

**AFFIDAVIT OF PUBLICATION
STATE OF MINNESOTA
COUNTY OF RAMSEY**

I, Kayla Tsuchiya, being duly sworn on oath, says: that she is, and during all times herein state has been, Inside Sales Representative of Northwest Publication, LLC., Publisher of the newspaper known as the Saint Paul Pioneer Press, a newspaper of General circulation within the City of St. Paul and the surrounding Counties of Minnesota and Wisconsin including Ramsey and Kanabec.

That the notice hereto attached was cut from the columns of said newspaper and was printed and published therein on the following date(s):
Wednesday, July 9, 2025

Newspaper Ref./AD Number#: 71532134
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Kayla Tsuchiya
Kayla Tsuchiya (Jul 9, 2025 15:24 CDT)

AFFIANT SIGNATURE

Subscribed and sworn to before me this
9th day of July, 2025

True Lee

True Lee
True Lee (Jul 9, 2025 15:27 CDT)

NOTARY PUBLIC

Ramsey County, State of Minnesota
My commission expires January 31, 2030

City of South St. Paul
Dakota County, Minnesota

ORDINANCE NO. 1434

**AN ORDINANCE
LEGALIZING BEEKEEPING
ON RESIDENTIAL
PROPERTIES AND
UPDATING THE CHICKEN
AND DUCK ORDINANCE**

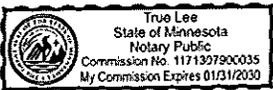
SUMMARY PUBLICATION.
Pursuant to Minnesota Statutes Section 412.191, in case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance legalizes beekeeping on some residential properties and establishes a permitting process. It also updates the urban fowl regulations.

EFFECTIVE DATE. This ordinance shall be in force upon its adoption and publication.

Approved: July 7, 2025
Published: July 9, 2025

/s/ Deanna Werner
City Clerk



**City of South St. Paul
Dakota County, Minnesota**

Ordinance No. 1434

**AN ORDINANCE LEGALIZING BEEKEEPING ON RESIDENTIAL PROPERTIES
AND UPDATING THE CHICKEN AND DUCK ORDINANCE**

The City Council of the City of South St. Paul does ordain:

SECTION 1. AMENDMENT. South St. Paul City Code Section 15-1 is hereby amended as follows:

Sec. 15-1. Definitions.

For the purposes of this chapter, the terms defined in this section shall have the meanings given them:

Animal means any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom. Animals shall be classified as follows:

- (1) *Domestic animals* means those animals commonly accepted as domesticated household pets. Unless otherwise defined, such animals shall include dogs, cats, caged birds, dove, pigeons, gerbils, hamsters, guinea pigs, miniature pigs, domesticated rabbits, fish, nonpoisonous, nonvenomous and nonconstricting reptiles or amphibians, and other animals deemed similar by the animal control officer. Domestic animals does not include farm animals.
- (2) *Nondomestic animals* means those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, such animals shall include:
 - a. Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats.
 - b. Any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.
 - c. Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet.
 - d. Any member or relative of the rodent family including any skunk (whether or not descended), raccoon, squirrel, but excluding those members otherwise defined or commonly accepted as domesticated pets.

- e. Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.
 - f. Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this subpart, including but not limited to bears, deer, monkeys and game fish.
- (3) *Farm animals* means those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, such animals shall include members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chicken, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, and other animals associated with a farm, ranch, or stable.

At large means off the premises of the owner and not under custody and control of the owner or other person, either by leash, cord, chain, or otherwise restrained or confined.

Apiary means the assembly of one or more colonies of bees at a single location.

Beekeeper means a person who owns or has charge of one or more colonies of bees.

Bodily harm, pursuant to Minn. Stats. § 609.02 subd. 7, means physical pain or injury, illness, or any impairment of physical condition.

Cat means both the male and female of the felidae species commonly accepted as domesticated household pets, including ferrets.

Colony means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.

Dangerous dog means a dog that:

- (1) Has when unprovoked, inflicted substantial bodily harm on a human being on public or private property;
- (2) Has killed a domestic animal without provocation while off the owner's property;
- (3) Has attacked one or more persons on two or more occasions; or
- (4) Has been found to be potentially dangerous and after the owner has personal knowledge of the same, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Dog means both the male and female of the canine species, commonly accepted as domesticated household pets.

Hive means the receptacle inhabited by a colony that is manufactured for that purpose.

Honeybee means all life stages of the common domestic honeybee, *apis mellifera* species.

Owner means any person or persons, firm, organization, department, association or corporation owning, possessing, keeping, having an interest in, harboring or having care, custody or control of an animal.

Maintenance costs means any costs incurred as a result of seizing an animal for impoundment, including but not limited to the capturing, impounding, keeping, treating,

examining, securing, confining, feeding, boarding or maintaining seized animals, whether these services are provided by the city or the pound.

Miniature pig, also known as a mini pig, micro pig or tea cup pig, means a domesticated pig that at maturity is less than 20 inches in height and weighs less than 150 pounds.

Potentially dangerous dog means a dog that:

- (1) Has when unprovoked, inflicted a bite on a human or domestic animal on public or private property;
- (2) Has when unprovoked, chased or approached a person, including a person on a bicycle, upon the streets, sidewalks or any public or private property, other than the 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 means securely confined indoors or in a securely locked pen or structure suitable to prevent the animal from escaping and to provide protection for the animal from the elements. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal 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 barriers which prevent the animal from exiting. The enclosure shall not allow the egress of the animal in any manner without human assistance. A pen or kennel for a dangerous dog shall meet the following minimum specifications:

- (1) A minimum overall floor size of 32 square feet.
- (2) Sidewalls shall have a minimum height of five feet and be constructed of 11-gauge or heavier wire. Openings in the wire shall not exceed two inches, support posts shall be one and one-fourth inch or larger steel pipe. The entire perimeter must have concrete footings one foot in depth and the support posts must be placed within the footings.
- (3) A cover over the entire pen or kennel shall be provided. The cover shall be constructed of the same gauge wire or heavier as the sidewalls and shall also have no openings in the wire greater than two inches.
- (4) An entrance/exit gate shall be provided and be constructed of the same material as the sidewalls and shall also have no openings in the wire greater than two inches. The gate shall be equipped with a device capable of being locked and shall be locked at all times when the dog is in the pen or kennel.

Provocation means an act that an adult could reasonable expect may cause an animal to attack or bite.

Substantial bodily harm, pursuant to Minn. Stats. § 609.02 subd. 7a, means bodily injury that involves a temporary but substantial disfigurement, or that causes a temporary but substantial loss or impairment of the function of any bodily member or organ or that causes a fracture of any bodily member.

Swarm means a group of bees, usually calm, with a queen that have left the hive to find a new home.

Unprovoked means the condition in which an animal is not purposely excited, stimulated, agitated or disturbed.

SECTION 2. AMENDMENT. South St. Paul City Code Section 15-3 is hereby amended as follows:

Sec. 15-3. Farm animals.

It shall be illegal for any person to own, possess, harbor, or offer for sale, any farm animals within the city limits, except temporarily in the general business district east of Trunk Highway No. 56 (Concord Street), north of Grand Avenue, and south and west of Hardman Avenue in a stockyard or farm produce establishment awaiting slaughter or transportation, or except as brought into the city as part of an operating zoo, veterinary clinic, scientific research laboratory, or a licensed show or exhibition, or as may be allowed under the urban fowl regulations found in section 15-9 and the beekeeping regulations found in section 15-12.

SECTION 3. AMENDMENT. South St. Paul City Code Section 15-9 is hereby amended as follows:

Sec. 15-9. Keeping of certain animals permitted.

- (a) *Keeping of certain fowl on urban residential lots.*
- (1) *Definition.* For the purposes of section 15-9, the only eligible fowl for a license are chicken and ducks.
 - (2) *License required.* No person shall keep eligible fowl on any residentially zoned property within the city without first obtaining a license from the city. The keeping of eligible fowl on a residential property shall be limited to detached single-family homes and two-family homes. ~~single-family lots.~~
 - (3) *Application.* An application for a license to keep eligible fowl shall be made to the city clerk on the form prescribed by the city. The ~~a~~Applicant must provide all the information required on the form, including, but not limited to:
 - a. The name and address of the owner(s) where the eligible fowl will be kept;
 - b. The consent of the property owner where the eligible fowl will be kept if the Applicant is not the property owner. If the property is a two-family dwelling and the units are under separate ownership, the owner of each dwelling unit must provide consent.
 - ~~bc~~ The number of eligible fowl to be kept on the property;
 - ~~ed~~. A scaled site plan or property survey showing the proposed location of the building and enclosed outdoor area to house the eligible fowl on the subject property along with the dimensions of the building and enclosure;
 - ~~de~~. A drawing or picture of the proposed building to house the eligible fowl along with a list of the exterior materials for the building;

ef. The applicant must pay the fee for the license to keep eligible fowl as set forth in the city fee schedule.

~~(b) Consent from surrounding property owners. The applicant shall be required to obtain consent from 75 percent of the abutting property owners on a form provided by the city clerk. The city will notify abutting property owners of the pending application.~~

(eb) *Granting issuance of license.* The city clerk may administratively grant a new or renewal license under this subsection provided all of the following have been met:

- (1) All required submittal information is submitted and complete.
- (2) Appropriate fee is paid.
- (3) The application filed demonstrates compliance with the requirements of this subsection and any other applicable regulations of this Code.

~~(4) At least 75 percent of the abutting property owners have consented in writing.~~

~~(5 4)~~ The applicant has had no more than two property maintenance violations within the preceding 12-month period.

~~(d) Reserved.~~

(e c) *Standards.* Any person keeping eligible fowl in residential areas of the city as noted in this section, shall comply with the following:

- (1) No person shall keep more than four total eligible fowl on the property that is one-half acre or less. No person shall keep more than eight total eligible fowl on a property that is larger than one-half acre.
- (2) No person shall keep roosters, crowing hens, or adult male chickens on the property.
- (3) The slaughter of eligible fowl on residentially used or zoned properties is prohibited.
- (4) The owner of the eligible fowl shall live in the dwelling on the property.
- (5) The raising of eligible fowl for breeding purposes is prohibited.
- (6) Eligible fowl more than four months old shall not be kept inside the dwelling.
- (7) Raising of eligible fowl shall not be for commercial purposes and there shall be no selling of eggs on the premises.

(f d) *Shelter and enclosure requirements.* Every person who owns, controls, keeps, maintains or harbors eligible fowl must keep them confined on the premises at all times and provide them a building to shelter the eligible fowl and an enclosed outdoor area. Buildings to house the eligible fowl and enclosed outdoor areas for the eligible fowl shall comply with the following standards:

- (1) Only one building to house the eligible fowl and one enclosed outdoor area shall be allowed per lot.
- (2) No building to house the eligible fowl or enclosed outdoor area to contain the eligible fowl shall be constructed on a lot prior to the time of occupancy of the principal structure.

- (3) Buildings to house the eligible fowl and enclosed outdoor areas for the eligible fowl ~~shall not be located in the front or side yards~~ must be located in the rear yard and shall not be placed within any drainage and utility easements. The zoning administrator may allow placement in a side yard if a property does not have a useable rear yard due to lot size, lot orientation, or topography. If placement is allowed in a side yard, all setback requirements must still be met.
 - (4) Any building to house eligible fowl and enclosed outdoor area for the eligible fowl shall be set back at least 25 feet from any principal structure on an adjacent lot and ten feet from all property lines.
 - (5) Any buildings to house the eligible fowl and enclosed outdoor areas must be consistent with applicable zoning codes.
 - a. Exterior materials for the building to house the eligible fowl shall be consistent with the requirements for accessory buildings that are found in Section 118-208; in particular they must have finished exterior surfaces (painted, stained, sealed, etc.). In addition to the materials listed in Section 118-208, finished metal roofing with exposed fasteners may be used on the coop.
 - b. The maximum height for a building to house the eligible fowl is 12 feet from ground to the peak of the roof.
 - c. The maximum size footprint for the building to house the eligible fowl is 120 square feet.
 - d. A floor is not required for a building housing the eligible fowl.
 - e. Fencing for the enclosed outdoor area for the eligible fowl may utilize poultry netting fence. Fencing may be galvanized or earth tone but shall not be bright colors and in no case can the fence be electrified. Fencing for the enclosed outdoor area should be six feet high or enclosed on top to better protect the eligible fowl from predators.
 - (6) Eligible fowl shall be provided a secure well ventilated roofed structure in compliance with applicable zoning codes.
 - (7) The floors and walls of the roofed structure shall be kept clean, sanitary and in a healthy condition.
 - (8) Eligible fowl shall be contained within the building to house the eligible fowl or the enclosed outdoor area for the eligible fowl at all times.
 - (9) The enclosed outdoor area shall be well drained so there is no accumulation of moisture.
 - (10) If ~~the license to have eligible fowl is not renewed~~ the Applicant stops keeping eligible fowl for a period of 12 months, the building to house the eligible fowl shall be removed. However, the building does not need to be removed if provided the building meets the accessory building requirements (including the maximum number of accessory buildings).
- (ge) *License modification.* The license may be reasonably modified by animal control authority if necessary to respond to changed circumstances. Any modification shall be effective ten days after the mailing of a written notice by certified mail to the license holder. The license

holder may challenge the modification by contacting the city clerk and requesting a hearing within ten days after receipt of written notice. A hearing regarding the proposed modification shall be held before the city council.

- (hf) *Duration of license.* A license to keep eligible fowl shall be issued for the lifetime of the owner of the property, so long as the owner continues to own the property and continues to own eligible fowl. If property ownership is transferred or changes, the new owner must apply for a new license. If the property owner does not own eligible fowl for a period of ~~six~~ twelve months, the license automatically terminates. ~~The city will request ownership verification of the eligible fowl every two years.~~
- (ig) *Conditions/maintenance and inspections.* No person who owns, controls, keeps, maintains or harbors eligible fowl shall permit the premises where the eligible fowl are kept to be or remain in an unhealthy, unsanitary or noxious condition or to permit the premises to be in such condition that noxious odors to be carried to adjacent public or private property. Any building to house eligible fowl or enclosed outdoor area for the eligible fowl authorized under this section may be inspected at any reasonable time by authorized city staff to inspect for compliance with this chapter and other relevant laws and regulations.
- (jh) *Revocation of license.* A license may be revoked by the city council for a violation of any condition of this section following notice and a hearing as provided for in this Code.
- (ki) *Penalty.* Violation of this section shall be addressed through the administrative citation process.

(Ord. No. 1297, § 1, 4-20-2015; Ord. No. 1301, § 1, 2-16-2016; Ord. No. 1342, § 4, 5-20-2019; Ord. No. 1366, § 1, 11-2-2020; Ord. No. 1384, § 3, 10-4-2021)

SECTION 4. ENACTMENT. South St. Paul City Code Section 15-12 is hereby enacted as follows:

Sec. 15-12. Beekeeping

- (a) *Permit required.* No person shall allow, keep, or maintain any hive or other facility for the housing of honeybees in the City of South St. Paul without a permit. The Applicant shall pay a fee for the permit as set forth in the City's fee schedule. Any Applicant shall complete an application form provided by the City and the application shall include, but not be limited to the following information:
 - (1) Site plan showing the location and size of the premises and the location, size and type of all structures, hives, flyway barriers, fences, and any other item related to the beekeeping operation.
 - (2) An agreement by the Applicant that the premises may be inspected by the City at any reasonable time to ensure compliance with all applicable conditions.
 - (3) A notarized statement to the City stating that the Applicant has informed all adjoining neighbors that they intend to keep honeybees. An adjoining neighbor shall be defined as a property that touches the Applicant's property where there is not an improved street or alley dividing the two properties.

- (4) The consent of the property owner if the Applicant is not the property owner. If the property is a two-family dwelling and the dwelling units are under separate ownership, the owner of each dwelling unit must provide consent.
- (b) *Qualifying Properties.* A person may establish an apiary only on a residentially zoned or used property that hosts a detached single-family home or a two-family home.
- (c) *Number of colonies.*
- (1) Less than one-half acre: 2 colonies
 - (2) One-half acre to three fourths acre: 4 colonies
 - (3) More than three fourths acre to one acre: 6 colonies
 - (4) More than one acre: 8 colonies
- (d) *Residency required.* The owner of the honeybees must live in a dwelling unit on the property.
- (e) *Location standards.* Hives must be located on the lot as follows:
- (1) Cannot be in a front yard.
 - (2) Set back at least ten feet from any property line.
 - (3) At least 25 feet from any dwelling unit on any adjacent lot. If the bees are located on a property with a two-family dwelling, the colonies must also be at least 25 feet away from the dwelling unit in which the beekeeper does not reside.
 - (4) On or near grade. Hives may not be located on a deck or rooftop.
- (f) *Flyway barrier.* A six-foot-tall flyway barrier is required in each instance where a hive body is kept less than 25 feet from a property line, as measured from the nearest point on the hive to the property line. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that honeybees will fly over rather than through the material to reach the colony. If a flyway barrier of dense vegetation is used, the initial planting may be four feet in height, so long as the vegetation normally reaches six feet in height or higher. The flyway barrier must continue parallel to the lot line for ten feet in either direction from the hive. All other sides of the area encompassing the colonies shall consist of fencing, a wall, dense vegetation or combination thereof at least four-feet tall. The area encompassing the colonies need not entail the entire property.
- (g) *Standards of Care and Practice.*
- (1) Honeybee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
 - (2) A convenient source of water must be readily available on the premises at all times. All materials used to feed bees must be stored in sealed containers or placed within a building unless it is inside the hive.
 - (3) Each beekeeper shall maintain beekeeping equipment in good condition, including keeping the hives painted, and securing unused equipment from weather, potential theft or vandalism, and occupancy by swarms. It shall be a violation of this section for any

beekeeper's unused equipment to attract a swarm even if the beekeeper is not intentionally keeping honeybees.

- (h) *Sale of products.* Food products and packaging for all bee products must comply with State and Federal laws. The Applicant must comply with the home occupation requirements pursuant to City Code Section 118-249.
- (i) *City Inspections.* The City, upon the receipt of a complaint, shall be allowed to inspect any structure or premises and issue any order as may be necessary to carry out the provisions of this article.
- (j) *Penalty.* Violation of this section shall be addressed through the administrative citations process.
- (k) *Duration of Permit.* The permit is nontransferable and does not run with the land.

SECTION 5. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance legalizes beekeeping on some residential properties and establishes a permitting process. It also updates the urban fowl regulations.

SECTION 6. EFFECTIVE DATE. This ordinance shall become effective upon publication.

Approved: July 7, 2025

Published: July 9, 2025



Deanna Werner, City Clerk