007 Definitions: ~~Wall~~, Retaining Wall

Retaining Wall: That which is erected as a permanent barrier, affixed along its entire length to the ground or some immovable structure to impede the movement or erosion of soil. Retaining Walls shall be subject to the applicable requirements of other fences.

Section 3. Section §151.04 is hereby amended to read as follows:

151.04 Definitions:

~~POLLINATOR GARDEN. A specific area on the property planted and designed, with specific nectar and pollen producing plants, in a way that attracts pollinating insects known as pollinators. In order for a garden to be considered a POLLINATOR GARDEN, it should provide (but not limited to) the following: various nectar producing flowers, shelter, or shelter providing plants for pollinators, avoid the use of pesticides, and place similar flowers close to one another.~~

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MANAGED NATURAL LANDSCAPES: planned, intentional, and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes are expected to avoid the use of pesticides. Managed natural landscapes does not include turf-grass lawns left unattended for the purpose of returning to a natural state.

Section 4. Section 151.10(E) is hereby amended to read as follows:

(E)Yard cover. Every yard of premises on which a dwelling stands must be covered by lawns and/or ground cover of vegetation, gardens, hedges, shrubbery, rock or wood mulch, or related decorative materials consistent with those commonly available at home and garden stores, and must be maintained. Once an area has been converted to turf grass the land owner shall not allow the turf grass to exceed the height of 6 inches or be allowed to go to seed. No land owner may permit or maintain on the land any growth of weeds, grass, brush or other rank vegetation to exceed the height of 6 inches, any accumulation of dead weeds, grass or brush, or any noxious weeds or plants as defined by the Minnesota Department of Agriculture. ~~Gardens (pollinator, vegetable, flower, rock, etc.) are permitted types of yard cover, and must be maintained and not encroach on other property or the right of way.~~ The planned, intentional, and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants, known as managed natural landscapes, shall be allowed. Managed natural landscapes does not include turf-grass lawns left unattended for the purpose of returning to a natural state.

(1) ~~Any natural or native grass vegetation~~ Managed natural landscapes exceeding six (6) inches shall not be any closer to a fire source than twenty-five (25) feet.

(2) Setback requirements for surfaces covered by ~~native vegetation and/or pollinator gardens~~ managed natural landscapes shall be a minimum of three (3) feet from a side yard property line. No vegetative growth greater than ~~twelve (12) eighteen (18)~~ inches in height five (5) feet from any public roadway adjacent to the front yard, and for corner houses, a public roadway adjacent to the side yard.

(3) Managed natural landscapes existing prior to the adoption of this ordinance that do not conform to the standards of this Section shall be considered legal nonconformities. Expansion of the nonconformity shall not be allowed, but alterations may be made to make the landscape more conforming.

Section 5. Section 91.56 is hereby amended to read as follows:

91.56 KEEPING OF CERTAIN ANIMALS.

No person may keep farm animals or wild animals as defined in this code, nor more than two dogs, or three dogs allowed under §§ 91.01 through 91.03, or fowl, within the city nearer than 500 feet to any human habitation or platted land,

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without approval of the City Council. ~~The City Council may, before approving or denying any request for approval, request a report from the Health Officer concerning the effect on public health.~~

Section 6. Section 112.18(B) is hereby amended to read as follows:

INSPECTIONS AND INVESTIGATIONS

(B) Police and health authorization. All police officers, ~~or~~ sanitarians, ~~or health officers of the city~~ may inspect a multiple dwelling when requested to do so by the City Manager or designee.

Section 7. Section 151.04 Housing Maintenance Definitions, is hereby amended to add the following:

Definitions - TEMPORARY STORAGE CONTAINER: A fully enclosed storage unit or container without a permanent foundation and not exceeding 128 square feet, designed to be capable of relocation via towing, hauling or attachment to a vehicle form one site to another.

Section 8. Section 151.10 is hereby amended to add the following:

151.10 (K) Temporary Storage Containers: A single temporary storage container, as defined by the chapter, may be placed and used on a property subject to the following requirements;

- 1) Must be placed on an improved surface as defined in code.
- 2) Duration may not exceed thirty (30) days.
- 3) Shall be placed no closer than five feet from any side or rear property line.
- 4) Shall not be placed within or as to block any portion of a sidewalk, path, or trail.
- 5) Shall not be placed within 15 feet of a water/fire hydrant.

Section 9. Section 115.067 is hereby deleted in its entirety.

Section 10. Section 115.067 is hereby amended to read as follows:

115.067 LICENSING; EXEMPTIONS.

(A) *County license required.* No person shall conduct business as a peddler, solicitor, or transient merchant within the city limits without first having obtained the appropriate license from the county as required by M.S. Chapter 329, as it may be amended from time to time, if the county issues a license for the activity.

(B) No license shall be required of any person going from house-to-house, door-to-door, business-to-business, street-to-street, or other type of place-to-place when the activity is for the purpose of exercising that person's state or federal constitutional rights such as the freedom of speech, press, religion, and the like, except that this exemption may be lost if the person's exercise of constitutional rights is merely incidental to a commercial activity.

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(C) No licensee shall conduct business in residential areas of the City except between the hours of 7:00 a.m. and 9:00 p.m.

Section 11. The City Code of the City of St. Anthony is hereby amended as follows:

Wherever the term Code “Enforcement Official” is found, such title is hereby revised to read Code “Compliance Official”. The City Clerk shall mark the official zoning ordinance to effectuate this amendment.

Section 12. Section 154, Land Usage (Zoning) is hereby amended as follows:

Section 154, Land Usage, is hereby amended to modify the term “permitted” to “allowed” where designated by the Zoning Administrator. The City Clerk shall mark the official zoning ordinance to effectuate this amendment.

Section 13. Section 97.36 is hereby amended to read as follows:

97.36 ~~CAMP FIRES:~~ RECREATIONAL FIRES ~~BURNING~~

A permit is required. Recreational ~~and camp~~ fires require a permit, and must comply with the following requirements:

- (A) Burning shall occur between 9:00 a.m. and 11:00 p.m. on Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays.
- (B) Burning shall occur between 9:00 a.m. and midnight on Fridays and Saturdays.
- (C) Burning may occur between 9:00 a.m. and midnight when the following day is a federal holiday;
- (D) The fire Fires established at ground level shall not exceed 3 feet in diameter and a flame height of three (3) feet from the adjacent ground level; Fires established within a portable fireplace shall not exceed a flame height of two (2) feet above the lower pan of the device.
- (E) Only clean wood or charcoal may be burned. No burning of trash, refuse, leaves or brush is allowed. The only materials permitted in a recreational fire are wood from trees, small branches, brush, or charcoal. Treated lumber materials, construction debris, garbage, plastic materials, or waste materials are not allowed to be burned in recreational fires.
- (F) The fire is ignited with an approved fire starter.
- (G) The fire is constantly attended by a person knowledgeable in the use of fire extinguishing equipment and an attendant supervises the fire until the fire has been totally extinguished.
- (H) Fire-extinguishing equipment, such as buckets, shovels or garden hoses, are readily available.

(I) The fire is not conducted within 25 feet of a structure or combustible materials; The only materials permitted in a recreational fire are wood from trees, small branches, brush, or charcoal. Treated lumber materials, construction debris, garbage, plastic materials, or waste materials are not allowed to be burned in recreational fires.

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- ~~(I)~~ Any conditions that could cause a fire to spread within 25 of a structure shall be removed or eliminated prior to ignition;
- (J) Outdoor barbecue pits shall be constructed of concrete or approved noncombustible walls, roofs or other combustible material.
- (K) Recreational fires must be immediately extinguished if they pose a fire safety risk, if they are not in compliance with the above, or when directed to do so by the fire City Manager, or designee.

M.S. §§ 88.01 through 88.22, 88.75 and 88.76 are hereby adopted by reference and made a part of this section as if fully set forth herein. Statutes or administrative rules or regulations of the state and codes and ordinances adopted by reference and may change from time to time.

Section 14. Section 92.05 is hereby amended to read as follows:

92.05 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

(G) No person shall participate in any party or other gathering of people giving rise to noise, unreasonably disturbing the peace, quiet, or repose of another person, which exceeds 55 decibels when measured at the closest property line from the property emitting the noise. When a police officer determines that a gathering is creating such a noise disturbance, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave after being ordered by a police officer to do so. Every owner or tenant of the premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped

(V) (1) Noises prohibited.

(d) Radios, phonographs, paging systems, and the like. No person shall use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine, or other device for the production or reproduction of sound in a distinct and loudly audible manner as to unreasonably disturb the peace, quiet, and comfort of any person nearby. Operation of any such set, instrument, phonograph, machine, or other device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent, or at a distance of 50 feet level exceeding 55 decibels when measured at the closest property line from the property emitting the noise, if the source is located outside a structure or building, shall be prima facie evidence of a violation of this section.

(V)(1) (f) This section is hereby deleted.

Section 15. Section 91.30 (Definitions) is hereby amended to add the following:

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Dangerous dog. Dangerous dog, per MS §347.50 Subd 2, means any dog that has:

- (1) without provocation, inflicted substantial bodily, as defined by MS §609.02 Subd 7a, harm on a human being on public or private property;
- (2) killed a domestic animal without provocation while off the owner's property; or
- (3) been found to be potentially dangerous, and after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Potentially dangerous dog. Potentially dangerous dog, per MS §347.50 Subd 3, means any dog that:

- (1) when unprovoked, inflicts bites on a human or domestic animal on public or private property;
- (2) when unprovoked, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack; or
- (3) has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Proper enclosure. Proper enclosure means securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal from escaping and providing protection from the elements for the dog. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the dog to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the dog from exiting.

Substantial bodily harm. Per M.S. § 609.02, subd. 7a, means bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.

Section 16. Section 157.18 is hereby amended to add the following:

(157.18 - SIGNS REQUIRING NO PERMITS)

(J) Residential zoned properties, with a current rental license, may place one sign per street frontage with up to two sides. The sign may be placed during or prior to a period during which a unit is vacant, or expected to be vacant, and when the landlord is actively seeking prospective tenants to fill said vacant unit. No single sign face shall exceed six (6) square feet. Such signs and sign structures shall be constructed of durable all-weather materials, such as but not limited to steel, coreplast plastic foam-core, alumacore, polycarbonate (Lexan), vinyl and nylon

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Section 17. The City Clerk is hereby directed to make the changes required by this Ordinance as part of the Official St. Anthony City Code, Title XV, Zoning Ordinance, and to renumber the tables and chapters accordingly as necessary to provide the intended effect of this Ordinance. The City Clerk is further directed to make necessary corrections to any internal citations that result from said renumbering process, provided that such changes retain the purpose and intent of the Zoning Ordinance as has been adopted.

Section 18. This Ordinance shall take effect and be in full force from and after its passage and publication. This ordinance may be published by summary publication, per a duly adopted resolution of the City Council. The ordinance in its entirety and any related map shall be posted on the City website after publication. Copies of the complete Ordinance and map are available online and at St. Anthony City Hall for examination upon request.

ADOPTED BY the St. Anthony City Council this ____ day of _____, 2025.

Wendy Webster, Mayor

ATTEST:

City Clerk

AYES:

NAYS: