

ORDINANCE NO. 1148

An ordinance to amend and reenact sections 5-01-01 and 5-01-02, and create and enact section 5-01-00.1, related to possession of animals.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF VALLEY CITY, BARNES COUNTY, NORTH DAKOTA, PURSUANT TO THE HOME RULE CHARTER OF THE CITY OF VALLEY CITY, NORTH DAKOTA:

Section 1. Section 5-01-00.1 of the Valley City Municipal Code is created and enacted as follows:

Section 5-01-00.1. Definitions.

As used in this chapter:

Domestic livestock means horse, bovine animal, sheep, goat, bison, farmed elk, llama, alpaca, swine or poultry.

Non-traditional livestock means nondomestic species held in confinement including turkeys; geese; ducks morphologically distinguishable from wild turkeys; geese; ducks; pigeons; rabbits; ratites; chinchilla; Guinea fowl; ranch foxes; ranch mink; peafowl; pheasants; quail; chukar; hedgehog; degus; deer; pronghorn; zebras; nondomestic cats including mountain lion, jaguar, leopard, lion; tiger, bobcat, lynx, and cheetah; waterfowl; shorebirds; upland game birds; crows; wolverines; otters; bats; martens; fishers; kit or swift foxes; badgers; coyotes; mink; red and gray foxes; muskrats; beavers; weasels; opossums; prairie dogs; ground squirrels; black Hawaiian, Corsican, painted desert, multi-horned hair, New Mexico dall, Texas dall, desert sand, and other wild sheep; wild species of family suidae; bears, wolves, venomous reptiles; nonvenomous injurious reptiles including crocodiles and alligators; primates; and wild goats.

Pet means a domesticated animal kept for pleasure rather than utility.

Poultry means domesticated fowl bred for the primary purpose of producing eggs, meat, or both, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl, and game birds, but excluding doves and pigeons.

Wildlife means any member of the animal kingdom, including any mammal; fish; bird; amphibian; reptile; mollusk; crustacean; or other invertebrate, and includes any part, product, egg, or offspring thereof, or the dead body or parts thereof. Wildlife does not include domestic animals or birds or animals held in private ownership.

Section 2. Amendment. Section 5-01-01 of the Valley City Municipal Code is amended and reenacted as follows:

Section 5-01-01. Possession of wildlife and non-traditional livestock prohibited – Exceptions.

1. No person shall possess, own, keep, or release any wildlife including skunks and raccoons, or nontraditional livestock, except as may be allowed under this title.
2. No person may import any domestic or wild animal into the city which has been determined by the state board of animal health to pose a threat to the health and well-being of this state's human or animal population.
3. Nontraditional livestock held or released in violation of this chapter may be confiscated in accordance with the provisions of N.D.C.C. § 36-01-12.2.
4. This section shall not apply to zoological parks, performing animal exhibitions, circuses, veterinary clinics, or educational facilities that are properly licensed by the appropriate state and federal authorities; however, such entities remain subject to the City Zoning Code.
5. A person may possess, own or keep a chinchilla, degus, or hedgehog as a pet if permitted under state law.

Section 3. Amendment. Section 5-01-01 of the Valley City Municipal Code is amended and reenacted as follows:

Section 5-01-02. - Keeping of domestic animals in city limits.

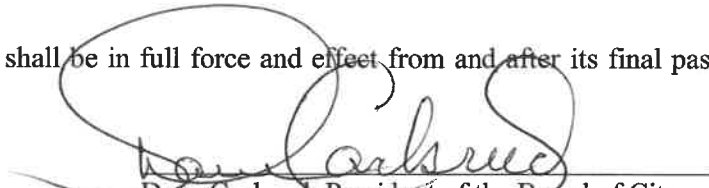
It shall be unlawful for a person to own, keep, or breed any domestic livestock within city limits in areas not zoned for livestock, or within the extraterritorial jurisdiction except in accordance with the Barnes County Development Code regulations for animal units on single family non-farm residential and recreational districts.

Subject to the limitations of section 5-02-02, and state and federal law, a person may own, keep, or breed as pets, dogs, cats, ferrets, arachnids, amphibians, tropical freshwater and saltwater fish, gerbils, guinea pigs, hamsters, sugar gliders, and nonvenomous non-injurious snakes, as wells as rabbits, rats, and mice that have been bred in captivity and which have never known the wild.

Section 4. Any ordinances of the City of Valley City which are in conflict with this ordinance are hereby repealed.

Section 5. Should any part of this ordinance be declared unconstitutional or invalid, the remaining portion thereof will remain in full force and effect.

Section 6. Effective Date. This ordinance shall be in full force and effect from and after its final passage and approval.



Dave Carlsrud, President of the Board of City
Commissioners, City of Valley City

ATTEST:



Brenda Klein, Finance Director

Introduction and First Reading: February 20, 2024

Second Reading, Final Passage, Effective Date: March 5, 2024