



MEMO

Date: October 3, 2013

To: Alexandria Town Board

From: Ben Oleson, Hometown Planning
Zoning Administrator, Alexandria Township

Re: Zoning Administrator's Report

Dear Town Board Members:

The Planning Commission held its regular meeting on September 23, 2013. There were two public hearings for which the Planning Commission is passing on its recommendation to the Town Board.

Attachments, drawings and photos related to the applications are available at: www.hometownplanning.com. Public comments (if any) are also at the same location.

PUBLIC HEARING #1

Application: Preliminary Plat for a three lot subdivision. Two of the lots would contain existing homes (6 acres each). The third lot would encompass the existing farmland on the western portion of the property (8 acres) and is proposed to be used for farming or other non-residential purposes (i.e. no home would be allowed).

Applicant: Tim Rock

Background Information:

- Location:**
- Property Address: 1966 and 2044 Liberty Road NE
 - Sec/Twp/Range: 10-128-37
 - Legal Description: S 333.51' of N 667.35' of SE4NE4 and S 333.17' of N 1000.52' of SE4NE4, 10 acre parcels each
 - Parcel Number(s): 03-1202-480 (2044 Liberty Rd NE), 03-1202-500 (1966 Liberty Rd NE).

Town Board Direction: The Town Board can accept the recommendation of the Planning Commission, render a modified decision on the application, or send the request back to the Planning Commission for further review if additional information is needed. If the decision is for approval or denial, findings of fact should be cited.

Planning Commission Action: The Planning Commission has recommended denial of the requested subdivision based on the lack of public road access to "Lot 3" and the lack of even clear legal or practical easement access from County Road 73 to the same lot (see Finding of Fact #9 below in particular). Further, the applicant had presented an alternative design concept that would provide public road frontage for all lots, which the Planning Commission would consider upon submittal of the required information and a new application (which will include new public notice to the neighbors and the general public).

The Planning Commission recommends that the application fee for a revised preliminary plat be waived by the Town Board, should Mr. Rock decide to submit.

Based on previous discussions with the Town Board, Staff understands that a variance would still need to be submitted for the revised plat application (not yet formally received) to not be connected to ALASD sewer.

Mr. Rock expressed a desire to be placed on the October 21 Town Board meeting to present his argument for why he should not be required to obtain a variance regarding the connection to ALASD sewer.

Recommended Findings: The following findings of fact are presented by the Planning Commission for consideration by the Town Board, based on the Staff Report presented to the Planning Commission and the discussion at the public hearing:

1. **Coordination with existing nearby development:** The proposed development would be similar to the surrounding area which is predominately used for single-family residential or agricultural purposes. The land to the north and west of the proposed development mostly contains agricultural uses (although the 80 acre land to the west has received preliminary approval for a residential plat consisting of 4 residential parcels approx. 15-25 acres in size. Land to the south is used residentially. Land to the east is used for open space purposes and is not developed (it is zoned for rural residential housing).
2. **Consistent with Comprehensive plan.** The proposed development is consistent with the Comprehensive Plan. The area of the development is identified on the Future Land Use Map as "Urban Residential":

Urban Residential: The purpose of this land use category is to provide opportunities for urban density housing in areas that are most readily served by urban infrastructure and services. This category is intended for areas that are currently served by Alexandria Area Sanitary Sewer District (ALASD) infrastructure or are within the identified future service area of ALASD. Within these areas, new residential development will be reviewed to ensure that the proposed density, dimensions, and layout of lots will allow for the efficient use

of public infrastructure and the cost-effective provision of public services. A gross urban density of two to three dwelling units per acre or higher is intended for these areas. Proposed subdivisions that would create oversized lots would be reviewed to allow for a transition to urban densities of housing in an orderly and efficient manner. This may be accomplished through ghost platting, conservation subdivision designs that cluster homes on urban-sized lots, provision of urban sewer or road infrastructure at the time of development, or by other appropriate means.

Typical “lot-block” or “conservation” subdivision designs are both considered appropriate in these areas. Where sensitive or unique natural or cultural resources, such as wetlands, shoreland, etc. are present, a conservation subdivision design with lower densities that protects these resources may be required. Long-term commercial/industrial uses that are incompatible with residential uses should not be allowed in this district. (*Alexandria Township Comprehensive Plan*, p. 22)

3. **Land/soil suitability.** The soils on the site appear to be generally suitable for residential use (which already exists) and agricultural use (for “Lot 3” – which is already being used agriculturally).
4. **Agriculturally Important Lands.** The proposed development would preserve the existing use of the land, part of which is used agriculturally. While the remainder of the land is heavily treed, the proposal would not hinder further agricultural use any more than already exists.
5. **Conformance to Applicable Rules and Regulations.** The proposed subdivision conforms to minimum lot dimension requirements, but “Lot 3” does not meet the minimum requirements for public road frontage. The applicant is also proposing that they not be required to connect to the ALASD sewer system, which is required by ordinance. A separate variance would be required for one or both of these issues.
6. **Self-Imposed Restrictions.** The applicant has not submitted any self-imposed restrictions or covenants.
7. **Adequate Public Facilities.** The applicant is proposing to keep both of the existing homes on these properties served by private sewer systems. The properties do lie within the ALASD sewer district, where connection to the regional sewer system is normally required. In this case, the nearest feasible connection is approximately one mile away and the applicant is requesting they not be required to connect. This will require a separate variance request, as previously noted. Each lot is currently served by a private well, as the Township does not contain a public water supply.
8. **Debris and Waste.** The applicant does not propose to use any area within the development to bury debris or waste.
9. **Access.** Two of the proposed lots have access to public right-of-way. Proposed “Lot 1” and “Lot 2” have access to Liberty Road on their eastern edge. “Lot 3” does not have any public road frontage, and while it may technically have easement access to his property from County Road 73, the current location of the driveway right off of

- County Road 73 is not within that easement. Further, there is a lack of legal clarity as to whether a driveway could be built by the applicant within the easement that would give him practical access from County Road 73. A variance is required if the lot is to be allowed to be created without public road frontage. There are no public streets or public street extensions planned for the development.
- 10. **Lot Arrangement.** All of the proposed lots have adequate space to build and Lots 1 and 2 already have homes on them. There are no foreseeable difficulties in securing land use permits for Lots 1 and 2. Lot 3 would be unbuildable for dwelling purposes given the lack of road frontage.
 - 11. **Sewage Disposal.** The applicant is proposing to retain the private sewer systems already existing on "Lot 1" and "Lot 2" and not connect to the ALASD regional sewer lines. "Lot 3" would be unbuildable due to a lack of public road frontage. The lots would not be connected to ALASD sewer, which requires a variance.
 - 12. **Water.** Each of the proposed lots would be served by private wells.
 - 13. **Grading, Drainage and Stormwater Facilities.** There are not any drainage or stormwater facilities planned for the development. The proposed lots have large areas of pervious surface. Because no additional land disturbance is expected for this subdivision request, stormwater ponds or other such facilities are not required.
 - 14. **Highways, Streets, and Alleys.** There are not any proposed streets for the development.
 - 15. **Trails and Sidewalks.** The applicant is not proposing to construct any public trails or sidewalks through this development.
 - 16. **Utilities.** There are no utility facilities (existing or proposed) identified on the preliminary plat.
 - 17. **Natural, Unique or Sensitive Features.** Much of the proposed development is covered with trees and tall grasses. No impact on these areas is expected as a result of the subdivision, unless a future owner decided they wanted to clear these areas.

PUBLIC HEARING #2

Application: Ordinance Amendments - Sign Ordinance, Small Animal Ordinance

Applicant: Alexandria Township

Background Information: The Planning Commission held public hearings on an updated sign ordinance (Section V.A of the Zoning Ordinance) and on the Township's "small animal" ordinance (Section V.V of the Zoning Ordinance).

The Commission had been working on these drafts for the past several months. The sign ordinance update is in reaction to the County's adoption of their updated sign ordinance in the Spring of 2013 (and which the Township had worked on cooperatively with the County). The recommended Township Ordinance is more restrictive than the County ordinance in that it

does not allow “electronic changeable copy signs” (digital signs) or “off-premise highway signs” (billboards) anywhere within the Township. The County allows both of these in certain areas and subject to specific standards. The only other changes from the County ordinance are changing references to the County to the Township where appropriate.

The small animal ordinance was an ordinance that the Township adopted in the Spring of 2012 (it is not a section that is within the County ordinance). Having had some experience with the ordinance, and hearing from several property owners who were unhappy with how restrictive it was in certain respects (mostly in terms of how many chickens they were allowed to raise), the Commission began discussing possible amendments. However, there was not universal agreement on the Commission as to whether the ordinance was too restrictive or not restrictive enough. The recommended amendment to this section represents a bit of a compromise in that respect. A summary of the changes are as follows:

More Restrictive

1. The keeping of poisonous, venomous, wild or exotic animals is prohibited throughout the Township.
2. The minimum lot size to keep small animals (not including dogs and cats, which are regulated under a separate ordinance) is recommended to be set at one (1) acre (there was no minimum lot size in the current ordinance). The Commission also recommends that this restriction be applied through an entire subdivision if the average lot size within that subdivision is one acre or less (i.e. if you have a 1.5 acre lot within a subdivision where the other lots are mostly one acre or less, you would not be able to keep small animals).
3. It is clarified that certain animals must be kept entirely within a dwelling (small reptiles/amphibians and talking birds).

Less Restrictive

1. The lot size at which the keeping of small animals (not including dogs and cats) is not regulated was reduced from five (5) acres to two and one-half (2.5) acres. Feedlot regulations would still apply (new feedlots are not allowed anywhere within the Township).
2. The number of animals which may be kept (on lots larger than one acre) would now be based on a formula that takes into account actual lot size and the square footage of fenced area to enclose the animals. The current ordinance limits the number of animals to three (3) for any lot size under five acres – whether the lot is $\frac{1}{2}$ acre or 4.9 acres.

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- Planning Commission Action:** The Planning Commission has recommended adoption of both of the amended ordinances (Section V.A and Section V.V). The recommended language is attached.

Other Items

- A training session and discussion on a Comprehensive Plan update was tabled due to the length of the meeting.

If you have questions or concerns on the items in this report or any other issues, please do not hesitate to contact us. You can reach me by email at oleson@hometownplanning.com or by phone at 888-439-9793.

Sincerely,

HOMETOWN PLANNING



Ben Oleson
Planning and Zoning Administrator

SECTION V. PERFORMANCE STANDARDS

V. SIGNS

1. Findings, Purpose, and Intent.

- a. Findings. Douglas CountyAlexandria Township hereby finds as follows:
 - (1.) Exterior signs have a substantial impact on the character and quality of the community.
 - (2.) Signs provide an important medium through which individuals may convey a variety of messages.
 - (3.) Signs can create traffic hazards, aesthetic concerns, and detriments to property values, thereby threatening the public health, safety, and welfare.

2. Purpose and Intent. It is not the purpose or intent of these sign standards to regulate the message displayed on any sign; nor is it the purpose or intent of this Ordinance to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from the outside of a building. The purpose and intent of this Section is to:

- a. Regulate the number, location, size, type, illumination, and other physical characteristics of signs within the County in order to protect and promote the public health, safety, and welfare.
- b. Maintain, enhance, and improve the aesthetic environment of the County by preventing visual clutter that is harmful to the appearance of the community.
- c. Improve the visual appearance of the CountyTownship while providing for effective means of communication, consistent with constitutional guarantees and the CountyTownship's goals of public safety and aesthetics.
- d. Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in this sign ordinance.
- e. Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this sign ordinance.
- f. Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare.
- g. Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the CountyTownship.

3. Definitions.

The following words and terms, when used in this Sign Ordinance, shall have the following meanings, unless the context clearly indicates otherwise:

Abandoned sign - any sign and/or its supporting sign structure which remains without a message or whose display surface remains blank for a period of one (1) year or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of one (1) year or more. Any sign remaining after demolition of a principal structure shall be deemed to be abandoned. Signs which are present because of being legally established nonconforming signs or signs which have required a conditional use permit or a variance shall also be subject to the definition of abandoned sign.

Awning – see “Canopy”

Balloon sign - a sign consisting of a bag made of lightweight material supported by helium, hot, or pressurized air which is greater than twenty-four (24) inches in diameter.

Billboard – see “Off-Premise highway sign”

Cabinet sign - any wall sign that is not of channel or individually mounted letter construction.

Canopy - a roof-like cover, including an awning, often of fabric, plastic, metal or glass, which projects from the wall or roof of a building- usually over a door, entrance, or window; or a freestanding or projecting cover above an outdoor service area, such as at a gasoline service station. A marquee is not a canopy.

Canopy sign - any sign attached to the underside or constructed upon a canopy or awning.

Changeable copy sign, Non-electronic - A non-electronic sign or portion of a sign which is characterized by interchangeable letters and figures.

Changeable copy sign, Electronic – An electronic sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. Such signs include, but are not limited to, signs using cathode-ray tubes (CRT), light-emitting diode (LED) displays (including organic LED screens), plasma displays, liquid-crystal displays (LCD), projection screens or other similar technologies.

Commercial Speech – speech advertising a business, profession, commodity, service or entertainment.

Digital sign – see “Changeable copy sign, Electronic”

Directional Sign – A sign whose message is intended to guide the circulation of persons and motorists within a site or to a particular off-site location.

Flag - any fabric or similar lightweight material attached at one end of the material, usually to a staff or pole - which is itself either freestanding or attached to a building, awning, canopy or other structure - so as to allow movement of the material by

atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices.

Freestanding sign - any sign which has supporting framework that is placed on, or anchored in, the ground and which is independent from any building or other structure.

Hanging sign - any sign that is suspended from the underside of a horizontal plane surface and is connected to this surface and/or to the surface of structural elements supporting that surface.

Illuminated sign - any sign which contains or uses an element designed to emanate light or any sign which has lighting directed upon it to increase its visibility.

Legally established nonconforming sign - any sign and its support structure lawfully erected prior to the effective date of this ordinance which fails to conform to the requirements of this ordinance. A sign which was erected in accordance with a variance granted prior to the adoption of this ordinance and which does not comply with this ordinance shall be deemed to be a legal nonconforming sign. A sign which was unlawfully erected shall be deemed to be an illegal sign.

Marquee sign - any sign painted, mounted, constructed or attached in any manner, on a marquee.

Monument sign - any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign.

Motion sign – any sign which in part or in total rotates, moves, or creates the appearance of movement through changing light or color effect or intermittent illumination or animation, or appears to quiver or vibrate in light or while reflecting heat waves.

Non-commercial speech – dissemination of messages not classified as Commercial Speech which include, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.

Off-premise sign – a commercial speech sign which directs the attention of the public to a business, service or product sold or offered at a location not on the same parcel where such business sign is located. For purposes of this sign ordinance, easements and other appurtenances shall be considered to be outside such parcel of land and any sign located or proposed to be located in an easement or other appurtenance shall be considered an off-premise sign.

Off-premise directional sign - an off-premise sign which serves to direct potential customers or visitors to a specific business, service or location located within two (2) miles of the sign location.

Off-premise highway sign – an off-premise sign that is located within 100 feet of the right-of-way of a highway, whether federal, state or county, having a posted or statutory speed limit of 55 or greater miles per hour and whose messaging is directed toward motorists on the highway.

On-Premise sign - a commercial speech sign which directs the attention of the public to a business, service or product sold or offered at the same parcel where such business sign is located. For purposes of this sign ordinance, easements and other appurtenances shall be considered to be outside such parcel of land and any sign located or proposed to be located in an easement or other appurtenance shall be considered an off-premise sign.

On-Premise directional sign – A sign, generally informational, that has a purpose secondary to the use of the property upon which it is located, intended to facilitate the movement of pedestrians and vehicles within the site and identify the location and nature of businesses, services or other activities located on the premise.

On-premise messages – identify or advertise an establishment, person, activity, goods, products or services located on the premises where the sign is installed.

Pole sign - any freestanding sign which has its supportive structure(s) anchored in the ground and which has a sign face elevated above ground level by pole(s) or beam(s) and with the area below the sign face open.

Portable sign - any sign which is manifestly designed to be transported by vehicle or moved by hand, including those placed or mounted on a vehicle, by trailer or on its own wheels, even though the wheels of such sign may be removed and the remaining chassis or support is converted to another sign or attached temporarily or permanently to the ground. Portable signs include sandwich and other signs designed to be easily carried or worn by a person, signs pulled, placed in or on a vehicle and signs on the side of semi-trailers, box trucks or other such equipment.

Principal building or structure - the building or structure in which the primary use of the lot is conducted. Lots with multiple principal uses may have multiple principal buildings or structures, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Projecting sign - any sign which is affixed to a building, wall, awning or canopy in such a manner that it displays more than one (1) sign surface or where its leading edge extends more than twelve (12) inches beyond the surface of such building or wall face.

Roof line - the upper-most edge of the roof or in the case of an extended facade or parapet, the upper-most height of said facade.

Roof sign, Constructed - any sign erected and constructed wholly on and above the roof of a building.

Roof sign, Painted – any sign painted on the roof surface of a building

Sign – any letter, word or symbol, poster, picture, statuary, reading matter or representation in the nature of advertisement, announcement, message or visual communication, whether painted, posted, printed, affixed or constructed, including all associated brackets, braces, supports, wires and structures, which is displayed in the public view for informational or communicative purposes.

Sign face - the surface of the sign upon, against, or through which the message of the sign is exhibited.

Sign structure - any structure including the supports, uprights, bracing and framework which supports or is capable of supporting any sign.

Wall sign - any sign attached parallel to the outside wall of a building, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one (1) sign surface.

Water-Oriented Business Sign – A sign which is directed and placed by a permitted or legal nonconforming business so as to be visible to boaters, swimmers or other recreational users of a waterbody.

Window sign - any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

4. Permits Required. No sign, unless specifically exempted by this ordinance, shall be erected, altered, reconstructed, or moved without first securing a sign permit from the CountyTownship. The content of the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit.
5. Exemptions. The following signs shall not require a permit. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this ordinance or any other law or ordinance regulating the same.
 - a. The changing of the display surface on a previously approved or legal nonconforming painted or printed sign provided that no structural changes are made and the sign face does not increase in size.
 - b. Up to three (3) unilluminated signs per parcel which are each six (6) square feet or less in size.
 - c. Personal/Decorative Signs: Unilluminated signs of any size which are 1) attached to a building and do not extend above an eave, and 2) are clearly for non-commercial purposes, and 3) are for personal enjoyment and not intended to draw attention from the general public.
 - d. Public and Traffic Signs: Any public sign (directional, safety, danger, trespassing, traffic, warning, public information or public organization) erected by, or on the order of, a duly constituted public office of City, Township, County, State, or Federal governments.
 - e. Integral Signs: Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar

- material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.
- f. Private Traffic Direction Signs: Signs directing traffic movement onto a premise or within a premise, not exceeding eight (8) square feet in area for each sign.
 - g. The established or official flag, pennant or insignia of any nation, organization of nations, state, province, county, city, any religious, civic or fraternal organization, or educational institution: provided, however, that a flag used in connection with commercial promotion or as an advertising device shall be regulated as a sign under this ordinance. Exempt flags may be of any height or size.
 - h. Roof signs, Painted
 - i. Canopies or awnings which are supported by a building, extend no further than three feet from the façade of the building, and which have a minimum clearance of eight (8) feet above ground level. Signs which are painted on, hanging from, or otherwise affixed to a canopy or awning shall be subject to the requirements of a wall sign.
 - j. Temporary signs not exceeding the time limits listed under Section 7 of this ordinance.

6. Prohibited Signs. The following signs are prohibited signs:

- a. Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signal, or which attempts to direct the movement of traffic or which hides from view or interferes with effectiveness of any official traffic-control device or any railroad sign or signal. Private traffic direction signs shall not be subject to this prohibition.
- b. Signs attached to public street/traffic signs, utility poles, bridges, towers, or similar public structures or property. Signs in violation of this subdivision may be removed by authorized personnel at the County Township's discretion, without advance notice to the sign owner.
- c. Any other structure, banner, balloon, trailer, building, portable device, or anything visible from a public road which is used as an advertising device is prohibited unless specifically authorized by this ordinance.
- d. No sign shall be permitted to obstruct any door, fire escape, stairway or other opening intended to provide ingress or egress of any building or structure.
- e. Signs which use highly reflective surfaces and that may create a blinding effect when exposed to light.
- f. Signs shall not be permitted within public right-of-way or easements nor shall a sign extend into the airspace over such a right-of-way or easement, except with the express permission of the regulatory authority.
- g. Signs which are affixed to wireless telecommunication or other tower structures, except as are necessary or required for safety and/or maintenance.

- h. Portable signs (unless exempted as a temporary sign), motion signs and inflatable signs in all zoning districts except Commercial/Industrial districts.
- 7. Temporary Signs. All temporary signs, whether permitted or exempt, shall meet the following specifications and any applicable requirements of section 8 (General Provisions) of this ordinance.
 - a. General:
 - (1.) Height: Shall not exceed 15 feet, except when attached to the wall of a building.
 - (2.) Setbacks: May be placed up to, but not extend over, a property line, except where greater setbacks are required from a lake or stream by this ordinance.
 - (3.) Anchoring: Shall be securely anchored to the ground or to a structure so as to prevent damage or displacement during winds of 80 miles per hour or greater.
 - (4.) Temporary signs shall be allowed as either a on-premise sign or an off-premise directional sign (located within two miles of the business, service or location being advertised).
 - b. The following shall be considered temporary signs when located on a property for twelve (12) months or less:
 - (1.) Signs advertising a new subdivision or development
 - (2.) Real estate signs, pertaining to the sale or lease of a building or property, including off-site directional signs
 - (3.) Unilluminated signs identifying an engineer, architect, contractor or product engaged in or used in the construction of a building
 - c. The following shall be considered temporary signs when located on a property for no more than forty-five (45) days in any six-month period:
 - (1.) Signs announcing any public, charitable, educational or religious event or function
 - (2.) Signs announcing a temporary seasonal event, sale, or service such as for the sale of Christmas trees, pumpkins, corn mazes, or fruit picking or for boat storage, located within two (2) miles of the property where the event is to take place
 - d. Portable signs shall be considered temporary signs when located on a property for no more than fourteen (14) days in any ninety (90) day period:
 - e. Non-commercial speech signs shall be considered temporary signs when located on a property from August 1 to ten (10) days following a general election and thirteen (13) weeks prior to any special or township election until ten (10) days after said election:
 - f. Temporary signs that have not been removed within the specified period may be ordered removed by the CountyTownship, unless permitted as a permanent sign, where allowed.

8. General Provisions.

- a. On-Premise/Off-Premise signs. Unless specifically noted otherwise, all non-exempt signs referred to in this ordinance shall be considered on-premise signs.
- b. Spacing. Signs located within twenty-five (25) feet of any other sign may be considered one sign for the purposes of this ordinance if they are placed in such a way as to circumvent the size limitations imposed on any one sign, as determined by the County Township.
- c. Setbacks. All sign setbacks as required by this ordinance shall be measured to the furthest horizontal extent of the sign.
- d. Height. All maximum heights as required by this ordinance shall be measured to the furthest vertical extent of the sign.
- e. Sign Area Calculation. The area within the frame shall be used to calculate the square footage (rounded to the nearest foot), regardless of whether or not more than one side is used. If such letters or graphics are mounted directly on a wall or fascia or in such way as to be without a frame, square footage shall be calculated as the area within the periphery around such letters or graphics in a plane figure bounded by straight lines connecting the outermost points thereof. Symbols, flags, pictures, wording, figures, or other forms of graphics painted on or attached to windows, walls, awnings, free-standing structures, suspended by balloons or kites or on persons, animals, or vehicles are considered a sign and are included in calculating the overall square footage. Double-faced signs which have a 90 degree angle or less between the two faces need only count one face for the purpose of calculating area. Three or more faces on a sign shall be counted against the maximum size allowed.
- f. Illumination. Where allowed, illumination for signs, whether internal or external, shall be so constructed and maintained so that the source of light is diffused and not directly visible by a motorist or pedestrian viewing the sign.
- g. No sign shall be placed in such a way that it creates a safety hazard by obstructing lines of sight for motorists or pedestrians or physically blocks a pedestrian corridor.
- h. Electronic Changeable Copy Signs — Electronic changeable copy signs are not allowed anywhere within the Township. Where allowed, electronic changeable copy signs shall meet the following requirements, in addition to any other requirements that would otherwise apply:
 - (1.) Any electronic changeable copy sign capable of displaying pictures, graphics, video or scrolling words/numbers, whether such displays are permitted or not, shall be limited to a total of thirty two (32) square feet of display area. In commercial and industrial zoning districts, display areas may be allowed up to the maximum size sign permitted in that zoning district.
 - (2.) Messages or graphics displayed on an electronic changeable copy sign must be presented in a static manner, with the message changing no more than once every five (5) seconds. The images and messages displayed must be complete

~~in themselves, without continuation in content to the next image or message or to any other sign.~~

- (3.) ~~Electronic changeable copy signs which scroll, flash, strobe, blink, pulse, fade, illuminate with varying light intensity or changing colors, or create the illusion of movement (including video displays) are prohibited.~~
- (4.) ~~Any electronic changeable copy sign designed for the sole purpose of displaying printable characters (letters, numbers, punctuation marks or symbols) in a static format shall be regulated as a non-electronic changeable copy sign, provided that the digital display may change its message not more than once per hour.~~
- (5.) ~~No sign may be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle. Electronic changeable copy signs shall automatically dim by at least 50 percent between one half hour after sunset and one half hour prior to sunrise.~~
- (6.) ~~No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.~~
- (7.) ~~Electronic changeable copy signs must be designed to freeze the display or turn the display completely off if it malfunctions.~~
- (8.) ~~Sign owners must immediately turn off an electronic changeable copy sign when notified by the county that it is not complying with the standards of this ordinance.~~

- i. Sign Lettering: All lettering or numbering shall be such that it is readable by a passing motorist at a glance. Unless otherwise required/allowed by this ordinance or by the requirements of a conditional or interim use permit, all letters, numbers and symbols (except periods, commas, dashes or other punctuation marks typically smaller than letters) shall be at least 6 inches in height (capital letters) and 4.5 inches in height (lowercase letters). This requirement shall not apply to signs identified in Section 5 (Exemptions) or Section 7 (Temporary Signs).
- j. Freestanding Canopies or Awnings: A freestanding canopy, such as above an outdoor service area, or a freestanding awning, when permanently or semi-permanently affixed to the ground, shall be permitted as a structure and are not considered signs for the purposes of this ordinance. Signs that are an integral part of, or which are attached to, a freestanding canopy or awning shall be regulated as a wall or projecting sign.

9. Fees.

Sign permit fees are as established by the adopted fee schedule.

10. Specific Regulations by Zoning District.

a. Urban Residential and Residential Shoreland Districts

(1.) Signs requiring an administrative permit

- (a) Wall, projecting or marquee signs between six (6) and twelve (12) square feet in size
- (b) Up to one (1) freestanding sign no greater than twelve (12) square feet in size and six (6) feet in height that is related to an on-premise, licensed childcare business or other nonresidential program regulated under Minnesota Statutes 245A.14 or successor statutes.

(2.) Signs requiring a conditional use permit

- (a) Wall, projecting or marquee signs between twelve (12) and thirty-two (32) square feet in size
- (b) Off-premise directional signs as follows (lesser sizes may be required by the CountyTownship in areas where normal and customary speeds are deemed to be slower than the posted or statutory speed limit):

<u>Posted or Statutory Speed Limit</u>	<u>Maximum sign size</u>
Less than 55 miles per hour	12 square feet
55 - 65 miles per hour	32 square feet

- (c) Freestanding signs up to sixteen (16) square feet in size and up to eight (8) feet in height related to an allowed or permitted business.
- (d) Two (2) freestanding, non-exempt signs per parcel

(3.) Prohibited signs

- (a) Signs larger than thirty-two (32) square feet in size.
- (b) Signs with a total height greater than eight (8) feet above the grade of the adjoining roadway, unless a wall sign placed on a permitted building.
- (c) Off-premise highway signs
- (d) Electronic changeable copy signs
- (e) Roof signs, Constructed
- (f) More than two (2) freestanding, non-exempt signs per parcel.
- (g) Signs identified in Section 6 of this ordinance.

(4.) Setbacks

- (a) Road: Two (2) feet from a road or railroad right-of-way or twenty (20) feet from the centerline of a traveled surface, whichever is more restrictive.

- (b) Other property lines: 10 feet or a distance equal to 110% of the height of the sign, whichever is greater.
- (c) Ordinary High Water Level (not applicable to wall signs):
 - i. General Development Lakes:
 - a) Unsewered: 37.5 feet
 - b) Sewered: 25 feet
 - ii. Recreational Development Lakes: 50 feet
 - iii. Natural Environment Lakes: 75 feet

(5.) Illumination

- (a) Internal illumination: Not allowed

- (b) External illumination: Allowed

b. Rural Residential District

(1.) Signs requiring an administrative permit

- (a) Wall, projecting or marquee signs between six (6) and thirty-two (32) square feet in size
- (b) Up to one (1) freestanding sign no greater than sixteen (16) square feet in size and six (6) feet in height that is related to an on-premise, licensed childcare business or other nonresidential program regulated under Minnesota Statutes 245A.14 or successor statutes.

(2.) Signs requiring a conditional use permit

- (a) Wall, projecting or marquee signs greater than thirty-two (32) square feet in size
- (b) Off-premise directional signs as follows (lesser sizes may be required by the CountyTownship in areas where normal and customary speeds are deemed to be slower than the posted or statutory speed limit):

<u>Posted or Statutory Speed Limit</u>	<u>Maximum sign size</u>
Less than 55 miles per hour	20 square feet
55 - 65 miles per hour	48 square feet

- (c) Freestanding signs up to sixteen (16) square feet in size and up to fifteen (15) feet in height related to an allowed or permitted business.
- (d) Two (2) freestanding, non-exempt signs per parcel.

(3.) Prohibited signs

- (a) Signs larger than forty-eight (48) square feet in size.

- (b) Signs with a total height greater than fifteen (15) feet above the grade of the adjoining roadway, unless a wall sign placed on a permitted building.
- (c) Off-premise highway signs
- (d) Electronic changeable copy signs
- (e) Roof signs, Constructed.
- (f) More than two (2) freestanding, non-exempt signs per parcel.
- (g) Signs identified in Section 6 of this ordinance.

(4.) Setbacks

- (a) Road: Two (2) feet from a road or railroad right-of-way or twenty (20) feet from the centerline of a traveled surface, whichever is more restrictive. Other property lines: 10 feet or a distance equal to 110% of the height of the sign, whichever is greater.

(5.) Illumination

- (a) Internal illumination: Not allowed
- (b) External illumination: Allowed

c. Agricultural Rural Conservation Residential District

(1.) Signs requiring an administrative permit

- (a) Wall, projecting or marquee signs between six (6) and forty-eight (48) square feet in size
- (b) Up to one (1) off-premise, permanent directional sign up to twelve (12) square feet in size
- (c) Up to one (1) freestanding sign no greater than sixteen (16) square feet in size and eight (8) feet in height that is related to an on-premise, licensed childcare business or other nonresidential program regulated under Minnesota Statutes 245A.14 or successor statutes.

(2.) Signs requiring a conditional use permit

- (a) Wall, projecting or marquee signs between forty-eight (48) and sixty-four (64) square feet in size
- (b) Off-premise directional signs as follows (lesser sizes may be required by the County Township in areas where normal and customary speeds are deemed to be slower than the posted or statutory speed limit):

Posted or Statutory Speed Limit	Maximum sign size
Less than 55 miles per hour	24 square feet
55 - 65 miles per hour	48 square feet

- (c) Freestanding signs up to thirty-two (32) square feet in size and up to fifteen (15) feet in height, and wall signs up to ten percent (10%) of a building façade which faces a street, related to an allowed or permitted business.
- (d) Roof signs, Constructed
- (e) More than one (1) freestanding, non-exempt signs per parcel.
- (f) ~~Electronic changeable copy signs up to 32 square feet in size.~~

(3.) Prohibited signs

- (a) Electronic changeable copy signs
- (b) Signs larger than sixty-four (64) square feet in size.
- (c) Signs with a total height greater than fifteen (15) feet above the grade of the adjoining roadway, unless a wall sign placed on a permitted building.
- (d) Off-premise highway signs
- (e) More than two (2) freestanding, non-exempt signs per parcel.
- (f) Signs identified in Section 6 of this ordinance.

(4.) Setbacks

- (a) Road: Two (2) feet from a road or railroad right-of-way or twenty (20) feet from the centerline of a traveled surface, whichever is more restrictive.
- (b) Other property lines: 10 feet or a distance equal to 110% of the height of the sign, whichever is greater.

(5.) Illumination

- (a) Internal illumination: Not allowed
- (b) External illumination: Allowed

d. Rural Commercial/ Urban Commercial / Light Industrial Zones

(1.) Signs requiring an administrative permit

- (a) Wall, projecting or marquee signs between six (6) and sixty-four (64) square feet in size or Wall signs up to ten percent (10%) of a building façade which faces a street. Such signs may be internally or externally illuminated.
- (b) Up to two (2) permanent freestanding signs per property as follows:
 - i. Sign A: No greater than sixty-four (64) square feet in size and thirty five (35) feet in height.
 - ii. Sign B: No greater than sixty-four (64) square feet in size and fifteen (15) feet in height.

- (c) Permanent off-premise directional signs advertising a business within two (2) miles of the sign not greater than thirty-two (32) square feet in size
- (2.) Signs requiring a conditional use permit
 - (a) Wall, projecting or marquee signs greater than sixty-four (64) square feet in size or Wall signs up to ten percent (10%) of a building façade which faces a street.
 - (b) Permanent off-premise directional signs advertising a business located within two (2) miles of the sign between 32 and 64 square feet in size (lesser sizes may be required by the ~~CountyTownship~~ in areas where normal and customary speeds are deemed to be slower than the posted or statutory speed limit):
 - (c) ~~Off premise highway signs subject to the following limitations:~~
 - i. ~~Messaging area:~~
 - a) ~~675 sq ft: Within 100 feet of the right of way of a highway having a posted or statutory speed limit of greater than 65 miles per hour~~
 - b) ~~250 sq ft: All other areas within the Commercial or Industrial zoning districts.~~
 - ii. ~~Spacing:~~
 - a) ~~No closer than 300 feet to a road or railroad intersection~~
 - b) ~~No closer than 500 feet to another off premise highway sign~~
 - (d) Up to one (1) pole or monument sign no greater than one hundred (100) square feet in size when located along highways with a posted speed limit of greater than 65 miles per hour.
 - (e) Illuminated freestanding signs
 - (f) Electronic changeable copy signs
 - (g) Non-Temporary Portable signs
 - (h) Motion signs
 - (i) Inflatable signs
 - (j) Roof signs, Constructed
 - (k) More than two (2) freestanding signs per parcel.
 - (l) Signs with more than two faces
- (3.) Prohibited signs

(a) Signs with a total height greater than thirty-five (35) feet above the grade of the adjoining roadway, unless a wall sign placed on a permitted building.

(b) Off-premise highway signs

(a)(c) Electronic changeable copy signs

(b)(d) Signs identified in Section 6 of this ordinance.

(4.) Setbacks and Height

(a) Road:

- i. Signs less than 10 feet in height: 2 feet from a road or railroad right-of-way or twenty (20) feet from the centerline of a traveled surface, whichever is more restrictive.
- ii. Signs from 10 to 20 feet in height: 10 feet from a road or railroad right-of-way or twenty (20) feet from the centerline of a traveled surface, whichever is more restrictive.
- iii. Signs greater than 20 feet in height: 20 feet from a road or railroad right-of-way or twenty (20) feet from the centerline of a traveled surface, whichever is more restrictive.

(b) Other property lines: 10 feet or a distance equal to 110% of the height of the sign, whichever is greater.

(c) Maximum height

- i. Along roads with a posted speed limit of 40 miles per hour or greater: 35 feet
- ii. Along roads with a posted speed limit of less than 40 miles per hour: 20 feet

11. Additional Provisions for Water-Oriented Business Signs

In addition to regulations applicable to the relevant zoning district, on shoreland properties where resorts, bait shops, restaurants or other permitted or legal nonconforming businesses exist, the following shall apply to signs located so as to be visible from a lake or stream:

a. Signs requiring an administrative permit

- (1.) Unilluminated wall signs no greater than twenty-four (24) square feet in size, or ten percent (10%) of a building façade which faces a waterbody, whichever is greater.
- (2.) Projecting signs no greater than twelve (12) square feet in size
- (3.) Up to one (1) unilluminated freestanding sign, no greater than thirty-two (32) square feet in size, per water frontage.

b. Signs requiring a conditional use permit

- (1.) Wall signs greater than twenty-four (24) square feet in size

- (2.) Hanging signs greater than (12) square feet in size.
 - (3.) Illuminated signs
 - (4.) Roof signs, Constructed
- c. Prohibited signs
- (1.) Signs larger than thirty-two (32) square feet in size.
 - (2.) Off-premise directional sign
 - (3.) Electronic changeable copy signs
 - (4.) Portable signs
 - (5.) Motion signs
 - (6.) Inflatable signs
 - (7.) More than one (1) freestanding signs per parcel.
 - (8.) Signs with a total height greater than twenty-five (25) feet above the ordinary high water elevation, unless a wall sign placed on a permitted building.
- d. Setbacks
- (1.) Ordinary High Water Mark: No sign may be placed within a shore impact zone, except wall signs on legal, nonconforming buildings.
 - (2.) Other property lines: 10 feet or a distance equal to 110% of the height of the sign, whichever is greater.
- e. Maximum height: 15 feet
- f. Maximum size: 32 square feet

12. Non-Conforming Signs

It is recognized that signs exist within the zoning districts which were lawful before this sign ordinance was enacted, which would be prohibited, regulated or restricted under the terms of this chapter or future amendments. It is the intent of this sign ordinance that legal nonconforming signs and supporting structures shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other signs or uses prohibited elsewhere in the same district. It is further the intent of this sign ordinance to permit legal nonconforming signs and supporting structures existing on the effective date of this sign ordinance, or amendments thereto, to continue as legal nonconforming signs or supporting structures provided such signs are safe, are maintained so as not to be unsightly, and the sign has not been abandoned or removed subject to the following provisions.

- a. No sign or supporting structure shall be enlarged or altered in a way which increases its nonconformity.
- b. Should such sign or sign structure be destroyed by any means to an extent greater than fifty (50) percent of its replacement cost and no permit has been applied for within 180 days of when the property was damaged, it shall not be reconstructed except in conformity with the provisions of this ordinance.

- c. Should such sign or supporting structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved.
- d. No existing sign devoted to a use not permitted by the zoning code in the zoning district in which it is located shall be enlarged, extended or moved except in changing the sign to a sign permitted in the zoning district in which it is located.

13. Inspection, Maintenance, Removal

a. Inspection

Any sign for which a permit is required may be inspected periodically by the CountyTownship for compliance with this Ordinance and all other applicable laws.

b. Maintenance

- (1.) The owner, lessee or manager of any monument sign and the owner of the land on which the same is located shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which a sign is located.
- (2.) All signs shall contain current information. Outdated signs or signs with information that is outdated shall be removed by the property owner.
- (3.) Painting, repainting, cleaning and normal maintenance and repair of a sign or sign structure is required to protect the sign and prevent its deterioration and maintain its neat appearance. Such maintenance is allowed without permit unless a structural change is made.
- (4.) Any sign located in the CountyTownship which may now be or hereafter become out of order, rotten or unsafe, and every sign which shall hereafter be erected, altered, resurfaced, reconstructed or moved contrary to the provisions of this section, shall be removed or otherwise properly secured in accordance with the terms of this section by the owners thereof or by the owners of the grounds on which said sign shall stand, upon receipt of proper notice so to do, given by the issuing authority. No rotten or other unsafe sign shall be repaired or rebuilt except in accordance with the provisions of this section and upon a permit issued by the issuing authority.

c. Removal

- (1.) Abandoned signs shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises.
- (2.) Illegally erected signs shall be removed by the owner or lessee of the premises upon which the sign is located upon notice by the CountyTownship of its illegal status.
- (3.) If the owner or lessee fails to remove an abandoned or illegally erected sign, the CountyTownship shall remove it in accordance with this section. These

removal provisions shall not apply to abandoned signs where a succeeding owner or lessee conducts the same type of business and agrees to maintain the signs as provided in this Ordinance or changes copy on the signs to advertise the type of business being conducted on the premises and provided the signs comply with the other provisions of this Ordinance.

- (4.) Any sign which becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety must be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure or land upon which the sign is located.
- (5.) The CountyTownship shall order the removal of any sign erected or maintained in violation of this Ordinance. Ten (10) days notice in writing shall be given to the owner of such sign, or of the building, structure or premises on which such sign is located, to remove the sign or to bring it into compliance with the Ordinance. Upon failure to remove the sign or to comply with this notice, the CountyTownship may remove the sign. The CountyTownship may remove the sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety of the public. Any costs of removal incurred by the CountyTownship shall be assessed to the owner of the property on which such sign is located and may be collected in the manner of ordinary fee collection or in the manner of taxes and all costs shall be assessed against the property. Signs located within the right-of-way of County or Township Roads may be removed by the County or Township at any time without notice.

SECTION III. ZONING DISTRICT REGULATIONS

B. Uses Permitted.¹ ² The following set of tables establishes the uses permitted, permitted by conditional or interim use permit, or not permitted. **All uses are subject to the requirements or performance standards of this ordinance.** Performance standards applicable to uses in all zoning districts are given in Section V.

Key: A = Allowed, no permit required; P = A use allowed, but which may require a land use permit; CU = A use requiring a Conditional Use Permit; IU = A use requiring an Interim Use Permit; X = not permitted.

RESIDENTIAL USES	RCR	RR	UR	RS	CS	C-U	C-R	I
Keeping of Animals (as per Section V.V of this ordinance) ³	A	A/IU	A/IU	A/IU	A/IU	A	A	A

SECTION V. PERFORMANCE STANDARDS

V. KEEPING OF ANIMALS

The purpose of these regulations is to permit and regulate the keeping of small animals not otherwise regulated by this ordinance as livestock or under Alexandria Township Ordinance #117 (dogs and cats) as may be amended from time to time. These regulations are intended to To provide a higher development standard and to control the keeping of small animals so as to preserve the residential nature of certain areas.

1. General

a. The keeping of animals which are poisonous, venomous, constrictive, dangerous, wild or exotic is prohibited throughout the Township.

b. Unless kept entirely within a dwelling (not including attached garages), the keeping of animals subject to this ordinance is not allowed on lots less than one acre in size, in platted subdivisions with an average lot size of one (1) acre or less, or on lots with a width of 60 feet or less.

c. To provide a higher development standard and to control the keeping of small animals so as to preserve the residential nature of certain areas. This The remainder of this section shall be applicable to all parcels of land within which are one (1) to two and one-half (2.5) acres in size and within the Urban Residential, Rural Residential or shoreland district zoning districts that contain five acres or less..

2. Definitions

Animal, Small: Animals or fowl not otherwise defined as livestock by this ordinance, as a dog or cat under Alexandria Township Ordinance #117 as may be amended from time to time, or as a “regulated animal” under Minnesota Statutes 346.155. Small animals shall, except for dogs and cats, include any animal kept as a pet or for the purpose of food production (either for personal consumption or sale) such as, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons, peacocks, rabbits,

¹ Amended 7/2/2007 (Resolution #07-09)

² Amended 12/7/2009 (Resolution #09-05) to reflect addition of interim uses

³ Added 5/21/2012 (Resolution #12-05)

miniature pigs, mink, ferrets, nonvenemous snakes less than 6 feet in length, parrots and other birds, and other animals or fowl of similar size and type. Small animals or fowl under 3 months in age shall not be included when computing the number of allowed small animals or fowl. Beekeeping shall not be considered a small animal for the purpose of these regulations (see Section V.W for regulations specific to beekeeping).

Fowl/Poultry, Large: Geese, turkeys, peacocks

Fowl/Poultry, Small: Chickens, guinea hens, ducks, pigeons, parrots and other birds.

Reptiles/Amphibians, Small: Snakes, lizards, iguanas, chameleons, salamanders, turtles, frogs

Mammals, Small: Rabbit, mink, ferret, miniature/pot-belly pigs

3. Regulations

This ordinance establishes three general categories of regulations affecting small animals. The three general categories are defined as follows:

- a. **Small animals kept within a dwelling.** Unless specifically prohibited by Section 1a of this ordinance, Any small animals kept completely and entirely within a dwelling are not regulated by this ordinance. These are animals that are generally kept as pets and are contained within cages, aquariums, or other similar enclosures. Small reptiles/amphibians and talking birds (parrots, parakeets, cockatoos, etc...) are only allowed when kept completely and entirely within a dwelling.
- b. **Small animals kept within an attached or detached accessory building (or in a fenced area ~~of up to 36 sq ft that must be attached to an accessory building~~ setback from neighboring property lines at least 25 feet).** The keeping of ~~up to three (3)~~ small animals shall be allowed as an allowed or an interim use, provided that such animals are sufficiently contained so as to prevent their running at large or entering the premise of any neighboring property. The maximum number of animals allowed shall be as follows:

Type of Animal	Allowed Use*	Interim Use*
<u>Small Fowl/Poultry</u>	<u>1 per 14 sq ft of fenced area, up to 3 animals except that no roosters shall be permitted.</u>	<u>1 per 12 sq ft of fenced area, up to 6 animals except that no roosters shall be permitted.</u>
<u>Large Fowl/Poultry</u>	<u>1 per 26 sq ft of fenced area, up to 2 animals</u>	<u>1 per 26 sq ft of fenced area, up to 4 animals</u>
<u>Talking birds</u>	<u>Only allowed in a</u>	<u>Only allowed in a</u>

	<u>dwelling</u>	<u>dwelling</u>
<u>Small reptiles/amphibians</u>	<u>Only allowed in a dwelling</u>	<u>Only allowed in a dwelling</u>
<u>Small Mammals (except pigs)</u>	<u>1 per 10 sq ft of fenced area, up to 3 animals.</u>	<u>1 per 10 sq ft of fenced area, up to 6 animals.</u>
<u>Miniature/Pot-Belly Pigs</u>	<u>1 per 200 sq ft of fenced area, up to one animal or in a dwelling</u>	<u>1 per 200 sq ft of fenced area, up to 2 animals or in a dwelling.</u>
* <u>The number of animals allowed shall increase by one (1) for each half-acre of land above one acre.</u>		

b.c. **Small animals running at large or in numbers greater than three.** Small animals ~~in numbers greater than three (3), or small animals~~ that are allowed to run at large or are otherwise uncontained within a building or shelter shall not be permitted.

4. Performance Standards

- a. **Disposal of Animal Feces.** A property owner shall clean and properly dispose of animal feces on a daily or weekly basis, or as necessary to ensure that odors do not become a nuisance to any nearby property owner or the public.
- b. **Noise.** No owner shall permit any animal under his or her custody or control to create a nuisance by way of crying, howling, screeching, growling or other vocalization.
- c. **Maintenance of facilities/enclosures.** All facilities, buildings or other enclosures for the housing of small animals shall be constructed of material appropriate for the animal involved, contain and restrain the animal they are designed or built to contain without causing injury to, or depriving the animal of necessary environmental elements, and be maintained in good repair.